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Statement by Ambassador Kyaw Moe Tun, Permanent Representative of the
Republic of the Union of Myanmar to United Nations

Agenda Item 85: The Rule of Law, at the Sixth Committee of the
Seventy-Sixth session of UN General Assembly

(New York, 8 October 2021)

Madam Chair,

Let me begin by congratulating you on your election as the Chair of the Committee. I assure you and the Bureau of our full support and cooperation.

I also wish to thank the Secretary-General for his report on the state of UN rule of law activities.

Madam Chair,

The rule of law is the bedrock for every country in order to maintain a peaceful and prosperous society no matter whatever political system and social policies it pursues. Prevalence of the rule of law at the national level is fundamental to the strengthening of respect for international law.

Myanmar continues to regard strengthening and promotion of the rule of law at the national and international levels as prerequisite to achieve the SDG 16 goal, as well as to perform it in accordance with the principles enshrined in the United Nations Charter.

Because of the interdependent and mutually reinforcing relationship between national and international rule of law, the destruction of the rule of law in a domestic setting can result in massive violations of international law, particularly territorial

criminal, human rights and humanitarian laws, largely undermining the rule of law at the international level.

need to uphold the rule of law, among others. However, the calls from the international community including the Security Council, the General Assembly and the Human Rights Council have only met total disregard of the military junta. Instead, the military forces have murdered more than 1,100 civilians and continue to do so.

Under the illegal military junta, credibility of justice mechanisms and institutions has been lost. Democratic lawmaking processes have been replaced by rule by fiat. Their own interpretation of the rule of law is rounding up anyone perceived as opposing their illegal attempted coup. No one can expect adherence or respect for the principles of the rule of law such as equal enforcement, fair and independent adjudication, due process, trial, legal certainty, accountability, avoidance of arbitrariness and procedural and legal transparency. As a result, public confidence in State institutions especially law enforcement has collapsed.

There have been widespread arbitrary arrests, extrajudicial killings, torture to death in detention and enforced disappearance. Besides, so-called military tribunals try cases against civilians summarily and impose the harshest penalties for each including death sentences with no right of appeal, in violation of international fair trial standards. The accused persons had no legal representation. According to the UN High Commissioner for Human Rights, as of 15 July, 65 individuals including children have received death sentences, 39 of whom were tried in absentia

Madam Chair,

The key enabler of such violations and lack of respect for the rule of law is a culture of impunity enjoyed by the perpetrators of the failing military coup. Ending impunity and addressing accountability is a critical effort of the international community in promoting the rule of law at the international level. Under a number of contexts including the Women, Peace and Security agenda, the UN Security Council have emphasized the need to end impunity and prosecute those responsible for serious international crimes. I also thank the

Secretary-General for including in his report the work of the Independent Investigative Mechanism for Myanmar as an important international accountability mechanism.