

Written evidence submitted by the Foreign, Commonwealth and Development Office (FCDO) (MYA0020)

Introduction

1. Since 1988, the UK has been at the forefront of international efforts to support democracy in Myanmar. Following Aung San Suu Kyi's landslide electoral victory in November 2020, the military launched a coup on 1 February and arrested Aung San Suu Kyi and many others. The military Commander-in-Chief, General Min Aung Hlaing, seized control.
2. A countrywide civil disobedience movement has been active since the coup, with vast numbers taking to the streets in peaceful protest, and many public sector workers, professionals and others joining mass strikes. These actions have been met with a brutal response by the security forces. More than 700 civilians have been killed and over 4,000 detained.
3. Responding to the coup has been a priority for the Foreign Secretary and the UK has led the international response. We have capitalised on our Presidencies of both the G7 and the UN Security Council (UNSC), leveraging our relationships with ASEAN member states and others in the region to ensure a concerted international response.

How can the Government improve its response to the crisis in Myanmar? How can it coordinate more effectively with international allies to influence a peaceful resolution to the crisis?

4. The UK government is pushing the military to hand back power to the democratically elected government, protect the rights and freedoms of the Myanmar people, including the right to peaceful protest, release all those who have been detained arbitrarily and ensure unobstructed humanitarian access. We are pursuing these aims through the application of targeted sanctions, by building a broad international coalition and bringing pressure to bear through multilateral fora such as the G7 and UNSC. We are supporting those opposing the coup, and providing assistance to meet humanitarian needs and build community resilience.
5. At the G7 Foreign and Development Ministers Meeting in London on 4-5 May we ensured that G7 countries were aligned in calling on the military to restore democracy in Myanmar. All G7 countries committed for the first time to preventing the supply, sale or transfer of weapons, munitions, and other military-related equipment to Myanmar. Strong G7 statements were issued on 3 and 23 February¹, condemning the coup and the violence carried out against peaceful protestors.

¹ <https://www.gov.uk/government/news/violence-in-myanmar-g7-foreign-ministers-statement>
<https://www.gov.uk/government/news/condemning-the-coup-in-myanmar-g7-foreign-ministers-statement>

6. UK leadership at the UNSC has kept the crisis firmly on the Council's agenda and ensured successive strong statements expressing deep concern, condemning violence, calling for the release of political detainees, and supporting Myanmar's democratic transition.
7. The UK co-led a Special Session of the UN Human Rights Council on 12 February securing a consensus resolution on the coup². We ensured a strong resolution on 24 March³, which condemned the military's actions and called for enhanced evidence collection on human rights violations.
8. Immediately after the coup we carried out a review of all UK aid in Myanmar to ensure that none of our aid supports the military. We have suspended all support involving the Myanmar government unless there are exceptional humanitarian reasons. Our remaining programmes have been focused on humanitarian assistance, support for the poorest and most vulnerable, and supporting civil society organisations.
9. There is deep concern that a looming economic and health crisis generated by the coup and COVID-19 will result in a serious humanitarian emergency. We are working closely with partners in Myanmar to put in place contingency planning for future scenarios.
10. Voices for the Myanmar people have emerged and we have maintained close contact with the Committee Representing the Pyidaungsu Hluttaw (CRPH) and the National Unity Government (NUG), as well as members of the Myanmar diaspora in the UK, representing a range of ethnic groups including the Rohingya. The Minister for Asia met Dr Sasa, a senior figure in the NUG, on 20 April. We are also providing practical support to the broader effort to achieve peaceful change and promote human rights within Myanmar.
11. The former Myanmar Ambassador to the UK has taken a brave stand against the military regime. We have remained in close contact with him and are providing financial support to ensure he can live safely in the UK while deciding his long-term future. Like many allies, the UK has a longstanding policy and practice of according recognition to States, not Governments.

What was the impact of the February sanctions on regime officials? What further action is needed?

12. The UK has been clear for many years that even before the coup the Myanmar military was responsible for serious human rights violations, including ethnic cleansing against the Rohingya in 2017, widespread, systematic attacks on ethnic minorities countrywide, and gender-based violence.

² <https://undocs.org/A/HRC/RES/S-29/1>

³ <https://undocs.org/A/HRC/RES/46/21>

13. We have been at the forefront of international efforts to sanction senior military leaders and their interests. Coordinated international sanctions on the military and its business interests have raised the cost of their actions. The UK does not support a return to blanket sanctions, favouring a targeted approach to minimise impacts on the wider population.
14. Prior to the coup, the UK had already listed 16 individuals for their involvement in serious human rights violations against the Rohingya. Since the coup, the UK has worked closely with the US, Canada and the EU on coordinated sanctions. The UK designated nine individuals in late February for their involvement in serious human rights violations during the coup including the Commander-in-Chief. Designated individuals are subject to an asset freeze and travel ban, which prevents them from conducting personal and economic business in the UK.
15. The UK worked with the US to coordinate the imposition of sanctions on the military's two main conglomerates, Myanmar Economic Holdings Limited (MEHL) and Myanmar Economic Corporation (MEC), for their role in supporting serious human rights violations. On 17 May, the UK imposed sanctions on Myanmar Gems Enterprise, a State Owned Enterprise responsible for all gems activity in Myanmar, which is a key revenue stream for the military regime. These designations have limited the military's ability to conduct business with the UK and US.
16. Individual sanctions have sent a strong political message in opposition to the coup and undermined the credibility of the State Administration Council (SAC). Sanctions on entities have made it clear that we are targeting the military's funding streams and that we are in solidarity with the domestic boycott movement. This is having a real impact on military businesses. It is too soon to assess the impact of our sanctions in detail, but we are monitoring closely.
17. Sanctions encourage businesses to end existing relationships with military enterprises and act as a deterrent for prospective companies looking to invest. Our sanctions complement the strategic review of the UK's trade and investment approach led by the Department for International Trade (DIT). The Foreign Secretary and the Secretary of State for International Trade have also jointly written to key UK businesses operating in Myanmar to inform them that they should not be supporting the military or their business interests.
18. The UK government laid the Myanmar (Sanctions) Regulations 2021 in Parliament on 29 April. These new regulations provide broader powers to designate a wider range of individuals and entities involved in the coup and the subsequent suppression of civilians. We are developing the evidence to make further impactful designations.

What steps should the UK be taking to support justice and redress for civilians affected by the violence?

19. We stand with the people of Myanmar and will work to ensure that those responsible for this coup are held to account. We continue to use our role at the UN Security Council and UN Human Rights Council to shine a spotlight on the actions of the military. The UK helped establish the UN Fact Finding Mission on Myanmar in March 2017 to record evidence of serious human rights violations.
20. We supported the establishment of the Independent Investigative Mechanism for Myanmar in September 2018, which is collecting evidence of the most serious violations of international law and have increased its funding by £500,000 so it can collect and preserve evidence relating to the coup. We are also supporting other human rights documenters and defenders.
21. The UK supports the International Court of Justice (ICJ) process which is putting pressure on Myanmar to protect the Rohingya. We are clear that Myanmar should comply with the provisional measures ruling. We have reiterated our support to the ICJ process in Parliament, at the UN Security Council, and through public statements. We provided funding to enable Rohingya refugees to attend the ICJ hearing in December 2019.
22. The UK is working with partners, including at the UNSC, on how to best hold the military to account for its actions. While recognising that there is currently insufficient support in the UNSC for a referral to the International Criminal Court (ICC), we note that the ICC is already looking at whether there is a case to answer for atrocity crimes committed by the Myanmar authorities.

What opportunities does the UK's new status as an ASEAN Dialogue Partner bring for mediation?

23. The UK values close coordination with ASEAN partners and we welcome the 24 April decision by ASEAN Leaders to accept the UK as an ASEAN Dialogue Partner. ASEAN has a central role to play in resolving this crisis. We welcome their efforts to date, including the statement by Brunei as ASEAN Chair immediately following the coup, the informal Foreign Ministers' Meeting on 2 March and the ASEAN Leaders' meeting of 24 April.
24. The ASEAN Leaders' meeting agreed a Five Point Consensus⁴, including the need for an immediate cessation of violence; commencement of constructive dialogue among all parties concerned; the appointment of a Special Envoy of the ASEAN Chair to facilitate mediation of the dialogue process, who must be able to engage all parties in Myanmar; ASEAN humanitarian assistance; and a visit to Myanmar by the ASEAN Special Envoy. We call on ASEAN to continue their

⁴ <https://asean.org/storage/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf>

efforts and to insist that the military in Myanmar implement what they have agreed.

25. A strong UK-ASEAN relationship is a critical part of our global engagement, foreign policy and our Indo-Pacific Tilt. ASEAN Dialogue Partner status will enable the UK to deepen its engagement with and support to ASEAN's response to the crisis in Myanmar. The Foreign Secretary and the Minister for Asia have spoken directly with each of the ASEAN member states to offer our support. The UK invited the ASEAN Chair to attend a G7 Foreign and Development Ministers' Meeting in London on 5 May, where the Foreign Secretary raised the situation in Myanmar.

Is the Government making full use of the UK's position as the UN Security Council Penholder on Myanmar? What further action should it be taking through the Security Council?

26. We used our Presidency of the UN Security Council to urgently convene the Council on 2 February. A strong Council statement⁵ was secured on 4 February, the first on the political situation in Myanmar since 2008. We convened the Council again, under the US Presidency, on 5 March and secured a Presidential Statement⁶ on 10 March. On 1 and 30 April, we secured further Council products, in the form of Press Elements. We also convened an "Arria formula" session on Myanmar at the UN Security Council in April, which provided an opportunity for the Committee Representing the Pyidaungsu Hluttaw (CRPH) to address the Council.

27. We are working hard to keep the crisis on the Council's agenda and maintain a strong and unified position in the face of challenging Council dynamics. We continue to explore further action at the Council.

Is the FCDO's in-country resourcing sufficient? Are diplomats and other officials working in Myanmar given adequate training and support?

28. We maintain a sufficient presence in country to conduct essential business.

29. The newly merged FCDO enables a fully integrated response to events in Myanmar, drawing on the full range of diplomatic, development and humanitarian expertise available within the department. The UK's response to the situation in Myanmar draws on detailed analysis and specialist expertise from across the global FCDO network.

⁵ <https://www.un.org/press/en/2021/sc14430.doc.htm>

⁶ https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2021_5.pdf

30. The FCDO operates effectively in challenging environments around the world. We have a robust duty of care framework in place to protect staff from harm. We are currently reviewing our security posture and procedures to ensure that staff are fully supported and protected. All staff have access to counselling and mental health support. Additional training will be provided to ensure that they are fully prepared.

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