



# MYANMAR

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**Statement by H.E. Mr. Kyaw Moe Tun, Permanent Representative of Myanmar to  
the United Nations**

**Agenda item 85: the Scope and Application of the Principle of Universal Jurisdiction,  
at the Six Committee of the Seventy-Seventh session of UN General Assembly**

**(New York, 12 October 2022)**

**Mr. Chair,**

At the outset, I wish to thank the Secretary-General for his report on this agenda item.

The summary of comments and observations made by Governments and observers provided in the report makes clear the diverse views of member states, particularly with regards to its definition, scope and application. We share the concern made by some member states over the practice of universal jurisdiction as having the potential to be abusive and cause interference in the internal affairs of states.

At this juncture, we, the members of the international community, carry significant responsibility to clarify the scope and application of the principle of universal jurisdiction on a consensual basis. It is only by reaching such goal that we can properly establish an effective principle of universal jurisdiction and prevent any abusive applications of it by states through legal institutions. On the other hand, the failure to do so would undermine not only the principles enshrined in the UN Charter, but also the rules and principles of the international law.

**Mr. Chair,**

My country of Myanmar is facing various challenges since the illegal military coup in February 2021. Unnecessary suffering has been imposed on our people against their will.

The inhumane military junta has been continuously committing serious violations of international humanitarian and human rights law, including war crimes and crimes against humanity. Due to their disregard for the rule of law, norms and principles, and especially their flagrant disregard of the will of Myanmar people, our people are experiencing an enormous manmade decline in their socio-economic security and well-being. Poverty, food insecurity, sexual violence, human and child trafficking, displacement and refugees are their daily experience.

The UN Special Rapporteur on the situation of human rights in Myanmar and the Independent Investigative Mechanism for Myanmar have thoroughly presented these atrocities in their reports. The Myanmar people have repeatedly spoken loudly of the dire situation in Myanmar. They have called for help and for decisive action from the international community. This help has not yet come. No decisive action has yet appeared.

Therefore, in respect of grave crimes which impose serious threats and affect not only a specific state but also the regional and international community, the establishment of the principle of universal jurisdiction at the international level would be highly preferable and complementary. It is imperative that the international community practice the principle of universal jurisdiction in good faith and apply it whenever a state or groups of states are unable or unwilling to exercise proper law through existing jurisdictions, including domestic ones. It is indeed needed especially when there is a lack of decisive action from relevant established international mechanisms such as the UNSC to save lives of innocent people from atrocities.

Accordingly we continue to believe that the principle of universal jurisdiction would serve as a means to end the culture of impunity enjoyed currently by the perpetrators of serious crimes such as war crimes, crime against humanity, ethnic cleansing and genocide.

Moreover, perpetrators who commit such heinous crimes must be punished and be held accountable no matter what.

As such, we welcome the ongoing efforts to bring Myanmar's unwanted and unlawful military leadership, perpetrators of war crimes and crime against humanity, to justice through the application of universal jurisdiction across the world.

For this reason, **Mr. Chair**, the National Unity Government of Myanmar looks forward to constructive outcomes from these, our collective efforts, on the scope and application of the principle of universal jurisdiction. Myanmar will continue to work closely with all relevant stakeholders to that end.

I thank you.

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