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United Nations Security Council (UNSC)

#BACKGROUND GUIDE

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History of the Committee

The United Nations Security Council (UNSC) was established on 24th October 1945, when the UN Charter came into effect.¹ It is one of the six principle organs of the United Nations, and the only one that has the authority to issue binding resolutions. Its mandate includes working to ensure international peace and security, as well as recommending the admission of new UN members to the General Assembly, and approving changes to the UN Charter. The UNSC is made up of fifteen member states: the five permanent members, who have power of veto over all resolutions, and ten other members which are elected for two year terms with five elected each year.² The five permanent members are China, France, Russia, the United Kingdom, and the United States of America. Since its establishment, the extent to which the UNSC has been able to take measures in the name of ensuring peace and security has been strongly influenced by the relations between the five permanent members.

During the Cold War efforts were often deadlocked by the rivalry between the Soviet Union and the Western capitalist powers, with some notable exceptions such as the resolution of June 1950 which called for assistance in repelling the invasion of southern by northern Korea. The first UN peacekeeping force was also established in this period, in response to the Suez Canal crisis in November 1956.³ The period after the fall of the Berlin Wall saw a huge increase in activity by the UN Security Council, as previously existing rivalries and power dynamics were destabilised. The number of resolutions adopted increased twofold, however this period of activity was not without controversy: the UN's intervention in the former Yugoslavia was widely criticised as ineffective in the face of its failure to prevent numerous atrocities from taking place. Subsequently further controversy emerged after revelations of abuses by UN peacekeepers on missions in countries such as Central African Republic⁴ and

1 <https://www.un.org/en/about-us/un-charter>

2 <https://www.un.org/securitycouncil/content/faq>

3 <https://web.archive.org/web/20120111074909/https://www.un.org/aboutun/milestones.htm>

4 <https://www.hrw.org/news/2016/02/04/central-african-republic-rape-peacekeepers>

Haiti.⁵ In today's world order, the UNSC is now faced with a new set of challenges. Like the other UN committees, it has the potential to play a vital role in preventing the escalation of the rivalry between the US and China, but is also at risk of being paralysed by it at a time when international cooperation is critical to solve the numerous geopolitical challenges that the world currently faces.

⁵ <https://www.hrw.org/news/2020/01/11/un-peacekeeping-has-sexual-abuse-problem>

Topic: Coup and Humanitarian Crisis in Myanmar

Statement of the Problem

Myanmar is a country with a long and troubled history of political repression and instability. The past ten years saw tentative moves towards democratic reforms, but the fragility of this process was exposed for the international community to plainly see on 1st February 2021 when, after winning a landslide victory in local elections, the National League for Democracy party was deposed in a coup d'état by Myanmar's military, the Tatmadaw. Seven months later, at the time of writing, Myanmar is experiencing a political and humanitarian crisis, with the challenges of the Covid-19 pandemic compounding the deep challenges the country is facing. The coup has faced widespread opposition from the people of Myanmar, and sparked mass protests which have been subject to escalating crackdowns and use of deadly violence by the military against protestors. As of 28th August 2021, 1026 people have been killed by security forces for opposing the coup with thousands more arrested, according to the Assistance Association for Political Prisoners.⁴⁶ In early August, senior general Min Aung Hlaing declared that he was appointing himself as Prime Minister⁴⁷. Compounding the political crisis is an economic and humanitarian one: the United Nations development programme has forecast that as a result of the turmoil caused by the coup and the Covid-19 pandemic, up to 12 million people could be pushed into poverty by early 2022, meaning that by then up to 25 million people - nearly half of the population - could be living below the poverty line and undoing the progress in poverty reduction that the country has made over the last decade. There is also a risk of the reignition of various ethnic militia conflicts in remote areas of Myanmar over which the central government has historically struggled to project its authority.

⁴⁶ <https://aappb.org/?p=17358>

⁴⁷ <https://news.un.org/en/story/2021/08/1097452>

History of the Problem

For the majority of the period since it gained independence from British India in 1948, Myanmar, known until 1989 as Burma, has been ruled by military dictatorship. Established after independence as a republic, in 1962 the country experienced a coup d'état and the military seized power, led by General Ne Win. Until 1988 Myanmar was ruled as a one-party state, with the military under General Ne Win ruling through a revolutionary council and then the Burma Socialist Programme Party, and as it pursued the policy of the 'Burmese Road to Socialism' the country became politically and economically isolated⁴⁸. In 1988 the '8888 uprising' broke out, a movement of mass protests against government oppression and economic mismanagement.

A crackdown followed in which thousands of demonstrators were killed. This was followed by a coup d'état in which General Saw Maung seized power and established the State Law and Order Preservation council as the new organ of control. What followed in many ways laid the foundations for the present crisis: in 1990 the government held free multiparty elections and the National League for Democracy party led by Aung San Suu Kyi won 80% of the vote, however the military junta refused to cede power⁴⁹. Aung San Suu Kyi spent much of the following twenty-one years under house arrest, and the junta remained in power until 2011, in 1999 changing its name to the State Peace and Development Council (SPDC).

In 2007, a rise in fuel prices sparked mass unrest which came to be known as the 'Saffron Revolution' after the Buddhist monks who were a visible part of the movement, and a crackdown followed which provoked a tightening of already stringent Western sanctions against the regime⁵⁰. In the early days of May 2008 Myanmar experienced the worst natural

⁴⁸ Myint-U, 2011, p47

⁴⁹ <https://www.nytimes.com/1990/05/29/world/burmese-vote-rejects-army-rule-with-big-victory-for-opposition.html>

⁵⁰ <https://web.archive.org/web/20080228090420/http://english.aljazeera.net/NR/exeres/4081D23F-F1A4-46AF-BA50-D47FA2B7A4AE.htm>

disaster in its history, when Cyclone Nargis swept ashore killing upwards of 140,000 people.⁵¹ In the aftermath, Myanmar's government attracted extensive international condemnation for refusing to allow UN personnel and aid workers access to the country to aid relief efforts, citing concern over national security. The country was eventually opened to international aid workers on May 23rd following negotiations between UN Secretary General Ban Ki-Moon and General Than Shwe.⁵²

2010 marked - or appeared to mark - a turning point for Myanmar when, following a constitutional referendum two years previously, elections were held for the first time since 1990, when an election was held and the result annulled immediately afterwards. In 2010, the Union Solidarity and Development Party, backed by the military, declared victory claiming an 80% share of the vote, however there were allegations from pro-democracy groups that this was the result of fraud.⁵³ Nonetheless, in the following years Myanmar appeared to be on a democratic trajectory: the junta was dissolved March 30th 2011, Aung San Suu Kyi was released from house arrest, and, in the first openly contested elections held in 2015, her party, the National League for Democracy, gained an absolute majority⁵⁴. Viewed from a democracy and human rights perspective, the picture appeared tentatively optimistic. However, challenges to Myanmar's stability persisted and still endure today.

One of these challenges was and is the often hostile relationship between the state in Myanmar and the country's numerous ethnic minority groups, many of whom live in areas to which central authority does not readily extend. Since Myanmar gained independence in 1948, insurgencies and internal conflict have been continuously ongoing, the longest-

51 Learning From Cyclone Nargis, UNEP 2009

52 <https://www.washingtonpost.com/wp-dyn/content/article/2008/05/23/AR2008052300178.html?hpid=moreheadlines>

53 <https://www.tni.org/en/publication/a-changing-ethnic-landscape-analysis-of-burmas-2010-polls>

54 <https://www.bbc.com/news/world-asia-34805806>

running civil war in the world.

On 8th November 2020, Myanmar saw its second freely contested general election of the twenty-first century. The National League for Democracy won 396 out of 476 seats in parliament, increasing further the majority it had gained in the 2015 elections. The military-backed Union Solidarity and Development Party won only 33 seats. Prior to election day voting was cancelled in large areas of Rakhine and Shan states, in which internal conflict is still widespread, leaving roughly 1.2 million voters disenfranchised⁵⁵. This and the fact that some ethnic minority candidates were barred from running for election, amidst widespread reports of media censorship and disinformation, led the organisation Human Rights Watch to state that the election was “fundamentally flawed”⁵⁶. Nonetheless, many observers hoped that Myanmar would overcome these hurdles and continue down the path of democratic transition. Signs that something in the transfer of power was amiss first arose in late January.

Current Situation

At the time of writing, Myanmar is experiencing a threefold crisis: political, economic, and humanitarian. Seven months after the coup, protests against the coup continue and continue to be met with lethal violence. In areas of Chin, Rakhine, and Kayin states, among others, internal fighting has increased in intensity with local militias and armed organisations of ethnic groups fighting against the Myanmar military. For example, the Arakan Army, which is based in Rakhine State and is believed to pose one of the most credible threats to the central government’s control⁵⁷, has condemned the coup and cast into doubt the

⁵⁵ <https://www.abc.net.au/news/2020-11-06/myanmar-election-marred-by-voting-cancellations-and-covid-19/12846778>

⁵⁶ <https://www.abc.net.au/news/2020-11-06/myanmar-election-marred-by-voting-cancellations-and-covid-19/12846778>

⁵⁷ <https://thediplomat.com/2021/08/arakan-army-rebels-seek-inclusive-administration-in-rakhine-state/>

continuation of a ceasefire which it implemented over the course of the elections and immediately after the coup⁵⁸. Many other groups will be making similar calculations, adding to the total of over 500 000 people already estimated to be internally displaced in Myanmar even before the coup began⁵⁹. On September 7th, the National Unity Government called for a ‘people’s defensive war’ against the military government, which was immediately followed by reports of an escalation in internal conflict as ethnic groups in Shan, Karen, and Kachin states among others expressed their support for the NUG⁶⁰.

Following the coup, military leaders promised that they would hold on to power for one year only. However in the months since, General Min Aung Hlaing, who has declared himself president, has extended a state of emergency until 2023 and claimed that multiparty elections will be held then without giving any details, leaving considerable doubt as to whether the military has any intention of ceding power⁶¹. Neither the military regime nor the parallel government of the National Unity Government has been able to consolidate power, and the result is a political deadlock with innocent casualties continuing to increase. The National Unity Government was formed secretly in April 2021, and is composed of legislators from the National League for Democracy party as well as representatives of ethnic minority groups and civil society, who were elected to the government which the military overthrew the day before they were due to be sworn in. Some of its members have fled into exile abroad, while others remain in Myanmar in border areas under the control of groups opposed to the government⁶². At a meeting of the UN General Assembly on 18th June, the UN special envoy on Myanmar, Christine Schraner-Burgener warned that “the risk of a

58 <https://www.arakanarmy.net/post/statement-on-the-ongoing-internal-conflicts-in-myanmar-after-the-military-coup>

59 <https://www.internal-displacement.org/countries/myanmar>

60 <https://www.aljazeera.com/news/2021/9/7/myanmar-shadow-government-launches-peoples-defensive-war>

61 <https://www.aljazeera.com/program/inside-story/2021/8/2/will-myanmars-military-leaders-keep-promise-to-hold-election>

62 <https://www.aljazeera.com/news/2021/8/1/six-months-after-myanmar-coup-battle-for-diplomatic-recognition>

large-scale civil war is real” with neither the military government nor the NLD in a position to consolidate its hold on power⁶³.

Nationwide, Myanmar is also experiencing a deadly wave of Covid-19 fuelled by the spread of the Delta variant. The coup and internal fighting have severely compromised already weak health infrastructure. Civilian medical personnel took part in mass civil disobedience movements following the coup and walked out of work, and state hospitals have been closed for the past six months, leaving many unable to access medical care after contracting Covid-19 and dying in their homes. The situation has been worsened by the actions of the military, who are reported to have arrested over a hundred medical personnel for taking part in civil disobedience movements. There is considerable uncertainty as to the true number of Covid-19 cases and deaths, with real numbers widely believed to be many times higher than official statistics. According to Democratic Voice of Burma, an independent media organisation, in July and August deaths in Yangon, Myanmar’s largest city, exceeded 2000 per day. Supporting this is the fact that officials in Yangon announced on July 27th that the city’s capacity for cremations had been raised to 3000 a day⁶⁴. Efforts to bring the outbreak under control have been hampered by the military leadership’s refusal to take responsibility for managing the crisis.

In the absence of a clear legitimate government, there is also the question of who will represent Myanmar in the UN General Assembly. Both the National Unity Government and the military government claim the right, and before the next session of the UN General Assembly on 14th September the General Assembly’s Credentials Committee will make a recommendation as to which entity should represent Myanmar, and send this recommendation to the General Assembly itself for a vote. This recommendation is

⁶³ <https://www.aljazeera.com/news/2021/6/19/un-calls-member-states-to-prevent-the-flow-of-arms-into-myanmar>

⁶⁴ <https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-s-unchecked-epidemic-threatens-COVID-19-tsunami>

non-binding, and there is also the possibility that no recommendation is made at all. The situation in Myanmar has similarities to Haiti and Sierra Leone in the 1990s when those countries experienced coups. In those cases, the General Assembly rejected the military regimes. On the other hand, there is also a precedent for no decision being made at all as in the case of Cambodia in 1997. The vote on which government to accept would require a two-thirds majority to pass, making it quite possible that neither government will be recognised and Myanmar's seat will be left empty⁶⁵. Right now, that seat is occupied by Kyaw Moe Tun. Kyaw Moe Tun was appointed as Permanent Representative of Myanmar to the United Nations before the coup, and in the aftermath made headlines worldwide when he openly denounced the coup and called for the international community to bring an end to the coup. He is one of around 30 Myanmar diplomats to have declared their opposition to the coup. The Myanmar government dismissed Kyaw Moe Tun immediately and invalidated his passport, but he remains Myanmar's official representative at the UN pending the General Assembly's decision. One option available to the GA is to neither formally recognise nor refuse to recognise any government as legitimate and defer its decision. In such a case, Kyaw Moe Tun will remain in his post⁶⁶.

The efforts to pursue a peaceful resolution to the crisis in Myanmar have been led by the other members of the Association of Southeast Asian Nations (ASEAN), which consists of Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. In April, ASEAN announced a five-point consensus following discussions with the military government. These five points consist of the immediate cessation of violence in Myanmar, constructive dialogue among all parties, the appointment of an ASEAN special envoy in order to facilitate dialogue, the provision of humanitarian assistance, and a visit by the special envoy to Myanmar. There are doubts

65 <https://thediplomat.com/2021/09/who-will-win-the-battle-for-myanmars-un-seat/>

66 <https://www.ft.com/content/64f0c37c-7720-45d9-89ad-57169f2131c6>

about the effectiveness of the consensus, which mirror those surrounding all of ASEAN's efforts to address the situation. Specifically, the consensus points have been criticised for making only vague promises about engagement and discussion, failing to call for the release of detained officials, and engaging in talks only with the military-controlled State Administrative Council and not with the parallel National Unity Government.

Relevant Government Actions

Different bodies of the UN have issued multiple statements and passed resolutions on Myanmar since the coup on 1st February. Included here are among the most significant.

Establishment of the Independent Investigative Mechanism for Myanmar

In September 2018 the UN Human Rights Council (UNHRC) adopted resolution 39/2, establishing the Independent Investigative Mechanism for Myanmar (IIMM), “an ongoing independent mechanism to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes, in accordance with international law”⁶⁷. This was in response to ongoing atrocities against the Rohingya minority, but is also very much relevant to the situation following the coup, in which people from all layers of Myanmar society have been and continue to be subject to abuses by the military.

⁶⁷ <https://iimm.un.org/>

Resolution adopted by the Human Rights Council on 24th March 2021 on the situation in Myanmar

On 24th March of this year, the UN Human Rights Council (UNHRC) adopted a resolution strongly condemning the coup and reiterating support for Myanmar’s democratic transition. The resolution emphasised that the human rights crisis experienced by the Rohingya is ongoing and called for the support of both Myanmar and the international community in resolving the problem, and called for access for UN mandate holders such as the IIMM to independently monitor the human rights situation. It also repeated Secretary General António Guterres’ July 2020 call for a global ceasefire⁶⁸.

Resolution adopted by the General Assembly on 18th June 2021

The General Assembly passed a resolution on the situation in Myanmar on July 18th more than five months after the coup first took place, a delay which has been criticised by some including Myanmar’s current UN representative Kyaw Moe Tun⁶⁹. The content of the resolution has many similarities to that passed by the UNHRC, reiterating calls for a global ceasefire and condemning the coup. A new addition was the call for member states to “prevent the flow of arms into Myanmar”⁷⁰. This is notably watered down from the call for an arms embargo that was at first included in the draft, after nine member states who are also members of ASEAN (that is to say, all ASEAN members apart from Myanmar itself) reportedly objected to the wording⁷¹.

68 Resolution adopted by the Human Rights Council on 24 March 2021, 46/21. Situation of human rights in Myanmar

69 <https://www.reuters.com/world/asia-pacific/un-chief-urges-general-assembly-act-myanmar-2021-06-18/>

70 Resolution adopted by the General Assembly on 18 June 2021, 75/287. The situation in Myanmar

71 <https://www.reuters.com/world/asia-pacific/southeast-asian-nations-oppose-arms-embargo-myanmar-report-2021-05-28/>

How can the humanitarian crisis in Myanmar be resolved? Is it possible to facilitate the delivery of increased aid for Myanmar?

The humanitarian crisis caused by Covid-19 and the economic freefall caused by the coup are not going to resolve quickly of their own accord. Even before the coup over 360,000 internally displaced persons were receiving food assistance from the World Food Programme⁷², and the number experiencing food insecurity is only expected to rise as conflict intensifies⁷³. Additionally, amidst pandemic and internal conflict there are fears for a 'lost generation' of Myanmar children whose education has been repeatedly interrupted for long periods of time⁷⁴.

There is of course also the question of how to address the catastrophic Covid-19 wave that the country is currently experiencing. Myanmar is expected to receive enough vaccines through the COVAX programme to cover 20% of the population⁷⁵, and in addition to this the Chinese government provided 4.5 million doses of vaccine between July and August 8th, as well as working together with armed groups such as the Kachin Independence Army and the United Wa State Army to vaccinate people in remote areas close outside central government control and close to the Chinese border⁷⁶. There is still a gap between the amount of vaccines being provided and the amount needed

72 <https://www.wfp.org/countries/myanmar>

73 <http://www.fao.org/asiapacific/news/detail-events/en/c/1415194/>

74 <https://reliefweb.int/report/myanmar/education-risk-generation-children-myanmar-must-have-safe-appropriate-and-inclusive>

75 <https://reliefweb.int/report/myanmar/un-country-team-myanmar-steps-covid-19-response-efforts>

76 <https://www.voanews.com/covid-19-pandemic/junta-faces-difficulties-myanmar-vaccination-program>

How can all stakeholders in Myanmar be included in negotiations and solutions?

As the case of Chinese vaccine aid indicates clearly, solutions for Myanmar's humanitarian problems cannot be resolved solely through the central government, which only controls limited areas of territory. Likewise in the case of political problems, it will be difficult to prevent the conflict from escalating without the consultation of all groups engaged in the fighting. The military government has significantly complicated this by branding the NUG as 'terrorist' group⁷⁷, and making it clear that it will not recognise it or negotiate with it. The NUG and armed ethnic groups' deep distrust of the military is also likely to complicate the implementation of a humanitarian ceasefire as called for by ASEAN⁷⁸. Can the UN use its unique position to bridge the gap between these vehemently opposed groups and pursue a peaceful solution that has a chance of success, reflecting the realities of power distribution on the ground?

Bloc Positions

Member States' positions on Myanmar can broadly be divided into two camps: those who have a strong position of support for democracy in Myanmar and those with a more pragmatic approach to working with the regime in power. Countries allied with those that have emphatically pursued sanctions against the new regime are likely to remain opposed to the coup. However, democracy is not the only issue at stake in Myanmar with a humanitarian and economic crisis also unfolding. Countries with existing investments in Myanmar will wish to protect those investments from being destroyed if the security situation degenerates. Member States' reactions to the attempted genocide against the Rohingya are also likely to influence their position on the coup. There is potential for discussion of a resolution on Myanmar to become a contest for influence between China and the USA. However, this is

⁷⁷ <https://www.aljazeera.com/news/2021/5/8/myanmar-military-designates-shadow-govt-as-terrorist-group>

⁷⁸ <https://www.reuters.com/world/asia-pacific/myanmar-junta-agrees-asean-call-ceasefire-distribute-aid-kyo-do-2021-09-06/>

not inevitable and neither will the division be completely binary. Countries within the South and Southeast Asian region will also wish to consider the implications for regional stability if the situation in Myanmar deteriorates, with potential consequences ranging from refugee crises to spillovers of ethnic conflict and organised crime driven by militia groups within Myanmar's borders. In terms of the humanitarian aspect of the crisis, Myanmar has long been neglected as a target for foreign aid in spite of its numerous problems - fellow developing countries may sympathise with its people's plight, and encourage the international community to step up its support.

Suggestions for Further Research

Thant Myint-U, 2019. *The Hidden History of Burma: Race, Capitalism, and the Crisis of Democracy in the 21st Century*.

<https://thediplomat.com/> is a good resource for news and analysis of current affairs in the Asia Pacific region, including Myanmar.

Closing Remarks

I hope that this background guide provided you with an introduction to the topic that was easy to understand and gave you an idea of avenues for further research. In order to be well-prepared for the conference and make the committee sessions as rewarding as possible for yourselves and for all the other delegates present, after reading this background guide I strongly encourage you to research your country's position on the topics and any relevant actions it has taken, so that you can do the best work you can in representing them. The more you put in, the more you will get out of your experience at OxfordMUN. Good luck!

