



# Special Advisory Council for MYANMAR

## The United Nations General Assembly Must Accept the Credentials of Myanmar's NUG Representative

13 September, 2022

The United Nations (UN) General Assembly must respect the founding purposes and principles of the UN by accepting the credentials of Myanmar's democratic representative, Ambassador Kyaw Moe Tun, and ensuring consistent representation of Myanmar throughout the UN system, says the Special Advisory Council for Myanmar (SAC-M).

The UN General Assembly convenes today for its 77<sup>th</sup> annual session in New York. A credentials committee will form to consider the credentials of representatives appointed to the UN by each member state and to report back to the General Assembly with recommendations for the candidates' accreditation.

His Excellency Ambassador Kyaw Moe Tun, the appointee of the National Unity Government of Myanmar (NUG), whose credentials were submitted to the UN Secretary-General by Myanmar's State Counsellor Aung San Suu Kyi prior to the Myanmar military's attempted coup in February 2021, has continued to represent Myanmar at the General Assembly since.

**"The General Assembly must continue to recognise Ambassador Kyaw Moe Tun as the representative of Myanmar to the UN,"** said Chris Sidoti of SAC-M. **"Moreover, the General Assembly must be more explicit in its decision than last year in order to correct the absolute mess we have seen across the UN bodies with respect to Myanmar's representation. That mess has shamefully deprived the Myanmar people of their voice at UN meetings at a time when they need it the most."**

UN Resolution 396(V) provides that when the question of a State's representation at the UN "becomes the subject of controversy ... the attitude adopted by the General Assembly [...] concerning any such question should be taken into account in other organs of the United Nations and in the specialised agencies".<sup>1</sup>

The attitude of the General Assembly with respect Myanmar's representation since the attempted coup is clear, both from Ambassador Kyaw Moe Tun's continued accreditation to the General Assembly and its recognition of the continuing authority of President Win Myint and State Counsellor Aung San Suu Kyi in Resolution 75/287 (2021).<sup>2</sup>





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Appointees of the NUG should therefore have represented Myanmar in all UN bodies over the past twelve months. Instead, however, Myanmar has gone unrepresented in most UN forums, including the Human Rights Council, which is also in session, having convened yesterday.

**“Myanmar is an acute human rights crisis. It is on the agenda every time the Human Rights Council meets. Yet, for more than a year, the Council has refused to allow a legitimate representative of the Myanmar people to participate, despite the clear legal guidance on the matter,”** said Marzuki Darusman of SAC-M. **“Just what is going on in Geneva? There can surely be no justification for the UN’s foremost body for the protection and promotion of human rights to deny the right of a nation in crisis to be represented by its legitimate government in its greatest hour of need.”**

The NUG is the legitimate government of Myanmar, having been appointed by lawmakers elected in Myanmar’s 2020 general elections. The NUG also has the greatest claim to overall control in Myanmar, as the representative of allied forces opposed to the illegal military junta, a recent briefing paper by SAC-M found.<sup>3</sup> The resistance controls more of the territory of Myanmar than the junta and is administering an increasing range of government functions. The military junta now only has stable control over a remaining 17 percent of the country.

**“The Myanmar people rightfully feel totally abandoned, or worse, betrayed, by the UN, as they continue to face the military’s brutal terror campaign of killing, torture, rape, arson and devastation, that is destabilising an entire region and causing unimaginable suffering for millions,”** said Yanghee Lee of SAC-M. **“If the UN still truly stands for international peace and security then the General Assembly will accept fully the credentials of Ambassador Kyaw Moe Tun with all the rights and privileges of any other member state.”**

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<sup>1</sup> UN Doc. A/RES/396(V), 14 December 1950

<sup>2</sup> UN Doc. A/RES/75/287, 18 June 2021

<sup>3</sup> “SAC-M Briefing Paper: Effective Control in Myanmar”, 5 September 2022, available at: <https://specialadvisorycouncil.org/wp-content/uploads/2022/09/SAC-M-Briefing-Paper-Effective-Control-in-Myanmar-ENGLISH-1.pdf>

