

Statement by H.E. Mr. Maung Wai
Permanent Representative/Ambassador of Myanmar
Agenda item. 2 Legal framework and key concepts
at the Seventh Session of the Forum on Minority Issues
Geneva, 25 November 2014

Mr. Chair,

- First of all, my delegation would like to congratulate you on your appointment as the chairperson of this important forum.
 - We would like to make general comments on some important concepts and the draft recommendations prepared for the forum.
 - My delegation sees no big difficulty in the idea of collective response to protect populations including minorities from atrocity crimes; such heinous crimes should never be allowed to happen again.
 - However, it is vital for us to bear in mind different interpretations and views on this delicate concept, especially on its limits and applications.
 - My delegation believes that today's discussion is a good opportunity for us to consider possible collective means to protect populations from atrocity crimes and, on the other hand, how to safeguard the concept of R2P from being misused or abused for ulterior purposes or agenda.
 - Remaining questions such as when and how to apply the concept of R2P and who will decide to give the mandate need further careful discussions.
 - Furthermore, it is necessary to give considerable attention to other questions such as how to ensure the judgment or categorization of a situation as specified crime or decision to apply R2P is well-founded, unbiased and based on factual information with high degree of impartiality, accuracy and objectivity.
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- My delegation is aware of a draft recommendation to the international community to consider the principle of the R2P to end acts of violence targeted against minorities and to take collective action, in accordance with Chapter VII of the Charter of the United Nations, if a State is manifestly failing to protect its population.
- In this regard, we have to be mindful that the areas of application must be limited to clear cases of the four crimes namely: genocide, war crimes, ethnic cleansing and crimes against humanity only, as identified by the Outcome Document of the 2005 World Summit. It is our hope that the draft recommendation would better clarify the fact.
- Furthermore, my delegation believes that use of force in sovereign states in the name of protecting population under danger of specified crimes deserves a deeper and wider discussion from various aspects and its implications to avoid abusing the concept of R2P.
- I thank you, Mr. Chair.
