

The United Nations Security Council



***Measures to end armed conflicts and rebuild an
autonomous government in Myanmar.***

-Committee Guide-

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CONTENTS

- I. Introduction
 1. Introduction to the committee
 2. Introduction to the topic
- II. Facts and current situation
 1. Facts
 2. Current situation
- III. Definition of key terms
- IV. Major parties involved
- V. Evaluation of previous attempts
- VI. Possible solutions
- VII. Useful links

I. INTRODUCTION

1. INTRODUCTION TO THE COMMITTEE

The UN Security Council consists of 15 Member States. The permanent members are the five states which the UN Charter of 1945 grants a permanent seat on the Security Council: China, France, The Russian Federation, The United Kingdom and the United States of America. Those Member states have the right of veto, which allows them to reject resolutions. The non-permanent Members are elected by the General Assembly for two-year terms. The current non-permanent Members are Albania, Brazil, Ecuador, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland and the United Arab Emirates. Each Member State has one vote. Under the Charter of the United Nations, each and every Member State is obligated to comply with Council decisions.

The Security Council has primary responsibility for maintaining international peace and security. It takes the lead in determining the existence of a threat to the peace or act of aggression. Therefore, the Council's first action is usually to recommend that the parties try to reach agreement by peaceful means. It may set forth principles for such an agreement or appoint special envoys. Beyond this, the Security Council may opt for enforcement measures, including for example economic sanctions, financial penalties and restrictions, travel bans or blockade.

On 17 January 1946 the UN Security Council held its first session at Westminster, London. Since its first meeting, the Council has taken permanent residence at the United Nations Headquarters in New York City.

There must always be a representative of each of the Member States at UN Headquarters so that the Security Council can meet at any times as the need arises.

2. INTRODUCTION TO THE TOPIC

From 1886 to 1948, Myanmar, then known as Burma (until 1989) was a part of British India, meaning a British colony. The rule of the British was mainly limited to the heartland of Burma since it was an arbitrary creation of the colonial masters that had little thought about existing cultural, religious or ethnic contexts. This led to minorities living in border areas which were mainly independent. Even at this time,

there were always violent conflicts. But especially after 1948, these minorities had problems seeing themselves as a part of the state Burma.

During World War II, Japanese troops occupied Burma in 1942. Parts of the Burmese independence movement (= Thakin movement, founded by U Nu) formed their own army under General U Aung San (= Birma Independence Army, BIA). Together with the Japanese, the BIA successfully fought against the British troops. In August 1943, the Thakin movement declared the country of Burma, with the consent of the Japanese occupying power, independent. But when the defeat of Japan in World War II began to loom (in 1945), the country of Burma sought a rapprochement with the Allies in order to ally themselves with them. Burma temporarily came back under British rule, but the decolonization process was gradually initiated. On the 5th of November 1947, General Aung San discussed the conditions for Burma's independence with the British government in London.

On the 4th of January 1948, Burma was released into independence and U Nu, Aung Sang's successor, was elected as the first Prime Minister of Burma. After Burma's independence, there was a short democratic phase, and the democratically elected government was one of the first in Southeast Asia.

In the early years of democracy and independence, Burma's government had to face numerous challenges. Since Burma was home to dozens of ethnic groups, many of these groups were seeking greater autonomy and independence, especially those living in border areas. Violent conflicts between those ethnic groups were common, this led to political instability. Moreover, the country faced significant economic difficulties and all attempts to address these issues were unsuccessful.

In 1958, the government declared that a caretaker government will be established since the actual government was unable to control the political violence. However, this caretaker government was unable to resolve the country's problems as well and the military stepped in to take control. Under the military's control, elections were held in 1960. U Nu was once more appointed as Prime Minister again and his government was tasked with addressing the country's ongoing challenges. However, this term was marked by a series of crises, including a failed military uprising and an attempted assassination of the Prime Minister.

The military had played a prominent role in Burmese politics since independence, and many military leaders believed that they had a duty to protect the country from internal and external threats. However, in the years following independence, the

military's role in governance had been limited, and the government had been responsible for most of the country's affairs. The military was increasingly dissatisfied with the government's performance. Many military leaders believed that U Nu's government was weak and ineffective, and they were convinced that the military needed to take a more important role in governing the country. One of the key issues driving this discontent was the ongoing challenge of ethnic tensions within the country. The military, which was seen as a unifying force in Burmese society, believed that it had a responsibility to address these tensions and prevent the country from descending into chaos. Additionally, the military was frustrated by the government's inability to address the country's economic problems and provide basic services to the population. This discontent within the military set the stage for the 1962 coup. On 2nd March 1962, a group of military officers staged a military coup, overthrowing the democratically elected government of U Nu and establishing a military junta.

After seizing power, the military argued that it was better equipped to address the challenges than the civilian government and that it was necessary to take decisive action to protect the country. Moreover, the military claimed that it was acting in the best interests of the Burmese people. While the initial stages of the coup were relatively bloodless, the military's subsequent actions would soon lead to widespread human rights abuses and political repression. The military replaced the previous civilian government, suspended the constitution and declared a state of emergency that lasted for more than a decade. This effectively put an end to the democratic rule in Burma. The government would go on to issue a series of laws that severely curtailed civil liberties and political freedom. Furthermore, it wasn't able to solve economic instability, but caused widespread poverty and economic hardship by implementing policies. The opposition to the junta began to grow since it was characterized by widespread human rights abuses, including extrajudicial killings, forced labor and the suppression of political enemies. For more than five decades, the military regime remained in power. During these five decades, several protests against the military junta were violently put down.

But in wake of unrest in 2007 as well as international pressure, a new constitution providing for civilian rule was ratified in 2008. In 2011, the military junta officially dissolved and established a military-dominated civilian parliament for a transnational period. Elections were held in 2015 and in 2020. However, in 2020, there was a

landslide victory for the democratic NLD which threatened the power of the military. The military rejected the results, allying that the election had been tainted by fraud and irregularities. On the 1st of February 2021, the military launched a coup against the civilian government. It declared the results of the parliamentary elections of 2020 invalid and imposed a one-year state of emergency. High-ranking officials of the governing party NLD were arrested, and mass communication was largely interrupted. The military takeover took place only a few hours before the planned meeting of the newly elected parliament and destroyed hopes for democratic progress in the country. The seizure of power by the military triggered nationwide protests, in which hundreds of thousands took to the streets. The peaceful demonstrations in the first weeks quickly turned into deadly clashes when the military began a brutal approach, arrested elected leader, civilian officials, protest leaders and journalists and fired live ammunition at unarmed demonstrators.

II. FACTS AND CURRENT SITUATION

1. FACTS

- Government: Unitary assembly-independent republic under a military junta
- Religion: 87.9% Buddhism, 6.2% Christianity, 4.3% Islam, 1.6% Others (2018)
- Population: 53,4 million (2022)
- GDP (PPP): \$278.156 billion (2023 estimate)
- 24.8% of the population live below the national poverty line (2017)
- Neighboring countries: Thailand, Laos, China, India, Bangladesh
- Coastlines: Andaman Sea, Bay of Bengal

2. CURRENT SITUATION

Clashes between the Myanmar military and pro-democracy armed groups are ongoing in many parts of the country. Since the military coup in 2021, the Myanmar military has carried out a brutal nationwide crackdown on millions of people opposed to its rule. In its 2022 report, Human Rights Watch reports that since the coup, more than 16,000 pro-democracy supporters have been arbitrarily arrested. Many former detainees alleged torture or other ill-treatment, such as sexual violence, during their detention. Furthermore, the military's indiscriminate use of artillery and airstrikes has injured and killed numerous civilians, damaged villages and forced thousands to

flee. The United Nations Office of the High Commission of Human Rights (OHCHR) reported that military operations destroyed up to 30,000 civilian infrastructures, including schools. UN Secretary-General Antonio Guterres strongly condemned these operations, saying “Attacks on schools and hospitals in contravention of the international humanitarian law also constitute one of the six grave violations against children in times of armed conflict strongly condemned by the Security Council.” The OHCHR moreover reports 111 cases where victims were burned alive.

These conflicts displaced nearly 1 million people internally, with an additional 70,000 fleeing to neighboring countries, especially Bangladesh. The military junta has blocked desperately needed humanitarian aid from reaching millions of these displaced people and others at risk and so violates the international humanitarian law.

Persecution and execution of marginalized groups are ongoing in Myanmar. For instance, Myanmar’s penal code punishes “carnal intercourse against the order of nature” with up to 10 years in prison and a fine. Under the junta, lesbian, gay, bisexual and transgender (LGBT), but also women have been particularly likely to be targeted with sexual violence in custody. Furthermore, Muslim minorities are arbitrarily and indefinitely held in detention camps. Especially Rohingya are affected by crimes against humanity, such as apartheid, persecution and deprivation of liberty since the majority of the population is Buddhist. Genocidal acts are committed still against the Rohingya and the crisis in Myanmar remains high on the list of global atrocity alerts.

The International Criminal Court (ICC) tried to investigate crimes committed in Myanmar, but since Myanmar is not a signatory of the Rome Statute, these efforts were unsuccessful.

III. DEFINITION OF KEY TERMS

Military coup: A sudden, violent and unlawful seizure of power from a government by the military.

Military junta: A government led by a group of military leaders who rule a country after seizing power.

Responsibility to Protect (R2P): In case a government is not able or willing to implement human rights, the UN has the responsibility to do so. If military resources are required for this, the Security Council’s authorization is mandatory.

IV. MAJOR PARTIES INVOLVED

The United States Institute of Peace explains that “The international community can be divided into three camps in dealing with Myanmar’s brutal coup regime. One consists of a shameless group that (...) supports the junta (...). A second is a divided ASEAN that cobbled together and continues to promote the (dead) so-called “five-point-consensus” (...). The third is the West, which has imposed sanctions, offered humanitarian aid and taken a strong rhetorical position opposing the coup, yet criticizes armed resistance and avoids bold action (...).”

The United Nations

Resolution 2669 (2022): In December 2022, the Security Council adopted an UK-drafted resolution denouncing the Myanmar military’s rights violations since the coup, in the first SC resolution on Myanmar since the country’s independence in 1948. All members voted for the resolution, except for China, India and Russia, which abstained.

China, India and the Russian Federation

China, India and Russia have become the military junta’s closest allies. In the case of China and Russia, they have also become main suppliers of arms since the coup in order to further their own narrow national interests. If this trend continues, it is possible, if not probable, that the regime will gain some international legitimacy, likely extending its reign of brutality.

ASEAN (Association of Southeast Asian Nations)

Five-point consensus (5PC): In an emergency meeting held in Jakarta in April 2021, two months after the military grabbed power from the democratically elected civilian government, ASEAN agreed on the following five points: an immediate end to violence, holding dialogue among all parties, the appointment of a special envoy, allowing humanitarian assistance by ASEAN and allowing an ASEAN special envoy visit Myanmar to meet with all parties involved. However, this turned out to be an illusion and looks like a dead document today. Realistically, there is not much more that ASEAN can do with Myanmar, not only because it is being held back by the “non-interference” principle, but more because the junta has refused intervention

from anyone. ASEAN should be prepared to suspend Myanmar's membership.

The West

The European Union, the United States of America, the United Kingdom, Australia and Canada have imposed sanctions on individuals and entities linked to the junta and condemned the military coup. Though, an advocacy director for Human Rights Watch said: "As a result, the measures taken so far have not imposed enough economic pain on the junta to compel it to change its conduct."

V. EVALUATION OF PREVIOUS ATTEMPTS

Previous attempts trying to end armed conflicts and to rebuild an autonomous government in Myanmar, failed. While the 5PC is a dead document today, the sanctions and embargoes imposed by western countries are futile as well. The leader of the Myanmar military junta itself said that they are used to such kind of punishments and that they are able to handle them. Myanmar's security situation has worsened since February 2021 and needs to be restored immediately.

VI. POSSIBLE SOLUTIONS

One path to a solution lies in pressing the Myanmar military junta with punishing economic embargoes and sanctions, designed to strangle its manifold revenue sources. Regarding the fact that the Myanmar military is a large and formidable military, it also takes significant resources to supply and sustain. The international community can do a much better job of identifying sources of revenue that are flowing into the coffers of the junta and then perpetuate these atrocities.

Furthermore, UN members need to more stridently raise the prospect of jurisdiction over crimes against humanity by the International Court of Justice (ICJ). For instance, in July 2022, the ICJ decided that it has jurisdiction under Gambia's attempt trying to analyse possible genocides by the Myanmar military. States, such as the United States of America, support Gambia by searching evidence for the genocide. Only by proving the genocidal acts committed by Myanmar authorities, the ICJ can dispense justice. Such attempts should get more international attention and support.

Besides that, there's barely anything the International Community can do since the Responsibility to Protect (R2P) is blocked by Russia and China in the Security Council. Otherwise, the UN could legitimize the use of UN Blue Helmets in Myanmar. They could carry out the so-called Peace enforcement.

VII. USEFUL LINKS

- <https://www.hrw.org/news/2023/03/13/myanmar-concrete-un-security-council-action-needed>
(Report by Human Rights Watch on the situation in Myanmar)
- <https://www.ohchr.org/en/press-releases/2022/12/myanmar-action-needed-stop-carnage-says-un-expert-after-adoption-security>
(Press Releases and assessments by UN experts)
- <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/N2276733.pdf>
(Resolution 2669 (2022) by the Security Council that deals with the situation in Myanmar)
- <https://www.eastasiaforum.org/2023/06/22/whats-next-for-sanctions-on-myanmar/>
(Report on the sanctions on Myanmar)