

**STATEMENT BY Y.B. DATO' SAIFUDDIN ABDULLAH, FOREIGN MINISTER
OF MALAYSIA ON THE REPORT OF THE UNITED NATIONS INDEPENDENT
INTERNATIONAL FACT-FINDING MISSION ON MYANMAR**

1. The report of the United Nations Independent International Fact-Finding Mission on Myanmar released on 24 August 2018 confirms Malaysia's worst fear that the crimes perpetrated against the Rohingya people in Myanmar since 25 August 2017 bear a resemblance to the acts of genocides committed in the past that have marred the history of humanity.
2. The UN report, drawing on meticulous and objective research, provides incontrovertible proof of what the Myanmar military and its government has been denying all this time; intentional, concerted, systematic, consistent, and planned acts and policies to destroy and remove, in particular ethnic Rohingyas, from Myanmar.
3. It should be noted that the Myanmar military and government were given ample opportunity to provide their side of the story – opportunities that they repeatedly did not avail themselves of. Therefore, they cannot now say that the report is biased, unfair and driven by a political agenda.
4. I wish to emphasise the fact that Malaysia's assessment of Myanmar remains the same. A strong and prosperous South East Asia requires a united, prosperous and stable Myanmar, one which is fully integrated into the global community and able to play its rightful role therein. For these reasons, more than 20 years ago Malaysia, under Tun Dr. Mahathir's leadership, strived towards bringing Myanmar into the ASEAN fold. The inclusion of Myanmar, as well as Cambodia, Laos, and Viet Nam, as members of ASEAN has brought innumerable benefits not only for them, but the region and the world as a whole.
5. However, aspirations for Myanmar will not be fulfilled if it continues, or refuses to account for policies which reflect Mankind's darkest past, and which has no role in a civilised world.
6. As a member of ASEAN, Myanmar must ascribe to the ideals of the ASEAN Charter. These include for ASEAN members to respect the fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice.
7. Of course the ASEAN Charter also spoke very strongly about the principle of non-interference. Of course Malaysia continues to subscribe to this principle. However, beyond the humanitarian dimension, there are also the security and strategic dimensions – the widespread movement of the Rohingyas creates instability in the region, and could easily become a rallying-call for violent extremism in the region.

8. All these potentially have deep implications for Malaysia and the region. For this reason, Malaysia cannot be silent, or ignore the Rohingya crisis that is happening at its doorstep.
9. Malaysia will continue to speak about the plight of the Rohingyas. We will also continue to call for international support for the Government of Bangladesh, in which close to a million Rohingyas have found refuge. As we work towards a sustainable solution to the situation, one which will preserve the dignity and lives of the Rohingyas, the international community must do all it can to support Bangladesh. Malaysia has done so, and will continue to do so.
10. Perhaps lost in the discussions is the fact that Myanmar has been a Party to the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide since 1956. Under the terms of the Convention, States Parties including Myanmar have the obligation to, among others:
 10. Undertake to punish persons committing genocide that happens in the country, whether committed in peace or in time of war;
 10. Establish a competent national tribunal in the territory in which the act is committed to try the alleged crimes committed; and
 10. Accept the jurisdiction of international penal tribunal should the national mechanism is unavailable or is ineffective.
11. In addition, the 1948 Convention also calls upon the competent body of the UN to take such actions in the UN Charter they consider appropriate to prevent and suppress the acts of genocide.
12. Clearly, the crimes described in the report are consistent with those outlined in the 1948 Genocide Convention, which I must repeat, Myanmar is Party to. For this reason, The Myanmar Government has the primary responsibility to take actions against the perpetrators of the crimes under international law committed against the Rohingyas and other minorities in Myanmar, especially in Rakhine State.
13. If Myanmar proves to be unwilling or incapable of ensuring justice in this regard, the United Nations Security Council (UNSC) has the responsibility to establish an international judicial mechanism to try those individuals most responsible for these crimes. This too was clearly the view of the majority of the Members of the UNSC expressed during the open briefing held on 28 August 2018 in New York.
14. In 1946, General Aung San famously stated that, "Nowadays, all the world over, we cannot confine the definition of a nationality to the narrow bounds of race and religion. Nations are extending the rights of their respective communities even to others who may not belong to them except by their mere residence amongst them and their determination to live and be with them."

15. So let me say to my friends in Myanmar – Live up to the ideals of General Aung San. Bring the condemned perpetrators to justice. Let the Rohingyas return to peace and a life of dignity.

**DATO' SAIFUDDIN ABDULLAH
MINISTER OF FOREIGN AFFAIRS MALAYSIA**

**PUTRAJAYA
29 August 2018**