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The Honourable Anna Karin Eneström
Permanent Representative of Sweden to the United Nations
Permanent Mission of Sweden to the United Nations

Via Ulrika Ajemark Åsland
Executive Assistant to the Permanent Representative
By email

HTUR/MW

25 October 2021

Defending the principles and values under the UN Charter and taking a firm stand in support of democracy and human rights in Myanmar

Dear Ambassador Eneström,

On behalf of over 200 million workers represented by the International Trade Union Confederation (ITUC) through their unions in 163 countries and territories, I am writing to you concerning the representation of Myanmar before the examination of the Credentials Committee of the 76th UN General Assembly (UNGA). We understand that the Credentials Committee will draw a conclusion in the coming weeks with regard to the accreditation of the State Administration Council (SAC) established by the Myanmar military after staging the 1 February coup and the National Unity Government of the Republic of Myanmar (NUG), established on 16 April by the elected parliamentarians of the 8 November 2021 elections. The report of the Credentials Committee will be submitted to the UNGA in the incumbent session.

The [international trade union movement](#) has been standing with the people and the Myanmar trade union movement. We recognize the Committee Representing Pyidaungsu Hluttaw (CRPH), formed by the elected parliamentarians in the November 2020 election, and the NUG as the legitimate government of Myanmar. The Workers' Group at the [109th International Labour Conference](#) supported the NUG delegation and has successfully challenged the credentials of the SAC. Member States and the constituents of the ILO have also resolved to support the restoration of democracy in Myanmar through multilateral, regional and bilateral means under the [2021 ILO resolution for a return to democracy and respect for fundamental rights in Myanmar](#).

The ITUC is joined by its affiliates in Sweden and the member countries of the Credentials Committee, namely LO Sweden, the Trade Union Congress of Namibia, and the AFL-CIO in the United States, to inform you of the following concerns from Myanmar movement and the international trade union movement in your vetting of the Myanmar representatives.

The decision of the Credentials Committee should fully reflect [Resolution 75/287](#), which was adopted overwhelmingly by the UNGA in June. The resolution condemns the coup in Myanmar and calls for respect of the will of the Myanmar people as freely expressed by the results of the general election of 8 November 2020 and for an end to the state of emergency.

Under the guidance of the [1950 UNGA Resolution on Recognition by the United Nations of the Representation of a Member State](#), the principles of democratic legitimacy and adherence to international laws and obligations under the UN Charter should be applied with highest priority in the context of Myanmar, where the democratically elected government has been brutally overthrown against the will of the people. The SAC has violated international human rights and humanitarian laws

– some of these violations amount to war crimes and crimes against humanity – and it has shown no sign of making efforts to respect the decisions of the UN bodies and address the atrocities ([A/HRC/48/67](#)). It would be nothing but a breach of the UN Charter that an authority without legitimacy and respect of international obligations ascends to represent a Member State of the UN.

The decision of the Credentials Committee in this light will be crucial in sending a clear message to the Myanmar military that the UN stands firmly for democracy, human rights, and accountability, and that a dialogue with the civilian government chosen by the people is the only solution to prevent plunging the country into "[a full-blown conflict](#)", as warned by the UN High Commissioner for Human Rights in September.

The workers of Myanmar and their trade unions, including the largest trade union structure and the ITUC's affiliate in Myanmar, the Confederation of Trade Unions Myanmar (CTUM), recognized the November 2021 election results. Workers were the first organized force in the country to stand up and oppose the military coup on 1 February. Boycotts and labour strikes in all the key strategic sectors, such as the oil and gas, energy, railway, mining and banking sectors, are going on in support of the Civil Disobedience Movement to restore democracy.

The Myanmar Labour Alliance, formed by 16 trade unions and organizations outlawed by the SAC in March, supported the formation of the CRPH and endorsed the [Federal Democracy Charter](#) as the basis to build an inclusive federal government of democracy, unity and peace. The establishment of the NUG on 16 April was the result of this process of deliberation by Myanmar's trade unions, political parties, the ethnic armed organizations, civil society groups and the Civil Disobedience Movement (CDM).

The NUG operates in Myanmar with a governance structure that benefits from the participation of the Myanmar trade union movement. The CTUM was the trade union member of NUG's delegation to the 109th International Labour Conference in June, where Sandar Soe of the CTUM was elected as the representative of Myanmar in the Workers' Group of the Governing Body of the ILO to report about the implementation of the ILO conventions ratified by Myanmar.

The Federal Constitution Drafting Commission and the National Unity Consultative Council (NUCC) under the NUG are the functioning bodies in Myanmar, along with trade unions and civil society representatives, to bring the amendment of the 2008 Constitution and the drafting of the [Citizenship Act](#) into compliance with international labour and human rights standards, as well as compliance with the preliminary rulings of the [International Court of Justice](#) to ensure the equal rights of the ethnic minorities and the Rohingya. The NUCC advises the NUG on policies and international cooperation, and it supports the dissemination of international humanitarian aid and Covid-19 vaccines through trade union and civil society networks in order to reach jobless workers and families in need under the coup.

We believe that it is on these grounds that the CRPH and the NUG enjoy legitimacy with the people of Myanmar and demonstrate inclusiveness and the capacity to deliberate legislation, implement policies, and uphold democracy and human rights. Recognition of the NUG has been supported by the [UN Special Rapporteur on the Situation of Human Rights in Myanmar](#) and more and more Member States. Governments and democratic parliaments have established relations with the CRPH and the NUG, including in the United States, Canada, the United Kingdom, Australia, France, Czech Republic, South Korea, Japan, New Zealand, Norway and East Timor.

On behalf of the ITUC, I urge you and the members of the Credentials Committee to give priority to these considerations and approve the credentials of the NUG as representative of the state and the people of Myanmar in your report to the 76th UNGA.

I thank you for defending the principles and values under the UN Charter and for taking a firm stand in support of democracy and human rights in Myanmar.

Yours sincerely,



General Secretary