



# Security Council

Seventy-second year

## 8133<sup>rd</sup> meeting

Tuesday, 12 December 2017, 3 p.m.

New York

*Provisional*

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*President:* Mr. Kawamura . . . . . (Japan)

*Members:*

Bolivia (Plurinational State of) . . . . .	Mr. Inchauste Jordán
China . . . . .	Mr. Wu Haitao
Egypt . . . . .	Mr. Aboulatta
Ethiopia . . . . .	Mr. Alemu
France . . . . .	Mr. Delattre
Italy . . . . .	Mr. Lambertini
Kazakhstan . . . . .	Mr. Umarov
Russian Federation . . . . .	Mr. Nebenzia
Senegal . . . . .	Mr. Ciss
Sweden . . . . .	Mr. Skoog
Ukraine . . . . .	Mr. Vitrenko
United Kingdom of Great Britain and Northern Ireland . .	Mr. Allen
United States of America . . . . .	Mrs. Haley
Uruguay . . . . .	Mr. Rosselli Frieri

## Agenda

The situation in Myanmar

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*The meeting was called to order at 3.10 p.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation in Myanmar**

**The President:** In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Bangladesh and Myanmar to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs; and Ms. Pramila Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Feltman.

**Mr. Feltman:** Mr. President, I thank you for the invitation to brief on recent developments in Myanmar. I welcome the participation of Ambassador Hau Do Suan as well as Ambassador Masud Bin Momen. I also welcome being joined by Ms. Pramila Patten, Special Representative on Sexual Violence in Conflict.

The estimated number of refugees who have entered Bangladesh since 25 August now exceeds 626,000. As the Secretary-General underlined in his 2 September letter to the Council (S/2017/753), we need collectively to encourage the adoption of policies to end the vicious cycle of discrimination, violence and displacement in Rakhine.

The Council's 6 November presidential statement (S/PRST/2017/22), reaffirming the sovereignty, political independence, territorial integrity and unity of Myanmar, noted that the Government holds the primary responsibility to protect its population through the rule of law and the respect, promotion and protection of human rights. During my October visit, I explored with the authorities potential United Nations support in these key areas.

My visit followed shortly after State Counsellor Aung San Suu Kyi's 12 October address responding to the humanitarian concerns in Rakhine and the return of refugees from Bangladesh. We welcome the State Counsellor's decision to establish the Union

Enterprise for Humanitarian Assistance, Resettlement, and Development in Rakhine as well as the signing of the memorandum of understanding on returns between Myanmar and Bangladesh.

We are also encouraged by the announcement that the new Advisory Commission comprising international experts and the Committee for Implementation of the Recommendations on Rakhine State will meet in early January to finalize action plans to rehabilitate and develop the region. We hope that plans will swiftly be followed by action.

The State Counsellor's visit to Rakhine on 2 November was an important step. We urge all Myanmar leaders, including in the military, to condemn incitement to racial hatred and violence. We encourage them to adopt measures to defuse tensions between communities and create an environment for safe and dignified repatriation, including through interfaith initiatives.

We have highlighted to the authorities that the capacities, best practices and extensive experience of the United Nations can help in implementing their stated intentions in a timely and effective manner.

Although the violence has subsided, new refugees continue to arrive in Bangladesh, albeit at slower rates. These refugees arrive exhausted, destitute and traumatized. The Government of Bangladesh estimates that more than 36,000 unaccompanied children arrived with no immediate family support system. During November, arson in Rakhine state appeared to lessen, but recent satellite imagery revealed renewed fires and related destruction in different villages.

Humanitarian access to Rakhine state remains insufficient. Although Myanmar permitted some International Committee of the Red Cross and, more recently, World Food Programme assistance, access by other United Nations agencies and partners to northern Rakhine is still highly restricted. Issuance of travel authorizations has eased in central Rakhine, but large numbers of staff still lack these permits owing to cumbersome procedures.

We all are grateful for the continued generosity of the Government and the people of Bangladesh, and we call on the international community to continue to support their efforts. But the origins of and solutions to the Rohingya crisis rest in Myanmar. Repatriation and reconciliation policies will fail without accountability

and non-discriminatory rule-of-law and public-safety measures to address the fears and distrust among communities in Rakhine.

On 23 November, Myanmar and Bangladesh reached a bilateral agreement on the issue of returns. The agreement recognizes the need for a “comprehensive and durable solution” through a “safe, dignified and voluntary return” in accordance with international law.

In this regard, I would like to present some key considerations.

First, returns must be supported by reconciliation efforts, and the time frame must allow for this and other measures to ensure that return is sustainable. Central to this is the implementation of the Rakhine Advisory Commission recommendations.

Secondly, returns should be to the original place of residence or to a safe, secure place near their destination of choice, as envisaged by the arrangement. It should not be to camps, however temporary; experience shows that camps lead to prolonged segregation.

Thirdly, the reference to freedom of movement in the arrangement is positive, but the qualifier “in conformity with existing laws and regulations”, which are currently extremely restrictive, is a serious limitation. Expanding freedom of movement is essential to achieving stated commitments on access to basic services and livelihoods.

Fourthly, eligibility criteria for return must be applied in the broadest possible manner. The current requirements, including documentary proof of residence, would be difficult for many refugees to meet.

Fifthly and finally, experience on voluntary repatriation movements over the decades underscores the important role that the United Nations, through the Office of the United Nations High Commissioner for Refugees (UNHCR), can play in all aspects of a return operation. We encourage the inclusion of UNHCR in the joint working group aimed at overseeing all aspects of return.

We appreciate the role of neighbouring countries, particularly China, in constructively engaging both Bangladesh and Myanmar to facilitate the bilateral agreement. During his recent visit to Myanmar, Chinese Foreign Minister Wang Yi pointed out the importance of finding a long-term solution, including by addressing the chronic underdevelopment in

Rakhine state. Strengthened regional cooperation with Myanmar will be essential. We welcome Myanmar’s engagement with the Association of Southeast Asian Nations for humanitarian assistance, which led to an initial delivery of 80 tons of relief material for Rakhine.

The recently established Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine aims to support cooperation between the Government and all sectors, including the United Nations, in the implementation of development projects. Meetings between the Government, donors and the United Nations have started. In addition, the Implementation Committee for the Rakhine Advisory Commission has begun meeting and identified priority interventions in specific sectors.

These are welcome developments, but we again urge tangible action and implementation of these commitments. Plans alone are not sufficient. We hope that Myanmar will draw upon the wealth of expertise that the United Nations can offer.

As Kofi Annan highlighted, the complex challenges in Rakhine require civilian-military coordination. Council members have underlined the importance of effective partnership with the Myanmar authorities, especially the military. Close neighbours such as China and Indonesia can help through their military-to-military engagement. We appreciate the recognition by these regional and other Member States of the role of the United Nations in helping Myanmar address areas beyond Rakhine, including the peace process, to help advance the country’s democratic consolidation efforts.

The 2020 national elections will stand as an important test in the consolidation of the nation’s democratic institutions.

The effort to achieve peace between the Government and the various ethnic armed organizations is a cornerstone of this transition. All eight signatory parties have shown a sustained commitment to upholding the October 2015 nationwide ceasefire agreement. Momentum in the peace process is slowing, however, with the majority of ethnic armed organizations still not among the signatories.

Finally, I note that the General Assembly is expected to adopt the Third Committee draft resolution on the situation of human rights in Myanmar, which requests the Secretary-General to appoint a Special Envoy. We want that initiative to strengthen our

partnership with Myanmar in close consultation with Member States in the region and beyond. We believe we have much to offer in working with Myanmar on a number of challenges the country faces, in full respect of Myanmar's sovereignty.

**The President:** I thank Mr. Feltman for his briefing.

I now give the floor to Ms. Patten.

**Ms. Patten:** I would like to thank the Security Council, and in particular the presidency of Japan, for inviting me to brief it on my recent visit to Cox's Bazar.

The presidential statement on Myanmar (S/PRST/2017/22), adopted by the Council on 6 November, underscored the importance of preventing and responding to sexual violence, and of cooperation between the Government of Myanmar and my Office in that regard. I am pleased to inform the Council that the Government of Myanmar has extended an invitation to me to visit Nay Pyi Taw and Yangon from 14 to 16 December to meet with the State Counsellor, the Ministers for Defence and Home Affairs and representatives of the armed and security forces. I look forward to that visit and hope it will generate commitments in line with the measures requested by the Council in resolution 2106 (2013).

Since the Council established it, in 2009, my mandate has served as a voice for the voiceless. I come before the Council today to amplify the voices of the survivors who so bravely shared their stories with me because they want the world to know their plight. I visited Bangladesh from 5 to 13 November, including several camps and settlements — namely, Kutupalong, Unchirang and Leda, as well as the Konapara border area. I also deployed an inter-agency technical team, which included representatives of the International Organization for Migration, UNICEF and the United Nations Population Fund, to carry out an initial assessment of the situation.

Over the course of three days, I heard the most heart-breaking and horrific accounts of sexual atrocities reportedly committed in cold-blood out of a lethal hatred for the Rohingya community based on their ethnicity and religion. The accounts were consistent and corroborated by international medical staff and other service-providers operating in the area. The acts described were by no means isolated incidents: every woman or girl I spoke with reported having either endured or witnessed sexual violence. The forms

of sexual violence I consistently heard about from survivors and witnesses included rape, gang-rape by multiple soldiers, forced public nudity and humiliation, and sexual slavery in military captivity. One survivor described being held in captivity by members of the Myanmar armed forces — the Tatmadaw — for 45 days, during which she was reportedly raped over and over again. Several survivors still bore visible scars, bruises, burns and bite marks, attesting to their ordeal. One woman showed me how she could no longer see out of her left eye, which was bitten by a soldier during a vicious sexual assault.

There are indications that this pattern of widespread and systematic sexual violence has been used as a tool of dehumanization and collective punishment. Women and girls recounted how, upon the arrival of soldiers in their village, they were forced to strip naked and threatened with rape in front of their husbands and fathers, while their homes were set ablaze. They related how, in some cases, village leaders were compelled to sign documents stating that they had set fire to their own homes, in order to save the women of their community from rape.

I met a number of profoundly traumatized women who related how their daughters were allegedly raped inside their home and left to perish when the houses were torched. Some witnesses reported women and girls being tied to either a rock or a tree before multiple soldiers literally raped them to death. Many reported having witnessed family members, friends and neighbours being slaughtered in front of them. The two words that echoed across every account I heard were "slaughter" and "rape". Most women I spoke with shared details of how such brutal acts of sexual violence occurred in the context of persecution, which reportedly began long before August 2017, as manifested in looting, torture and the slaughter of civilians — even newborn babies, who represent the future of the Rohingya community. Some women recounted how soldiers drowned babies in the village well. A few women told me how their own babies were allegedly thrown in the fire as they were dragged away by soldiers and gang-raped.

Those shocking accounts indicate a pattern of grave violations of international humanitarian law and human rights law committed against Rohingya women and girls in the context of military operations. The widespread threat and use of sexual violence served as a driver and push factor for forced displacement on a massive scale, and as a calculated tool of terror seemingly aimed at the

extermination and removal of the Rohingya as a group. Some rape survivors reported being insulted and told, “You are not citizens of Myanmar — you must leave”.

All of the women I spoke with said they wanted to see the perpetrators punished. Without exception, they all demanded justice. Some expressed a desire to return home, provided they would be granted citizenship and equal rights. Others said they had nothing left to return to but ashes. When discussing repatriation with a group of survivors, an elderly woman told me: “You will sign our death sentence if you send us back to Myanmar”. The face of that elderly woman haunts me as I reflect on recent developments to implement a process of repatriation. While I welcome the ongoing efforts of the Governments of Myanmar and Bangladesh to find a solution that would enable the safe, voluntary and sustainable return of those displaced, it is imperative that their basic security and rights be guaranteed.

It is also important that we view the current crisis in its broader historical and political perspective. The Rohingya community has been trapped for decades in a vicious cycle of violence, impunity and forced displacement. There is a serious risk of that cycle repeating if the underlying conditions do not change. I therefore urge the international community to support the Governments of Myanmar and Bangladesh to reach a comprehensive agreement that upholds international standard and sets out the necessary measures to ensure that returns are truly voluntary decisions, based on informed consent and take place in safe and dignified conditions that pave the way for lasting peace.

I am committed to extending the full support of my Office, which can include technical assistance in law reform and capacity-building for the national armed and security forces to foster compliance with international standards, including zero tolerance for sexual abuse. Such support can be provided through my Team of Experts on the Rule of Law and Sexual Violence in Conflict, which was mandated by the Council to help build the capacity of justice and security-sector institutions.

In addition, I stand ready to mobilize, for the benefit of the Governments of Myanmar and Bangladesh, the inter-agency network that I chair, known as United Nations Action against Sexual Violence in Conflict, which supports efforts to deliver a coordinated, multi-sectoral response for survivors of conflict-related sexual violence, including health care and

psychosocial support. At the same time, it is important to note that United Nations agencies and partners are facing a dramatic funding shortfall, of approximately \$10 million, to deliver essential gender-based violence programmes in the immediate term. That funding can save lives and help survivors heal. For instance, the women and child-friendly spaces that I saw in the camps run by United Nations agencies and their partners are a lifeline for survivors and require sustainable resources.

I urge the Council to do everything in its power to seek a swift end to the atrocities, ensure that the alleged perpetrators of sexual and other violence are brought to justice and create conditions for a safe and dignified future for the survivors. History will judge our action or inaction. A Security Council draft resolution demanding an immediate end to violations against the civilian population in Rakhine state and measures to hold the perpetrators accountable would send an important signal. It is critical that the Council call for humanitarian agencies to be given immediate, unhindered access to populations in need. Furthermore, the Council should consider sending a delegation to Myanmar and Cox’s Bazar to assess the situation first-hand.

Repatriation will not be possible without concerted efforts to hold the perpetrators accountable for their crimes. To that end, an impartial, independent mechanism to support investigation would be an important step. Those who are found to be implicated in abuses should be removed from positions of command responsibility and prosecuted.

Finally, I take this opportunity to commend the Government and the people of Bangladesh who have opened their borders and homes to the Rohingya community, which many have called the most persecuted people on Earth. I extend my appreciation to Bangladesh for the lives it has saved, and is continuing to save, by providing relief and refuge. History will remember the humanity it has shown. Tragically, the population exodus — and the abuses that are driving it — continue. I met rape victims who had arrived in Bangladesh just four days earlier. I saw refugees huddling under a tarpaulin who had arrived that very day. Ethnic cleansing must never be allowed to achieve its goal. The international community must take swift and serious action to support the Government of Bangladesh to accommodate this desperate population and work with the Government of Myanmar to address violations against civilians, including sexual violence.



In the face of this humanitarian crisis, which has ripple effects for regional peace and security, inaction is not an option.

**The President:** I thank Ms. Patten for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

**Mr. Allen** (United Kingdom): I would like to begin by thanking our briefers. In particular, I would like to say to Special Representative Patten how profound and incredibly moving her testimony to the Security Council was. Her concluding words that inaction must not be allowed to take place are vital for us all. I think she has brought to life a truly horrifying picture, and I commend her for that. I would also like to thank Under-Secretary-General Feltman on his update on the situation one month after the Council adopted an important presidential statement (S/PRST/2017/22) that included calls for an end to the violence, a safe returns process, humanitarian access and for the root causes of the crisis to be addressed. I am grateful to him for his continued engagement on the crisis. It is vital that the United Nations continues to remain engaged.

The stark reminder — if anyone needed one — that Special Representative Patten has given us is of the horrors that Rohingya refugees have suffered. It is a stark reminder that this is first and foremost a human tragedy, on which the Council must keep its attention.

Over the past month, we have seen some initial steps in response to the Council's presidential statement, which we welcome, in particular the recent agreement concerning the voluntary repatriation of refugees signed by the Governments of Myanmar and Bangladesh on 23 November.

The Government of Myanmar's continued commitment to the Annan Advisory Commission on Rakhine State recommendations and to the development of Rakhine state through the union enterprise mechanism are also worth highlighting. We welcome the announcement of the new Rakhine Advisory Committee. We support initiatives that promise to build a better future for all communities in Rakhine, without discrimination and regardless of religion or ethnicity. The Commission's recommendations remain a particular important blueprint for the future, given their wide support.

However, there remains much more to be done, and it is right that the situation remain on our agenda.

I want to draw particular attention to the agreement concerning the voluntary repatriation of refugees. That is a step in the right direction. However, today's conditions in Rakhine state do not yet allow for the safe, voluntary and dignified return of refugees to their homes, as that the Security Council called for last month. One thousand to 3,000 people are still fleeing in fear from Rakhine state to Bangladesh every week. There are continued reports of inter-communal tensions and arson attacks, as Under-Secretary-Feltman informed us. As we have said many times before, the violence and human rights violations must stop.

While we recognize the desire to move forward quickly, we can support only returns that are safe, voluntary and dignified. That will require independent international monitoring to ensure that conditions are met. The rights of the Rohingya must be respected by the Burmese Government, including freedom of movement and access the basic services and livelihoods. They must be allowed to return home, and not remain in prolonged stays in internally displaced persons camps, and they should be given a pathway to citizenship. The responsibility for making progress lies primarily with the Government and the security forces of Myanmar. The actions that they must take are already set out in the presidential statement agreed unanimously by the Council.

Let us recall that, in the presidential statement, the Council called for the Office of the United Nations High Commissioner for Refugees (UNHCR) to be invited to be a full participant in the returns process. Myanmar recognizes UNHCR's expertise, but has so far resisted giving it the necessary role. In that statement, we called for transparent investigations into allegations of serious human rights abuses and violations, not just because those responsible must be held accountable but also so that refugees may have confidence in their eventual return. So far, all we have seen is a whitewash by the military. In that statement, we called for full and unhindered access to Rakhine state for United Nations agencies, humanitarian partners and the media. But the Government continues to severely limit access to Rakhine, making it impossible to deliver vital humanitarian assistance, or verify the situation on the ground.

Regrettably, the situation means that we must continue supporting refugees where they are right now. The Government of Bangladesh, along with United Nations agencies and other humanitarian partners,

continues to play a vital role in providing life-saving shelter and assistance. Unfortunately, it is likely that Bangladesh will need to play that role for longer than any of us would like. Therefore, it is critical that longer-term plans be put in place to protect and provide for refugees in Bangladesh and internally displaced people in Rakhine state. It is critical, too, that those plans be properly funded.

In addition to an annual \$210 million programme for Bangladesh, the United Kingdom has contributed \$79 million to the current United Nations humanitarian response plan in order to provide life-saving assistance and protection for the refugees and for Bangladeshi host communities. However, the plan is still only partially funded — and, in any case, runs out in February 2018. We encourage the international community to step up its contributions.

Before concluding, I should like to turn briefly to the Secretary-General's appointment of a special envoy. It will be an important and sensitive role. We therefore support the Secretary-General in deliberating over the appointment carefully. We call on Myanmar to engage with the special envoy, when he or she is appointed, openly and in good faith.

I said at the outset that Special Representative Patten's briefing was a stark reminder that this is a human tragedy from which the Council must not turn away its attention. We cannot change the horrors and crimes that have already been committed. But that is all the more reason that the Council must remain engaged, must remain seized of the situation and must be ready to take further action if necessary to ensure protection, justice and progress.

**Mr. Wu Haitao** (China) (*spoke in Chinese*): China listened attentively to the briefing by Under-Secretary-General Feltman and noted his positive evaluation of the progress in the situation in Rakhine state and the efforts of Myanmar and Bangladesh. China also took note of the briefing by Special Representative of the Secretary-General Patten.

Since the violent attacks in Myanmar's Rakhine state, China has made its position clear on many occasions, expressing condemnation of the violent attacks and support for Myanmar's efforts to maintain stability. As a friendly neighbour of both Myanmar and Bangladesh, China has provided emergency humanitarian relief for the appropriate settlement of displaced persons and, at the same time, worked with

them to push for dialogue and consultations in order to find a solution.

Not long ago, Chinese Foreign Minister Wang Yi visited Bangladesh and Myanmar and proposed a three-stage approach to addressing the problem of Rakhine state.

The first stage is to cease hostilities on the ground and restore stability and order so that people can enjoy calm and do not feel compelled to flee. At present, the goal of this stage has largely been achieved. Massive population flows have stopped. It is critical to prevent a relapse of the situation, especially a recurrence of conflict.

The second stage is for the international community to encourage communication between the two countries so that they can find practical ways to solve problems through consultations on an equal footing. Now that the two countries have signed a repatriation agreement, it is essential to put it into practice and achieve tangible results.

The third stage is to face squarely the root causes of the problem and explore ways to address them. Poverty is the source of turmoil and conflicts. We call on the international community to increase support to Rakhine state to help it eradicate poverty, pursue development through poverty reduction and realize stability through development.

This proposal represents the greatest possible consensus on all sides and has the full agreement of both Myanmar and Bangladesh.

The problem in Myanmar's Rakhine state has a complex historical, ethnic and religious background. It cannot be solved overnight, but calls for a gradual approach. At present, the situation on the ground has been visibly eased. The vigorous humanitarian relief operation continues. Myanmar and Bangladesh have maintained dialogue and consultations, and are in the process of following up on the repatriation agreement they have signed. Both countries are engaged in cooperation with the United Nations and other relevant organizations. Myanmar is actively implementing the report of the Advisory Commission on Rakhine State. China appreciates those efforts on the part of Myanmar and Bangladesh and hopes that the international community will view the difficulties and challenges facing the Government of Myanmar objectively, remain patient and provide support and help.

The Security Council adopted a presidential statement on the question of Rakhine state at the beginning of November (S/PRST/2017/22). Now the situation in Rakhine state has shown positive changes. It is the consistent view of China that the question of a Rakhine state should be addressed appropriately by Myanmar and Bangladesh through bilateral channels. Only an agreement accepted by both countries concerned can be implemented and sustained or win the necessary understanding and support of various sectors within the countries. Any solution reached under strong external pressure may ease the situation temporarily but will leave negative after effects.

China hopes that the two countries will continue to implement the relevant measures and that the Council and the international community will play a positive and constructive role in that regard. China stands ready to work with all the parties concerned to play a constructive [RUN-ON]le in the restoration of order and the realization of stability and development in Rakhine state.

**Mrs. Haley** (United States of America): I thank Mr. Feltman for his briefing, and Ms. Patten for her leadership and service.

As we confront issues like this one, it is important that we hear stories, and when we hear the stories, we have to imagine the faces because; otherwise these are just numbers or yet more impersonal pieces of data. But to understand that these are stories, then we have to take it one step further and ask “What if this was my family?”

Therefore, to accompany Ms. Patten’s stories, I want to tell the Security Council about Jenna: she is a 10-year-old Rohingya refugee and she has lost everything. In Jenna’s words, “I saw with my own eyes people killed by the military and chopped into pieces”. She continues:

“[t]hey burned my house but not only my house: every house next to my house was burning. We all ran from our houses and together we fled. Anyone the military caught was slaughtered. After they were shot or stabbed, they were cut into many pieces, put inside plastic bins and thrown in the river.”

Speaking with the reporter, Jenna swallows her emotions and says one more thing: “They shot him dead. They killed my father. I am very sad that I lost my father.”

The pain and the suffering of the Rohingya are unimaginable. Over and over we hear stories like Jenna’s. The refugees tell us about security forces destroying their homes, gang raping women, burning children and killing people in the most twisted ways. It is for Rohingya children like Jenna, and to learn all that we can of what happened, that we are here today. We must speak out for them and reject any attempt to play down the magnitude of this man-made tragedy. We must shine a spotlight on these accounts of ethnic cleansing.

The number of people who have fled Burma in just over three months has now risen to 646,000 people — an average of more than 40,000 people per week. This is the fastest displacement of refugees since Rwanda. More people are dead and displaced inside Burma, yet we still have not seen any concrete action to hold accountable those responsible for these atrocities. Instead, we see an investigation by the Burmese military that denies all responsibility. This is unacceptable. Burma must allow an independent, transparent and credible investigation into what has happened. Allowing full access for the United Nations fact-finding mission to gather information and evidence on the ground is vital to accountability and a solution to the crisis. We cannot allow more time to pass. There is no denying that these atrocities, including ethnic cleansing, have taken place.

The United States unequivocally condemns all acts of violence in Burma, including the horrific violence conducted by the Burmese security forces, who should be the ones protecting their own people. What is worse, if one asks the Rohingya if they want to go home, they are too scared to go back. Before they can return, Burmese authorities must create an environment that is safe for people to return voluntarily to their homes. It is more than just a process; there must be a cultural change, which only Burmese leadership can effect. While we hear promises from the Government of Burma, we need to see action. We call on Burma to work with the United Nations and its agencies and allow immediate and unhindered access to all humanitarian actors so that they can provide help to those who need it.

We continue to be grateful to the Government of Bangladesh for hosting such a large number of refugees. We also encourage Bangladesh to continue to partner more closely with the Office of the United Nations High Commissioner for Refugee to address this challenge and ensure that survivors of sexual violence receive the support they desperately need. We remain concerned about the fact that refugees in the camps are



vulnerable to disease and human trafficking, among other dangers. We therefore hope that the international community will step up to support the United Nations response. Around here, we keep hearing that the situation in Burma is complex and that it will take time, but there are steps that we can take right now to help the Burmese people. We can demand that independent investigators be allowed to enter the country to help hold those responsible for atrocities to account. We can provide help to those who have been brutally attacked by members of the Burmese security forces and we can speak out for the human rights of all people in Burma. Our plea is simple. Let us do what we can without delay, work diligently to see every refugee home safe and urgently pursue justice so that all of Burma can be made whole.

**Mr. Nebenzia** (Russian Federation) (*spoke in Russian*): We would like to thank Under-Secretary-General Feltman and Ms. Pramila Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, for their detailed briefings.

For our part, we note that the security situation in Rakhine state and its environs has stabilized to a degree. This was evidenced by the announcement on 27 October that the numbers of military personnel deployed there as part of a special operation were being reduced. We note the efforts that the Government of Myanmar has undertaken in line with the recommendations of Kofi Annan's international Advisory Commission. The process of issuing the Muslim minority with national identification cards is under way. The affected areas are receiving humanitarian assistance and access to those areas for representatives of the diplomatic corps, United Nations bodies and the media is improving.

Our position on the issue remains the same, which is that there is no possible alternative to resolving the complex issues in Rakhine state, which are based on historical, socioeconomic, cultural and religious factors, other than by exclusively political means and establishing a dialogue between the representatives of all ethnicities and faiths. We call on all parties to refrain from violence, and we underscore the need to respect Myanmar's national sovereignty. In that regard, we firmly condemn the murders by extremists of Muslims who were working actively with the authorities to settle the conflict.

The steps being taken to establish a constructive dialogue between Naypyidaw and Dhaka, particularly

the agreement reached on 23 November on the voluntary repatriation of refugees, must be supported. We hope that both sides will intensify their efforts to ensure that this is implemented in practice, especially since the exodus of Muslim refugees to Bangladesh is still continuing, although now on a considerably lesser scale. In these circumstances, it will be important to facilitate efforts to settle the situation in Rakhine state, focus on providing practical assistance to the Government of Myanmar in a spirit of equality and mutual respect and take full advantage of every opportunity for making use of United Nations mediation efforts. The attempts of a number of countries to put more pressure on Naypyidaw — such as, for instance, in the resolution adopted on 5 December at the special session of the Human Rights Council on the situation of the minority Muslim population (A/HRC/RES/S-27/1) — are clearly not helping those efforts. In our view, it is essential to refrain from counterproductive accusations and condemnations of Myanmar and to avoid politically and emotionally tinged speculation about the alleged genocide of Muslims.

In our view, what is needed most of all in order to agree on a settlement of the situation of mass movements of people across the Myanmar-Bangladesh border is goodwill on the part of both States. Unfortunately, it will be impossible to resolve matters if the two of them cannot come to a rapprochement on this age-old problem, whose foundation was laid in the previous century by a colonial administration, with its arbitrary drawing of borders and shifting of populations from one part of its colonial dominions to another. The role of the international community, including the United Nations, should be to assist bilateral efforts to surmount this crisis and its consequences.

**Mr. Umarov** (Kazakhstan): I would like to thank Under-Secretary-General Feltman for presenting his report and Ms. Pramila Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, for her assessment of the violations committed.

Kazakhstan continues to be deeply concerned about the plight of the more than 626,000 Rohingya refugees — more than half of the total estimated number of Rohingyas living in Rakhine state — fleeing to Bangladesh. Many Rohingya are also still internally displaced. Unfortunately, it is impossible to assess their condition owing to the restrictions on access for United Nations humanitarian agencies to Rakhine state. The saddest tragedy is that the vast majority of these

refugees are women and children, who are the most vulnerable segment of the population.

The international community's growing attention to the situation of the Rohingya was evident in the Council's presidential statement of 6 November (S/PRST/2017/22) as well as in the twenty-seventh special session of the Human Rights Council, held on 5 December, on the human rights situation of the Rohingya Muslim population and other minorities in Rakhine state. We join others in commending the Government of Bangladesh for sheltering the refugees and providing them with temporary housing, medical care, food and other forms of assistance. We also acknowledge the contributions that international organizations and donors have made to mitigate the current crisis.

My delegation welcomes Myanmar and Bangladesh's signing last month of a memorandum of understanding on the voluntary repatriation of refugees to Myanmar. We are heartened to note that the two Governments have established a joint working group to implement the process. We hope that the group will ensure the voluntary return of all refugees to their homes in Myanmar in a timely, safe and dignified manner. We also encourage the Government of Myanmar to honour and comply with its agreement to invite the United Nations High Commissioner for Refugees and other relevant international entities to fully engage in the various stages of return and resettlement of the refugees.

While we welcome the efforts of the Myanmar Government to stabilize the situation in northern Rakhine state, it is equally essential for the authorities to conduct a credible national investigation into the alleged gross human rights violations against the Rohingya Muslim community. It should focus in particular on the allegations of serious sexual and gender-based violence against women and girls, of torture and detention and of the burning of houses, schools, places of worship and other property. The perpetrators of those heinous acts should be brought to justice with a view to re-establishing the foundations of basic trust between all the communities involved and ensuring that such violence does not recur in future.

At the same time, the recommendations of the Rakhine Advisory Commission, headed by former Secretary-General Kofi Annan, are extremely valuable. They highlight the fact that the long and complicated history of the Rakhine state and its numerous problems

cannot be solved hastily. It will be crucial to address the root causes of conflict, particularly the loophole represented by Myanmar's Citizenship Act of 1982, which rendered the Rohingya community stateless and deprived them of their rights. Solving the problems of poverty and underdevelopment, while granting the Rohingya community equal and unhindered access to basic services, should be at the core of long-term sustainable development. In that regard, Kazakhstan notes Myanmar's decision to form an advisory body that includes foreign and local experts to implement the recommendations of the Advisory Commission. We therefore call on the Government of Myanmar to ensure that the funds and programmes of the United Nations and other partners can be fully operational in delivering emergency assistance, and to work to relieve the acute suffering of the victimized population through recovery and rehabilitation efforts.

Lastly, it will be crucial to support constructive cooperation with the Government of Myanmar in an atmosphere conducive to negotiations if we are to promote sustainable peace, stability and prosperity for Rakhine state.

**Mr. Aboulatta** (Egypt) (*spoke in Arabic*): First of all, I join others in thanking Mr. Feltman, Under-Secretary-General for Political Affairs, for his briefing. I also thank Ms. Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, for her very moving statement, rallying us all to shoulder our responsibilities as members of the Security Council with the primary responsibility of preventing the repetition of the type of atrocities and acts she just described.

Four months have passed since the crisis began. It has been a month since the Security Council adopted presidential statement S/PRST/2017/22 on this matter. Nevertheless, hundreds of thousands of innocent victims of the Rohingya minority in Myanmar continue to suffer from being persecuted, terrorized, intimidated, forcibly displaced, murdered and raped, and even their homes are set on fire — all of which has forced them — panicked and fearful for their lives — to flee their villages and abandon their homes and land. That crisis, as well as all the humanitarian, political, security and social challenges that it entails, continues to threaten regional peace and security in that part of the world. The serious threat posed could worsen and generate additional tensions and heavy burdens for neighbouring countries, in particular Bangladesh. In

that regard, we welcome the bilateral agreement recently reached between the Governments of Myanmar and Bangladesh concerning the repatriation of refugees. It is our hope that they will be able to return to their native land within Myanmar.

Whether as a member of the Security Council or the Contact Group on the Rohingya Muslims of Myanmar of the Organization of Islamic Cooperation, Egypt has been trying to conceive of an international approach to dealing with the crisis within the framework of several basic demands aimed at containing the crisis — which the Secretary-General has recommended repeatedly.

First, the Government of Myanmar must shoulder its national responsibilities, namely, stopping military operations and violent practices so as to safeguard Rohingya lives, and unconditionally allowing the complete return of displaced persons and refugees to their land and homes in Rakhine state, while permitting the distribution of all forms of humanitarian assistance to Rakhine state to help victims and other affected persons.

Secondly, it is crucial to cease hateful narratives, whether emanating from the Government or Buddhist extremists, which incite violence and destruction. It is also important to promote the concept of tolerance for the other and peaceful coexistence among religions and minorities without any racial or faith-based distinctions.

Thirdly, the national authority established recently by the Myanmar Government and charged with providing humanitarian assistance, facilitating the repatriation of refugees and development in Rakhine state should implement completely, comprehensively and rapidly the recommendations of the final report of the Advisory Commission on Rakhine State, chaired by Kofi Annan.

Fourthly, it is incumbent upon the Security Council to follow the crisis closely with a view to encouraging the Government of Myanmar to cooperate constructively towards promoting the right to citizenship for and conferring Myanmar nationality upon the Muslim Rohingya people, and allowing them to return home.

Fifthly, we condemn all forms of terrorism perpetrated by the Arakan Rohingya Salvation Army regardless of motivation or rationale.

At the national level, the role of the Al-Azhar Mosque must be noted, which has hosted events bringing together all the various components of Myanmar

society — including Muslims, Buddhists, Hindus, Christians and others — aimed at promoting the values of religious tolerance and peaceful coexistence among all races and nationalities. The most recent event was a seminar held in January 2016 that brought together young people representing the various religions of Myanmar.

Lastly, I reiterate that it is important that the Security Council establish a clear and functional road map in order to peacefully resolve the crisis and settle the issue in a just and definitive manner. The issue of Rakhine state rests in conferring the right to citizenship to Rohingyas in a clear way and ensuring their security and inalienable human rights once and for all. In the context of the twenty-first century, enlightened by the purposes and principles of the Charter of the United Nations, it is inconceivable that the murder of part of the population of Myanmar and its displacement to neighbouring countries could be considered a way out of the crisis. It is therefore important to act before it is too late.

**Mr. Skoog** (Sweden): I thank you, Mr. President, for convening today's meeting. I also thank Mr. Feltman, Under-Secretary-General for Political Affairs, and Ms. Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, for their engagement, briefings and appeal to act.

We recognize the commitments made by the Government of Myanmar since the adoption of the presidential statement S/PRST/2017/22, on 6 November, but urgent action is now required to implement those commitments and achieve real change on the ground. The support and continued engagement of the international community and the United Nations system, including the Security Council, remain important.

The crisis is far from over. Hundreds of people continue to cross the border into Bangladesh every day, having brought the number of refugees to well over 620,000, as we have heard. Reports of ongoing trafficking in human beings, including children, are extremely worrisome. The risk of radicalization in the camps is also a real concern. There are clear implications for regional peace and stability. It is essential that our attention not wane.

Sweden's Foreign Minister, Margot Wallström, recently visited Bangladesh and Myanmar. While there, she engaged with the leaders of both countries. She also met with leaders from the region to hear their

perspectives, and used the opportunity to convey the messages of the Council. From the camps outside Cox's Bazar in Bangladesh, Minister Wallström was able to hear first-hand accounts, not only of the enormity of the humanitarian crisis but also of the horrific violence and abuse, including sexual and gender-based violence against the Rohingyas by Myanmar's armed forces.

Ms. Patten's graphic briefing today and numerous reports, including from the Office of the United Nations High Commissioner for Human Rights, clearly illustrates the seriousness and horrific nature of those crimes. The Minister was particularly struck by the precarious situation of children and young people caught up in the crisis. Numerous reports of systematic, widespread and coordinated acts of violence strongly indicate that crimes against humanity have been committed. It is important that the facts and circumstances on the ground be fully established. The fact-finding mission mandated by the Human Rights Council is an important resource in that regard, and we urge the Government of Myanmar to provide it with full access.

We have fully supported the Secretary-General's efforts to resolve the crisis in Rakhine state. After listening to Under-Secretary-General Feltman's comprehensive briefing today, it is clear that the three areas requiring urgent action identified by the Secretary-General when he briefed the Council on 28 September (see S/PV.8060) remain relevant and urgent. Of immediate concern is the need to ensure that assistance reaches the estimated 865,000 people who need it inside Rakhine state and elsewhere in Myanmar. It is unacceptable that humanitarian access in northern Rakhine is insufficient and still severely limited.

Restoring peace and stability and ensuring full humanitarian access, as well as addressing the root causes of the crisis, will require real change in Rakhine state. Only then will the conditions exist for those who fled to return in a safe, dignified and voluntary manner. The people who decide to return should be able to do so to their places of origin. That requires the establishment of a credible verification mechanism.

The creation of camps for internally displaced persons or camp-like conditions is unacceptable. We take note of the arrangement reached between the Governments of Myanmar and Bangladesh regarding the voluntary repatriation of refugees. Like others, we feel that the Office of the United Nations

High Commissioner for Refugees must be invited to participate in the joint working group that will oversee the return so that the group can fully carry out its mandate and help work towards arrangements that would enable refugees to exercise their right to return, in line with international law. I also note Under-Secretary-General Feltman's recommendations today, including on the much-needed reconciliation efforts in northern Rakhine.

The implementation of the recommendations set out in the report of the Advisory Commission on Rakhine State is needed without delay. The Commission's report provides the road map needed to deal with the root causes of this long-running crisis, in particular the systematic discrimination of the Rohingyas, including by addressing the issue of citizenship.

We encourage the Government of Myanmar to continue to cooperate with Bangladesh and countries in the region. We urge Myanmar to cooperate fully with the United Nations and to counter narratives and rhetoric that seek to undermine the Organization's ability to do its work. In addition, as mentioned in presidential statement S/PRST/2017/22, we continue to see value in giving consideration to the appointment of a special adviser, or envoy, to offer assistance to the Government.

Sweden and the international community stand ready to support the Government and the people of Myanmar as the country continues its democratic transition. Now is the time to rebuild trust between the communities within Rakhine state and between Myanmar and its neighbours and the international community. Doing so can create the conditions for peace and development that will benefit all the people of Rakhine state and the people of Myanmar.

We encourage the Government of Myanmar to seize this opportunity, including by implementing its commitments. The Security Council should remain very actively engaged.

**Mr. Alemu** (Ethiopia): We thank Under-Secretary-General Feltman and Special Representative of the Secretary-General Patten for their briefings on the most recent developments in Myanmar as a follow-up to presidential statement S/PRST/2017/22, adopted last month.

The situation in Myanmar's Rakhine state and the movement of hundreds of thousands of refugees from



Myanmar to Bangladesh remain a source of concern. Unless the situation is resolved, the implications for the worsening of the humanitarian situation and for regional peace and stability will continue to be horrendous. It is critical that the humanitarian crisis remain humanitarian and not be transformed into a political one that entails violence — a development of which we should be aware given that the situation has begun to deteriorate.

We believe that the presidential statement I mentioned provides a useful framework for addressing the situation in Myanmar. The right to a safe, voluntary and dignified return to their place of origin for those who fled is one of the issues particularly underscored in the presidential statement. We note the steps taken by the Myanmar Government to end the violence and to ensure the safe and dignified return of refugees and displaced persons, as well as safe and secure humanitarian access.

Clearly, much remains to be done to address the suffering and frustration of the people of Rakhine state. While recognizing the critical need to investigate the allegations of sexual violence committed in Rakhine state, we welcome the planned visit by Special Representative of the Secretary-General Pramila Patten to Myanmar to undertake consultations with the Government. We welcome the agreement on the return of persons displaced from Rakhine state, signed by Bangladesh and Myanmar on 23 November, which includes detailed guidelines for the smooth and voluntary return of those displaced persons. It is important that it be translated into meaningful action.

Drawing on the experience of our own region, we attach great importance to the cooperation between Bangladesh and Myanmar. They hold the key, with the genuine and effective support of the international community. We support the efforts of regional organizations, such as the Association of Southeast Asian Nations (ASEAN), in providing humanitarian aid to northern Rakhine.

We also take note of the outcome of the ninth ASEAN-United Nations summit, which underscored the importance of addressing the root causes of the crisis by implementing the recommendations of the Advisory Commission on Rakhine State. We also commend the donors and the international community for the generous support delivered during the pledging conference of 23 October, which seeks to enhance

critical humanitarian assistance for the refugees and host communities in Bangladesh. It is critical that we continue to pay attention to the crisis and to mobilize resources for the response in order to enable the humanitarian community to do more in assisting and protecting those extremely vulnerable groups.

**Mr. Delattre** (France) (*spoke in French*): First of all, allow me to warmly thank Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, and Ms. Pramila Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, for their very enlightening briefings.

The situation of the Rohingyas in Rakhine state remains a topic of serious concern for France, as our Minister for Europe and Foreign Affairs, Mr. Jean-Yves Le Drian, expressed to the Burmese authorities during his visit to Burma on 20 November. The facts are known. They have been recalled. Since 25 August, 640,000 Rohingyas have had to flee from Burma to Bangladesh. Still today, hundreds of Rohingyas continue to flee to Bangladesh. Hundreds of villages have been burned. Systematic and organized human rights violations have been reported by the Office of the United Nations High Commissioner for Human Rights and other actors on the ground. In that context, I wish to make three main comments.

The first relates to the implementation of presidential statement S/PRST/2017/22, adopted just a month ago. Faced with a situation of — it should be recalled — ethnic cleansing, the Security Council mobilized itself and expressed itself in very strong terms. That text, which is a road map in the light of which the Security Council is to assess the progress made, acknowledges the initial steps taken by the Burmese authorities and sets out very specific demands in order to try and alleviate the suffering of the Rohingyas.

The agreement reached on 23 November between Burma and Bangladesh on the issue of the return of refugees is a first step towards providing for the safe, dignified and voluntary return of the Rohingya refugees to Burma once conditions allow. However, significant progress still needs to be made and, to that end, it is essential that the United Nations High Commissioner for Refugees be included in those discussions and, in particular, fully participate in the announced joint working group.

Given the situation, we believe, particularly on the basis of the criteria established by the United Nations

High Commissioner for Refugees, that the conditions needed for the return of the refugees do not yet exist. We are following the development of the situation very closely. In order to establish the conditions conducive for the return, it is essential that measures be undertaken in Rakhine to promote reconstruction, reconciliation and respect for human rights.

Progress in the humanitarian area is also insufficient. The access granted to the World Food Programme is the first positive step, which has made it possible to help those who remained in Rakhine state, but it is urgent to broaden that access in order to ensure full, safe and unimpeded humanitarian access to the populations who need it.

In the realm of human rights the testimonies that continue to reach us are very disturbing. Violations continue in full impunity, while neither the United Nations High Commissioner for Human Rights nor the fact-finding mission has access to Rakhine state. Some acts being carried out systematically in Rakhine state could amount to crimes against humanity. At the special session of the Human Rights Council on 5 December, High Commissioner Zeid Al-Hussein cited testimonies about young girls who had been raped or burned, had their throats cut or been gang-raped to death. Incitement to hatred on the basis of ethnicity is designed, as the Special Representative of the Secretary-General eloquently put it, to dehumanize communities such as the Rohingya and to continue to fuel the root causes of violence. We must work urgently to establish serious measures to enable us to investigate violations and prosecute the perpetrators in order to put an end to this atmosphere of impunity. It will be crucial to shine a bright light on all of these very serious accusations, including through the Human Rights Council's fact-finding mission, which must be allowed to visit Rakhine state.

Lastly, with regard to implementing the recommendations of Kofi Annan's Advisory Commission on Rakhine State, the establishment of an advisory committee of experts that includes international eminent persons just announced by the Government of Myanmar should enable regular and rigorous monitoring of the measures that have been undertaken. France encourages the Myanmar authorities to continue their efforts in that area.

My second comment is on the vulnerability of refugees and internally displaced persons to various

kinds of sexual exploitation and violence. I would like to once again thank Ms. Pramila Patten warmly for her presence here today and for her testimony. The violations she has described are particularly alarming, and we must do all we can to protect the refugees and the displaced wherever they are and whenever they want to return home. We are very concerned about the information from the International Organization for Migration on the sexual exploitation and abuse even of young girls and children, which is completely unacceptable. We also condemn the early and forced marriages of young girls, some barely 10 years old, that are going on as we speak.

My third and last comment relates to the importance of ensuring that the United Nations, particularly the Security Council, remains fully prepared to act on this issue. While we should welcome the initial measures undertaken by the Burmese authorities, these commitments must now be translated into action. In each of the areas mentioned in the Security Council's presidential statement (S/PRST/2017/22) of last month, much progress still remains to be made. We should therefore make the mandate of the special adviser or envoy proposed in the presidential statement and in the resolution adopted a few weeks ago in the Third Committee fully operational. With appropriate resources and means, the special adviser could strengthen follow-up on this issue in the Secretariat and on efforts to work with the Burmese authorities.

France would like to reiterate its full support to the Burmese democratic transition and to the efforts of the Government led by Mrs. Aung San Suu Kyi to advance the rule of law in Burma. Given the major humanitarian and human rights tragedy in Arakan, we will continue to insist, particularly in the Security Council, on the three complementary issues that must be urgently addressed — ending the violence and discrimination against the Rohingya, providing full, safe and unimpeded humanitarian access to the populations in need, and facilitating the refugees' voluntary return when the necessary conditions are established in line with international standards. France will also continue its dialogue with the Burmese authorities on the subject during the visit to Burma of our Minister for Europe and Foreign Affairs.

**Mr. Lambertini (Italy):** I would like to thank Under-Secretary-General Feltman and Special Representative Patten for their briefings.

Italy remains committed to supporting Myanmar in overcoming the crisis in Rakhine state and in its democratic transition and peace process. In that spirit, we have worked to contribute constructively to the Council's work, in particular through the presidential statement on the subject (S/PRST/2017/22) adopted during our presidency of the Council last month, as well as in the Third Committee and the Human Rights Council. We moved immediately to respond to the humanitarian situation and announced a pledge of €7 million at the recent donors' conference in Geneva. I would like to make three main points.

First, despite some apparent easing of tensions and the efforts of the Government of Myanmar, the situation in Rakhine state is still of serious concern. The violence must stop and all civilians, regardless of their status, ethnicity or religion, must be assured security and respect for their human rights. All those in need must receive humanitarian assistance without discrimination. Once again, we urge the authorities to ensure full and unhindered access for humanitarian and human rights actors and the United Nations specialized agencies. At the same time, the humanitarian situation of those who have fled to Bangladesh is rapidly deteriorating. We once again commend Bangladesh for its solidarity with the refugees and express our gratitude for the burden it is bearing. The international community should scale up its assistance before the conditions worsen in the camps, where a large percentage of those being sheltered are children with no access to food, sanitary, health care or other basic services. Besides this, and beyond the response to the immediate emergency, it will be crucial to establish a more comprehensive strategy for assisting the refugees.

Secondly, a safe, dignified and voluntary return is key to normalization. We are pleased that Myanmar and Bangladesh have concluded an agreement on repatriation and look forward to its implementation. We call on both countries to continue cooperating with each other and the United Nations, especially the High Commissioner for Refugees, whose capacity in this field is unparalleled. The return must be sustainable. Proper conditions must be put in place in Rakhine state to allow refugees to return to their places of origin and rebuild their lives there. Security, freedom of movement, respect for human rights and access to services and livelihoods are crucial to that end. We welcome the steps that the Government has taken in that regard, including through its establishment of the

Union Enterprise Mechanism and the appointment of an interministerial committee advisory board. But there is still much to be done in the short, medium and longer term. The recommendations of the Advisory Commission on Rakhine State chaired by Kofi Annan represent a road map that must be operationalized through the authorities' consistent commitment. The international community stands ready to support that process.

Thirdly, with regard to reconciliation, intercommunal and interreligious dialogue is crucial at this stage. We welcome the initiatives that the Government has taken so far, and encourage it to ramp up those efforts with a view to restoring a spirit of understanding and mutual trust among the various communities. The visit by Pope Francis was a landmark event. We fully endorse and echo his plea for justice, human rights and respect for every ethnic group and identity. In that regard, ensuring accountability remains fundamental. We continue to be deeply concerned about reports of grave human rights violations and abuses in Rakhine state, including serious allegations of sexual- and gender-based violence, especially against the Rohingya community.

Those responsible must be identified and brought to justice. We urge the authorities to make concrete commitments in that regard. We believe the United Nations can play an important role in helping them to make an impartial assessment of the events that have occurred and reiterate our call to them to cooperate with the Human Rights Council's fact-finding mission. We welcome Special Representative Patten's forthcoming visit to Myanmar. While we commend the authorities' support for her mandate, we encourage them to step up their dialogue with her, particularly in the area of legal reform and capacity-building, as well as with Ms. Yanghee Lee, the Special Rapporteur on the situation of human rights in Myanmar.

Thanks to Myanmar's commitment, promising steps have been made in the past few weeks, but additional efforts will be required to address the situation in Rakhine in a comprehensive and effective manner as provided for in the presidential statement, which we look forward to seeing fully implemented. We encourage Myanmar to strengthen its cooperation with the United Nations system, which is the best way to back up the actions of the parties and regional stakeholders, as well as with a view to seeing the appointment of the special envoy provided for in the recent resolution of

the Third Committee, which the General Assembly will consider in the next few days.

The international community and the Security Council should continue to maintain their focus in order to ensure united and continued support to peace and reconciliation in Myanmar. As we have done this year as a member of the Council, Italy will continue to do its part at the bilateral and multilateral level.

**Mr. Inchauste Jordán** (Plurinational State of Bolivia) (*spoke in Spanish*): We thank Under-Secretary-General for Political Affairs Jeffrey Feltman and Special Representative on Sexual Violence in Armed Conflict Pramila Patten for their reports on the situation in Rakhine state in the Republic of the Union of Myanmar.

Bolivia reiterates its vigorous condemnation of the serious violent situation that has affected several communities in the Rakhine state, in particular the Rohingya community.

According to data issued on 1 December by the Office of the United Nations High Commissioner for Refugees, since the beginning of the crisis in August more than 640,000 refugees have been displaced to Bangladesh. If we add to those the more than 300,000 Rohingyas who became refugees before the crisis, the current displaced population in that country amounts to over 1 million people. Unfortunately, this sensitive situation is exacerbated by the outbreak of diphtheria in the Rohingya refugee camps in the Cox Bazar community in Bangladesh, where, according to the World Health Organization, more than 550 cases and 9 deaths had been reported as of 11 December.

Moreover, we are deeply disturbed by reports of humiliating and degrading treatment, gender-based violence, acts of sexual aggression and gang rapes against Rohingya women and girls allegedly committed by members of the Myanmar armed forces. In this regard, we urgently call on the relevant authorities to begin the necessary investigations to identify the perpetrators of these reprehensible acts so that they are brought to justice and impunity is avoided in the face of these serious violations of human rights.

Bolivia reiterates that the only way to resolve this crisis is through dialogue, and to that end the parties must commit to implementing strategies that strengthen mediation, consultations, good offices, negotiation and avoid at all cost any confrontation-based rhetoric. In this regard, we note the signing of the bilateral agreement

between Myanmar and Bangladesh on 23 November to establish guidelines to allow for the return of displaced Rohingya to their places of origin. We remind the parties that efforts to facilitate the return of refugees must abide by the principles of international law and that returns must be voluntary, safe and carried out under dignified conditions.

Moreover, we underscore the development by the Government of Myanmar of public policies in different areas to alleviate the situation of the Rohingya refugees and we highlight the willingness shown by the parties to address the crisis in a crosscutting manner and look forward to their progress. Similarly, we call on the Government to continue making its best efforts to implement the recommendations of the Advisory Commission on Rakhine State, which include, among others, the implementation of strategies that promote socioeconomic development, citizenship, freedom of movement, community participation and representation, intercommunal cohesion and the safety of all communities. In this context, we note the establishment of the ministerial-level committee for the implementation of the recommendations, and the organization and distribution of tasks to implement them. We believe that its work and coordination with different United Nations agencies will be important in implementing the road map outlined in the recommendations.

In order for our actions to be effective and sustainable, we must continue working steadily on measures to alleviate the situation of the affected Rohingya community. To that end, it is important to allow and guarantee full and unrestricted access for humanitarian assistance to all peoples who are displaced, since the only way to respond effectively to this crisis is to address the problem in all its dimensions. In this regard, we highlight the willingness of the Government of Myanmar to work with different United Nations agencies and we call on them to deepen further their coordination efforts.

Finally, we recognize the willingness and cooperation shown by the people and Government of Bangladesh in addressing this crisis; and we call on the regional organizations and the international community in general to continue cooperating to that end.

**Mr. Rosselli Frieri** (Uruguay) (*spoke in Spanish*): I thank Under-Secretary-General for Political Affairs Jeffrey Feltman for his briefing. I must confess that I do



not know if I should thank him for his report, because it was brutal. He exposed a landscape of cruelty and violence and sometimes ignorance is bliss when faced with a reality like the one he presented with so much strength and passion. In any case, I thank him for thoroughly shaking us up.

Uruguay has followed with extreme concern the recent events in the serious crisis generated by the sectarian violence against the Rohingya minority. As my delegation has already stated, the gravity of the situation of the Muslim minority in Myanmar, which is persecuted and discriminated against, warrants the immediate attention of the international community and especially the Security Council, as an organ that guarantees international peace and security.

For Uruguay, the close link between the successive human rights violations and the creation of conflicts and their ability to become threats to international peace and security is clear. That is why we joined the Human Rights Caucus initiative, which puts human rights at the centre of conflict prevention. I would like to emphasize that, beyond the religious affiliation of the Rohingya people, we are facing a protection of civilians issue. Civilians must be protected unconditionally, without any distinction. Consequently, applicable norms of international human rights law and international humanitarian law must be respected.

The crisis that was unleashed on 25 August in Rakhine state, the origins of which date back several decades, not only caused an exodus of thousands of people fleeing violence under difficult humanitarian and security conditions, but it also caused another crisis — the fastest growing refugee crisis in the world. More than half a million Rohingya have crossed into Bangladesh on foot or in makeshift vessels in less than four months, and they have lost everything.

Uruguay is committed to promoting, protecting and respecting human rights. Respect for human rights is the cardinal rule for maintaining fundamental freedoms and democratic life in all nations. Yesterday in this Chamber (see S/PV.8130), we said the same thing with regard to another item on the agenda of the Security Council and we reiterate it once again today. For Uruguay, there are no limits or exclusions as to the forums in which human rights can be discussed, nor does Uruguay accept sovereignty or domestic jurisdiction as an excuse for attempts to prevent the consideration of the situation of human rights in Member States.

The crisis in Rakhine state can be resolved only through a human rights-based approach. The human rights of all people must be respected unconditionally, as that is the only way to achieve true national reconciliation. The Government of Myanmar must address all the deep-rooted causes of the crisis in Rakhine state, put an end to repression, adopt measures necessary to ensure accountability and bring to justice those who have directed and carried out these deplorable violent acts. We recall that the primary responsibility of protecting the civilians of Myanmar falls to its authorities.

We endorse the observations made by the High Commissioner for Human Rights, Mr. Zeid Ra'ad Al Hussein, that the systematic and widespread repression of the Rohingya minority in Myanmar is characteristic of genocide. It is therefore necessary to undertake an international criminal investigation into the perpetrators of violence against the Rohingyas. Those responsible for the abhorrent atrocities committed in Myanmar must be held accountable for serious crimes and violations of international law committed with total impunity. All complaints must be investigated comprehensively, transparently and independently.

In that context, Uruguay calls on the Government of Myanmar to grant all the necessary guarantees that the fact-finding mission established by the Human Rights Council resolution 34/22 can successfully carry out its duties. At the same time, we urge it to implement the recommendations of the Advisory Commission on Rakhine State, led by former Secretary-General Kofi Annan.

Finally, Uruguay recognizes Bangladesh for its generosity in providing security, food and shelter to hundreds of thousands of refugees, of whom an estimated 60 per cent are children. We also commend the work of various humanitarian actors in providing assistance to victims who have left everything behind and have nothing but their suffering and trauma, in the hope that some day they will be able to enjoy their fundamental rights, which are inherent in all human beings.

**Mr. Ciss** (Senegal) (*spoke in French*): At the outset, I sincerely thank the Under-Secretary-General for Political Affairs, Mr. Jeffrey Feltman, and the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Pramila Patten, for their illuminating briefings. My delegation also takes this

opportunity to commend all the humanitarian agencies, whether of the United Nations or its partners, for the measures they have already taken to help the afflicted people in Rakhine state.

Since last summer, the situation in Rakhine state in Myanmar has been one of the worst displacement crises the world has witnessed in recent decades. As the Under-Secretary-General said, 626,000 people have crossed the border into Bangladesh to seek refuge. The humanitarian challenge is therefore significant both in Myanmar, where the Rohingya in Rakhine state need emergency assistance, and in Bangladesh, where living conditions, in particular in refugee camps, are especially alarming, unhygienic and vulnerable to outbreaks of disease, such as cholera.

Despite the efforts made, the road ahead remains long. Out of all of the displaced people, only 120,000 have received food assistance. We also note that neither the High Commissioner for Human Rights nor the fact-finding mission have been able to gain access to Rakhine state, making any assessment of the situation and needs on the ground impossible. My delegation therefore recalls the obligation of parties under international humanitarian law and human rights law to ensure immediate and safe access of the populations to swift humanitarian assistance, including medical assistance, without restrictions or conditions. We further underscore the need to ensure the access of investigation teams to alleged cases of rights violations in an effort to ensure that justice prevails.

Obviously, we welcome the dialogue undertaken between the Governments of Myanmar and Bangladesh, which resulted in the signing of the 23 November agreement on the return of refugees. However, we must say that after carefully listening to the very poignant statement delivered by Ms. Patten, it is imperative to protect civilians, especially women and children, from physical violence, in accordance with the relevant resolutions adopted by the Council.

Moreover, while we welcome the decision made by the Government of Myanmar to implement the recommendations in the report of the Advisory Commission on Rakhine State, led by former Secretary-General Kofi Annan, we urge it to ensure, as quickly as possible and in close cooperation with the Office of the High Commissioner on Refugees, the safe and sustainable return of refugees. We also urge the Government of Burma to firmly address the

underlying causes of the conflict, combat incitement to hatred and violence against the Rohingyas, resolve the painful issue of citizenship, and promote development and economic and social inclusion in Rakhine state.

In sum and by way of conclusion, my delegation wishes once again to emphasize the need for an immediate cessation of violence and discrimination against the Rohingya people; accountability to ensure that refugees will not be persecuted or discriminated against upon their return; the timely provision of humanitarian access to Rakhine state and Bangladesh; and sustained commitment on the part of the United Nations, the Security Council in particular, with a view to finding a speedy and viable solution. Such commitment must support the laudable efforts made by organizations and the countries of the region, including Bangladesh, which we thank for its hospitality, and China, for its diplomatic efforts.

**Mr. Vitrenko (Ukraine):** We are grateful to the briefers for their detailed and, indeed, very sobering insights. We remain deeply concerned about the violence in Rakhine state and reports of serious human rights violations and abuses, including those of a gender-based nature.

It is known that the recent, highly disturbing developments were triggered by the deadly attacks of the Arakan Rohingya Salvation Army against the security forces committed in August, but Ukraine reiterates that the targeting of any civilian population is totally unacceptable. We urge the Myanmar military to show restraint and ensure the immediate protection of all civilians in Rakhine state. We also call on the Myanmar authorities to ensure the swift establishment of the rule of law and to bring to justice those responsible for committing atrocities.

Given the fact that over 626,000 refugees have fled to Bangladesh to escape violence, we welcome the signing of the 23 November agreement on the return of displaced persons from Rakhine state between the Governments of Myanmar and Bangladesh. That document should serve the aim of creating proper conditions for the voluntary, safe and dignified return of refugees to their places of origin and providing non-discriminatory access to basic services and justice in Rakhine state. We express once again our support for the Government of Bangladesh in its efforts to provide shelter and aid to all those in need. We also strongly encourage enhanced

partnership and cooperation between the two countries in addressing common challenges.

Ukraine is seriously concerned by the continuously worsening humanitarian situation of refugees and internally displaced persons, and stresses the need for full and unhindered humanitarian access for the United Nations and for international and non-governmental aid agencies across Rakhine state. We recognize that the situation there is an extremely complicated, sensitive and challenging issue that cannot be solved in the short run, but we are confident that the implementation of the recommendations of the report of the Advisory Commission on Rakhine State will help to address complex challenges and achieve peace, stability and development in the region. We welcome the initial steps taken by the Myanmar Government in that regard, including the establishment of the ministerial-level committee for the implementation of the recommendations on Rakhine state. Ukraine calls on the authorities to fulfil those recommendations to the maximum extent possible and within a reasonable time frame.

**The President:** I shall now make a statement in my national capacity.

I thank Under-Secretary-General Feltman and the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Patten, for their comprehensive briefings.

Japan is deeply concerned about the human rights and humanitarian conditions on the ground, as well as the alleged killings of civilians and the displacement of over 620,000 people to Bangladesh. Japan's Prime Minister Abe met with Myanmar's State Counsellor Aung San Suu Kyi on 14 November and expressed his serious concerns over the situation in Rakhine state, as well as his expectation of the restoration of security in accordance with the law, the restoration of humanitarian access, and the safe and voluntary return of displaced persons.

Regarding the allegations of serious human rights violations, it is necessary to take action against all perpetrators, regardless of their place of origin or political position. On 20 November, the State Minister for Foreign Affairs of Japan, Mr. Nakane, met with Senior General Min Aung Hlaing, the Commander-in-Chief of Defence Services of Myanmar, following the investigation that was carried out by the armed forces. State Minister Nakane urged Senior General Min Aung

Hlaing to take punitive measures against the alleged human rights abuses, based on credible investigations.

The Government of Japan highly commends the dedicated efforts of Bangladesh to continuously respond to current humanitarian needs. Indeed, Japan's Foreign Minister Kōno visited a displaced persons camp in Cox's Bazar on 19 November. Japan has decided to extend assistance of \$18.6 million through international organizations for such high-priority needs as food for displaced persons. We welcome the recent efforts of the Government of Myanmar to improve humanitarian access, including for the World Food Programme. We encourage the Government to further grant humanitarian access.

We welcome the arrangement signed on 23 November by Myanmar and Bangladesh for the return of displaced persons who had fled Rakhine state to Bangladesh. We hope that the return process will be implemented steadily, in accordance with the arrangement, and that their safe, voluntary and dignified return will be achieved. We also welcome the establishment by the Government of Myanmar of the Union Enterprise Mechanism for Humanitarian Assistance, Resettlement and Development in Rakhine, and its efforts to facilitate humanitarian assistance, as well as the return of displaced persons and the restoration of peace to the affected communities. Japan is ready to further support Bangladesh and Myanmar in moving those efforts forward in order to improve the situation on the ground.

The international community should continue to closely follow the situation in Rakhine state and support the efforts of the Government of Myanmar in seeking long-term solutions, including the implementation of the recommendations of the Advisory Commission on Rakhine State, chaired by Kofi Annan, to address the root causes of this issue.

I now resume my functions as President of the Security Council.

I now give the floor to the representative of Myanmar.

**Mr. Suan (Myanmar):** My delegation thanks Under-Secretary-General Jeffrey Feltman for his briefing this afternoon on developments in Rakhine state since the adoption of presidential statement S/PRST/2017/22 on 6 November. Mr. Feltman has reflected in his briefing the efforts of the Government of Myanmar in response

to the challenges the country is facing with regard to Rakhine state. We appreciate the constructive approach to our engagement adopted by the Secretary-General. We will continue to cooperate with the United Nations in our efforts to alleviate the current humanitarian problems and to achieve our objective of a sustainable solution to the protracted issue of Rakhine state.

My delegation also welcomes the presence in the Council today of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Pramila Patten. The Government of Myanmar has accommodated the proposed visit to Myanmar by Ms. Patten from 14 to 17 December, in demonstration of our genuine desire to work with the United Nations and our faith in the United Nations system. I am confident that the first official visit of the Special Representative to Myanmar will produce positive results that will pave the way for further cooperation between Myanmar and the United Nations, and in particular with her Office.

With regard to the alleged sexual violence, the Government of Myanmar has made its position clear that it will not condone any human rights abuse. If there is concrete evidence, we are ready to take action against the transgressor, in accordance with the law, no matter who or what he is.

The Government of Myanmar has spared no effort to address the humanitarian, security and socioeconomic issues that have emerged following the terror attacks of 25 August by the Arakan Rohingya Salvation Army against security posts in the Maungdaw district. At the same time, the Government is striving to achieve sustainable peace, harmony and socioeconomic development for all communities in the state. Let me briefly highlight some salient facts on the status of what the Government of Myanmar has done so far.

With regard to the cessation of violence, there have been no major clashes with the terrorists reported since 5 September. Moreover, most troops have withdrawn from the Buthidaung-Maungdaw region. Public security and the maintenance of law and order have been taken over by the Myanmar police force. In order to establish the rule of law and sustain peace and security, the police force in Rakhine will be strengthened. The Government of Japan has accepted the request of Myanmar to provide community-policing training to Myanmar police personnel in Rakhine state.

With regard to humanitarian assistance, the Red Cross Movement is operating in Rakhine state to

address the urgent need for humanitarian assistance in affected areas, following the violence that broke out on 25 August. As of 26 November, the Red Cross Movement had reached out to over 29,000 households in Rakhine state. Apart from emergency items, the Movement is also providing health-care services to the affected communities. Mobile clinics and health facilities have been deployed. Thousands of people have also been provided with cash assistance. The Association of Southeast Asian Nations Coordinating Centre for Humanitarian Assistance on Disaster Management is also working with the Government of Myanmar and the Red Cross Movement to deliver humanitarian assistance. The Thai and Philippines Red Cross will soon be joining the Red Cross Movement in aid delivery.

The Union Government, in collaboration with the Rakhine state authorities, is trying to find ways and means for the United Nations agencies and international organizations to resume their activities in the region. In the meantime, the World Food Programme (WFP) is delivering food assistance to Rathedaung township, including the five remaining Muslim villages. In late October, the WFP was granted permission to restart its food distribution in the Maungdaw and Buthidaung townships. Moreover, the World Health Organization is also providing medical support that is being channelled through the Ministry of Health and Sports. A youth humanitarian coordination group has been formed with youth volunteers from across the country in order to efficiently distribute humanitarian aid to all of the affected communities.

Regarding repatriation, on 23 November Myanmar and Bangladesh signed an agreement on an arrangement for the voluntary, safe and dignified return of displaced persons from Rakhine state. According to the arrangement, a joint working group will be formed within three weeks of the signing. We have now agreed to meet in Dhaka on 19 December in order to finalize the terms of reference and establish the joint working group. After the formation of the joint working group, the repatriation process will start within two months from the date of signing the agreement on the repatriation arrangement.

Two reception centres, at Taung Pyo Lat Wel and Nga Khu Ya, near the border, and a drop-in centre have already been set up. The reception centres will provide basic services, such as health, water and sanitation, gender-inclusive security and safety, education and



transportation to people's respective places of origin. Application forms for returnees have been sent to Bangladesh. The returnees will be temporarily accommodated in those reception centres, but they will be resettled in their places of origin or places that are close by. At the request of the Hindu community in Myanmar, the Government has asked the Bangladeshi Government to ensure the early repatriation of more than 500 Hindu refugees. However, Bangladesh has indicated its intention to include them in the first batch of returnees, together with other Muslims.

Regarding the implementation of the recommendation of the Advisory Commission on Rakhine State, the Government of Myanmar has embraced the recommendations of the Commission as a road map to addressing the root causes of the problems within Rakhine state and achieving sustainable peace and development for all. The Government is committed to implementing the recommendations made by the Advisory Commission, as well as other recommendations made by the Maungdaw Region Investigation Commission. To that end, the ministerial-level committee for implementation of the recommendations on Rakhine state was formed on 12 September. The ministries concerned have already started the implementation process in various areas. The progress of the implementation process is to be released to the public every four months.

Today, I am pleased to inform members of the Council that an advisory board to the committee for implementation of the recommendation on Rakhine state was formed on 8 December. The advisory board comprises five well-respected international members and five members from Myanmar. The advisory board will give necessary, independent advisory opinions in order to permit the Committee to effectively implement the recommendations, in consonance with the situation on the ground.

The Union Enterprise Mechanism for Humanitarian Assistance, Resettlement, and Development in Rakhine was launched in October as a national initiative to address the issue of Rakhine state following the August terrorist attacks. The three main tasks of the Union Enterprise, for both the short and the long terms, are repatriation and the effective provision of humanitarian aid, the coordination of resettlement and rehabilitation efforts, and socioeconomic development and durable peace. The work of the Union Enterprise complements the work of the committee on the implementation of

the recommendations on Rakhine state. It is working closely with the private sector and civil society. It also collaborates with Government organizations at the union and regional levels. The Union Enterprise is undertaking infrastructure development and construction in preparation for the repatriation process. It is also assisting in the distribution of humanitarian assistance.

For the long-term development of the region, the Union Enterprise is encouraging and inviting investment in order to create jobs and generate income, thereby upgrading the livelihoods of the people. As a result, the Maungdaw special economic zone was recently established in order to boost cross-border trade with Bangladesh. We welcome international partners, donor agencies and United Nations entities to participate in that process.

The Security Council adopted presidential statement S/PRST/2017/22 on Myanmar on 6 November. Just barely over a week later, the Third Committee adopted an almost identical draft resolution, entitled "Situation of human rights in Myanmar" (A/C.3/72/L.48). On 5 December, almost exactly a month after the presidential statement was adopted, the special session of the Human Rights Council in Geneva adopted by a vote resolution S-27/1, entitled "Situation of human rights of Rohingya Muslims and other minorities in Myanmar".

We have stated in unequivocal terms our objection to the discriminatory and selective application of overlapping actions against my country in the name of human rights under various United Nations mechanisms. The pattern of exerting undue political pressure and coercive measures will not achieve any positive results. Moreover, the expressions "ethnic cleansing" and "crimes against humanity" should not be used lightly without concrete evidence and a conclusive legal judgment. We have serious doubts about the attitude of some members of the Council that repeatedly refuse to even call my country by its proper name. Such arrogant behaviour, coupled with a hostile mentality, will not contribute to constructive cooperation.

Notwithstanding all of that, as a responsible State Member of the United Nations, Myanmar has never failed to maintain its relationship with the United Nations. We always choose the path of engagement and cooperation, based on mutual understanding and mutual respect. My delegation is working closely and

in good faith with the members of the Council and the Secretariat to establish a constructive partnership in our common quest for peace, reconciliation and sustainable development in Rakhine state. We will continue to do so in the spirit of cooperation.

On behalf of the Government of Myanmar, I would like to express our sincere appreciations to the members of the Council that have demonstrated an understanding of the complex challenges that we are facing today. We believe that mutual understanding and constructive cooperation will only bring about positive results.

**The President:** I now give the floor to the representative of Bangladesh.

**Mr. Momen** (Bangladesh): We thank the Council for giving Bangladesh the opportunity to make a statement. We thank the Under-Secretary-General and the Special Representative of the Secretary-General on Sexual Violence in Conflict for their respective briefings and recommendations.

Presidential statement S/PRST/2017/22 of 6 November urged Bangladesh to continue to provide shelter and humanitarian assistance to those who continue to flee violence in Myanmar's Rakhine state until they can return voluntarily and in conditions of safety and dignity to their homes in Myanmar, with due regard for the principle of non-refoulement. We made a pledge to the Council that we would continue to honour our commitment to that effect.

To date, Bangladesh continues to receive fresh arrivals of Rohingya, with a daily average of 100-400 people. According to the latest update of the Inter-Agency Coordination Group operating on the ground, the total number of arrivals in Bangladesh has reached 646,000 since 25 August. That number continues to rise. Last week in the General Assembly, we talked about the humanitarian situation (see A/72/PV.69). The dire situation of displaced people is perhaps evident from the hundreds of thousands of children who had to receive measles and rubella vaccination and were administered life-saving nutritional packages. Our authorities are in a race against time to prevent a cholera outbreak and the spread of diphtheria, which had long been eliminated in Bangladesh.

Many of the fresh arrivals are taking place due to alleged coercion to accept national verification documents that designate the Rohingya as Bengalis. We remain concerned over recurrent reports of

arson in Rohingya localities in northern and central Rakhine state, which belie the claims of normalcy and stabilization in the area. We urge the United Nations and its partners to keep a close watch on the volatile situation in central Rakhine state so as to prevent further possible outbreaks of violence against the Rohingya, who are mostly confined to internally displaced person camps in the area.

As has been mentioned, in pursuance of our bilateral engagement, on 23 November Bangladesh and Myanmar signed an arrangement on the return of displaced persons from Rakhine state. We consider that document to be a critical first step towards the possibility of ensuring the voluntary repatriation of all the forcibly displaced people who entered Bangladesh in the aftermath of the widespread violence in Rakhine state in October 2016 and August this year. As per the arrangement, we are currently working with Myanmar on setting up a joint working group, with clear and specific terms of reference, towards initiating the process of repatriation in the third week of January 2018. The Myanmar authorities have agreed to conclude the repatriation process within a reasonable time, with the assurance that the returnees will be settled in temporary shelters for a brief period of time.

The arrangement also states that the returnees should be rehabilitated in their original place of abode or in places close by. It further states that Myanmar will issue national verification documents to the returnees upon their return. That should, however, be dealt with separately from the verification to be conducted to facilitate their return in the first place. We believe that the Myanmar authorities have taken due note of the various concerns raised by different quarters with regard to all those provisions. We take this opportunity to reiterate some of those concerns from our perspective, as a party to the bilateral arrangement.

First, the provision for concluding repatriation within a reasonable time must not be taken as a license to prolong the process over an indefinite period. Our concerns in that regard are further reinforced by the initial plans for return and rehabilitation that were unveiled last week by the Union Enterprise Mechanism for Humanitarian Assistance, Resettlement and Development in Rakhine, and also shared by the State media in Myanmar. Given the number of facilities being created for the reception of returnees and their capacity to manage caseloads per week, it would take decades

to conclude the repatriation of nearly 650,000 people. That would be an untenable situation, to say the least.

Secondly, not only is the number of houses reportedly being rebuilt or constructed by the Union Enterprise in particular townships insignificant compared to actual needs, but the Union also has a very small portion of those earmarked for the majority-Muslim population in those areas. There is scope for drawing various inferences from those small numbers about the actual possibility of repatriating the entire forcibly displaced population. However, in the interest of good-faith engagement, we wish to refrain from drawing such conclusions at this point.

There have also been widespread concerns over the possibility of maintaining the status quo with temporary shelters, as seen in central Rakhine state. The Union Enterprise does not appear to have clear contingency plans to address such concerns, including on the scope for involving relevant United Nations agencies and other partners in the rehabilitation and reintegration process.

Thirdly, the imposition of national verification that denies the Rohingya of their historically grounded self-identity has been one of the main reasons for the recent violence and atrocities in Rakhine state. According to reports, the Myanmar authorities continue to pursue divisive policies to convince certain sections of the Muslims to accept national verification documents that designate them as Bengalis. Such policies run counter to the recommendation of the Advisory Commission on Rakhine State, chaired by Mr. Kofi Annan, and need to be pragmatically reviewed by the Myanmar authorities in order to put an end to the State policy of treating the Rohingya as illegal immigrants and, hence, non-citizens.

Fourthly, the verification to be conducted prior to return must factor in the total dehumanization, dispossession and disenfranchisement of the Rohingya, and all the more so because they fled their homes without any documents or evidence in support of their residency in Rakhine state. It would be expected of the Myanmar authorities to apply clear criteria to and modalities for verification of the Rohingya and other communities without undue discrimination. We also remain concerned over the lack of efforts to address the hate speech that continues to be propagated by certain segments of the local population in Rakhine state and elsewhere.

These concerns make it evident that the signing of a bilateral arrangement for repatriation does not guarantee that the displaced persons will be able to sustainably return within a reasonable time in conditions of safety and security. As a matter of fact, the bilateral repatriation arrangement is rather limited in its scope and is not perhaps expected to address the root causes of a protracted crisis that has led to what has been termed a “text book case of ethnic cleansing”. Even if the arrangement were complied with in good faith, it would not necessarily ensure that the returnees would find the situation conducive to their stay in the medium-to-long term. Bangladesh continues to make efforts to ensure the participation of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the repatriation, rehabilitation and reintegration process.

In response to Myanmar’s commitment to implementing the Kofi Annan Commission’s recommendations, we continue to see the creation of various commissions and committees, with multiple subcommittees and various responsibilities. It remains to be seen how the Myanmar authorities will manage to navigate the labyrinth of those commissions, committees and their recommendations to deliver meaningful and tangible results so as to make a real difference on the ground in Rakhine state. Humanitarian agencies are yet to be granted unfettered and sustained access to all the affected populations in order to independently assess their needs and provide comprehensive assistance and protection. Despite the limited access granted to non-international staff of the World Food Programme, other international humanitarian actors, including UNHCR, which has staff based in Maungdaw and Sittwe, face restrictions in their movements. Once again, such restrictions do not speak of positive developments on the ground and cannot be addressed through bilateral efforts.

The Secretary General’s Special Representative on Sexual Violence in Conflict observed in her briefing that all the women and girls she had interacted with in Bangladesh demanded justice for the inhumane torture and brutalities that they had been subjected to. The United Nations fact-finding mission continues to be denied access by Myanmar, even after it put forward a constructive proposal for gathering a group of interlocutors from concerned entities of the Government to engage with them in a transparent manner. Against that backdrop, the High Commissioner for Human Rights, in his statement in the Human Rights Council

on 5 December, suggested the possibility of setting up an independent and impartial investigation mechanism by the General Assembly, complementary to the work of the fact-finding mission.

In tandem with the presidential statement S/PRST/2017/22, at its current session the Third Committee adopted draft resolution A./C.3/72/L.48, mandating the Secretary-General to appoint a special envoy on the overall situation in Myanmar. In view of the broader scope of the special envoy's mandate, we believe that the Council would be in a position to gain a first-hand impression and an analytical perspective concerning realities on the ground in Myanmar, particularly in Rakhine state, from such a political mission. It will be critical to ensure that the Myanmar authorities engage with the special envoy in good faith.

As we have previously said in the Council, whatever momentum we see in our bilateral engagement with Myanmar has been the result of widespread international outcry and engagement over the latest violence and atrocities committed in Rakhine state. We urge the Council to act as the custodian of the bilateral process, and, if we may add, of the rights and protection of the Rohingya as the most persecuted people on earth.

The latest arrangement signed between Bangladesh and Myanmar has made it clear that there is only so much we can do for the Rohingya, whose voices and concerns

must not be lost in the bilateral process. It is critical that the Council remain seized with the Rohingya issue at regular intervals in the months to come. We align ourselves with the Special Representative in our call to consider the adoption of a Security Council resolution. We also reiterate our invitation to the Council to visit Bangladesh and, if possible, Myanmar, to witness the grave situation.

I wish to conclude by repeating the powerful words of the High Commissioner for Human Rights:

“Refusal by international as well as local actors to even name the Rohingyas as Rohingyas — to recognize them as a community and respect their right to self-identification — is yet another humiliation, and it creates a shameful paradox: they are denied a name while being targeted for being who they are. The Rohingya have been physically attacked, oppressed, deprived of nationality and rights. How much do people have to endure before their suffering is acknowledged and their identity and rights are recognized by their Government and by the world?”

**The President:** I now invite Council members to informal consultations to continue our discussion on the subject.

*The meeting rose at 5.20 p.m.*