

Written evidence from Global Movement for Myanmar Democracy (MYA0013)

Dear Foreign Affairs Committee,

1. I am writing to you on behalf of the Global Movement for Myanmar Democracy (GM4MD), the international coalition of Burmese diaspora and friends of democracy working to address the humanitarian disaster transpiring in Myanmar and to advocate for the return to democracy in the wake of the February 01 coup. Currently, GM4MD is coordinating international action to support democracy and protect human rights in Myanmar.
2. First of all, we would like to thank the British government for issuing statements of condemnation from the outset of the coup and for imposing sanctions on the military generals, Myanmar's two military conglomerates - Myanmar Economic Corporation (MEC) and Myanmar Economic Holdings Limited (MEHL), and Myanmar Gems Enterprise (MGE). However, the continuation of the violence, arbitrary arrests and nightly raids only suggest that a stronger course of robust response is required to end the impunity and to prevent the outbreak of a disastrous civil war which could result in even more casualties. As such, we appeal to the UK to take the following actions proposed below.

Recognition and Support to the National Unity Government (NUG)

3. The military declared a state of emergency over alleged election fraud in the November 2020 elections which is unconstitutional and till today, it still has not gained complete control of the country. On the other hand, the National Unity of Government (NUG) was established by the ousted lawmakers and representatives of the elected government from the November 2020 elections which gives them legitimacy over the military. Therefore, we would like to urge the UK to recognise and support the legitimate government NUG as the representative of the people of Myanmar. Using the UK's new status as an Association of Southeast Asian Nations (ASEAN) Dialogue Partner, we appeal to the UK to 1) call for the ASEAN leaders to invite NUG representative to the international summit; 2) conduct open relations with the NUG; 3) consult NUG on the necessary humanitarian aid plans. The UK should also call on the ASEAN to pressure the military to uphold the five-point consensus agreement from the ASEAN Special Summit on Myanmar on April 27, 2021, which includes cessation of violence and facilitation of a special envoy of the ASEAN to Myanmar.
4. Whilst boosting the legitimacy of NUG, the UK together with other allies must weaken the legitimacy of the State Administration Council (SAC) by declaring non-recognition but engagement only if necessary. On April 07, 2021, the Myanmar Embassy in London was seized by the military attaché while the Ambassador of Myanmar to the UK was out of the office. The ambiguous statement from the Foreign, Commonwealth and Development Office (FCDO) regarding the embassy takeover and lack of follow-up action directly contradicts earlier statements of condemnation that the UK has issued in support of Myanmar's transition to democracy. The UK's

failure to disavow this move will also fortify the SAC to replace other diplomats who have not pledged allegiance to it, thereby strengthening its illegal and illegitimate grip on power. Therefore, we appeal you to 4) call for the refusal of Ambassador Kyaw Zwar Minn's termination as requested by the SAC; 5) remove the military attaché from the UK as his control over the embassy imposes as a threat to the Myanmar Nationals residing in the UK as well as their families in Myanmar. We would also like to urge the UK to 6) grant protections for the Myanmar Nationals whose UK temporary visas are about to expire by allowing them to remain in the UK.

Enforcement of Economic Sanctions

5. Targeted sanctions play a crucial role in discrediting the SAC and its members. The military is not an isolationist; military-owned companies depend largely on the resources from international support. Thus, sanctions are essential in sending a message to the military that they have no legitimacy to the outside world. The UK could use the UK's G7 presidency as leverage to coordinate for well-targeted international sanctions on the businesses that are generating revenue for the military without causing damage to the normal business transactions which could affect the civilian economic activity.
6. A few considerations for actions from the UK include but not limited to 1) robust monitoring and enforcement of sanctions; 2) sanction the major revenue makers such as Myanmar Timber Enterprise (MTE) and Myanmar Oil and Gas Enterprise (MOGE); 3) end all the royalty payments; 4) coordinate with allies to create guidelines on responsible trade and investments involving Myanmar. If the international companies refuse to abide by the sanctions, 5) anti-money laundering laws should be used to disrupt the revenue flow to the military businesses. By all means, sanctions should aim to preserve civilian economic activity but drain the military resources that are enabling them to carry out serious crimes against humanity of the people of Myanmar.

Build a Global Arms Embargo Coalition

7. Appalling response by the military and state forces to the peaceful pro-democracy movement in Myanmar has resulted in over 800 deaths, more than 5,000 civilians are under arrest according to a reliable source. The UN has only issued three statements to date with no discussion on an arms embargo against the junta who is using an unjust amount of arms to commit abuses against international human rights and humanitarian law. The UK as one of the five permanent members of the United Nations (UN) and as the council's designated drafter of Myanmar texts, has the responsibility to lead in drafting a resolution authorising an arms embargo to a vote regardless of the veto power of China and Russia. Alternatively, the UK could show leadership by building a global arms embargo coalition to avoid the potential veto of a UNSC resolution.

Refer Myanmar to International Criminal Court (ICC)

8. Lack of action from the UNSC against the ethnic cleansing campaign by the military against the Rohingya in 2017 has emboldened the junta to get away with other crimes against humanity. The UNSC has failed to take action against the military from committing genocide against the Rohingya and the same mistake should not be repeated to prevent a nationwide civil war. The UK as one of the most influential countries in the world should not let it happen. As stated in the Early Day Motions 1545 tabled by Labour Party MP Ali Rushanara on February 24, 2021, we urge the UK to join the genocide case at the International Court of Justice (ICJ) and to refer the situation in Myanmar to the International Criminal Court (ICC) to investigate and prosecute atrocities committed since the coup on February 01, 2021, and prior atrocities against ethnic minorities groups.

Increase the Humanitarian Aids

9. In addition to taking diplomatic and economic measures, humanitarian aid is urgently needed in Myanmar. Findings by the UN World Food Programme (WFP) suggest that 3.4 million people in Myanmar will face hunger in the next 3 – 6 months in addition to the existing 3 million already suffering from food security since the onset of the coup in February. Additionally, WFP also stated the increasing prices of basic necessities such as rice, oil and fuel especially in some border states as a result of the near-collapse of the banking system. COVID-19 global pandemic has already taken a toll on the most vulnerable groups in Myanmar and now, thousands and millions of civil servants have joined the ongoing nationwide Civil Disobedience Movement (CDM) by boycotting their jobs to defy the junta. The annual British aid budget for Burma is approximately £90 million a year, however additional aid is required to prevent a looming humanitarian crisis in Myanmar and also to support workers participating in CDM as it has proven to be an effective non-violent measure in preventing the junta from gaining complete control of the country.
10. As mentioned previously, the UK needs to use the leverage of its position as the ASEAN Dialogue Partner to urge the ASEAN countries to give necessary aids especially to the ethnic minorities residing in the borderlands where the military launched airstrikes and ground attacks. The numbers of internally displaced persons (IDPs) are rising sharply following the continuous offensive attacks with thousands fleeing to India and Thailand borders. The UK should assert more pressure on the ASEAN leaders, especially Thailand to follow the principle of non-refoulement under the international human rights law which indicates not to forcibly return anyone to a place where they may be at risk of persecution.
11. Lastly, in solidarity with the people of Myanmar, and in the interests of international peace, we urge you to take the aforementioned actions against the military junta, we urge you to extend your hand to the thousands of Burmese citizens who are risking their lives every day to protest for their rights and their liberty.

With Respect,

Global Movement for Myanmar Democracy (GM4MD)

17 May 2021