

## **Written evidence from Answer Myanmar - Alliance for Peace (MYA0047)**

### **Brief Introduction - Answer Myanmar – Alliance for Peace:**

Answer Myanmar is an association of volunteers based in the UK that was formed shortly after the coup d'état. Answer Myanmar is made up of predominantly young postgraduates and other professionals in different sectors, and who all have ties to Myanmar in one way or another. The aim of the organisation is to drive and encourage international assistance and support for the people of Myanmar during their struggle, and to answer them in what other ways are possible.

### **Executive Summary :**

This submission consists of six recommendations of actions, or 'pathways,' that the UK should consider when determining what other steps will help for a peaceful resolution to the crisis in Myanmar. The recommendations in this submission have been considered as realistic approaches to the current crisis, and should in no way be seen together as a comprehensive effort but instead as stand-alone options for policy makers when making a determination of what specific approach is best moving forward. The six recommendations concern:

- Action Concerning the Youth of Myanmar
- The Convening of a Humanitarian Pledging Conference
- Action Concerning the National Unity Government
- Invoking Chapter VII, of the UN Charter
- Security Council Resolutions
- General Assembly Resolution 377 (A)

*Question 1) 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?*

### **Action Concerning the Youth of Myanmar:**

1. Following the coup d'état in Myanmar, the youth of Myanmar have demonstrated extraordinary courage and resilience in response to the crisis and have largely picked up the burden of responsibility to their fellow people. Myanmar's youth have also had their educational aspirations cut short, with the subsequent closing down of universities and schools. Universities have started to reopen but many refuse to study under military rule therefore the UK should take the following actions:
2. Increase the number of spaces for Myanmar nationals in the Chevening Scholarship Programme, it cannot be stressed enough how important it is that Myanmar's young are not only provided with opportunities and hope for being able to pursue their educational dreams. And in time, Myanmar is going to need its educated professionals to deal with the fallout of what may be.
3. Provide unconditional extensions for the visas of Myanmar students in the UK.

### **Convening a Humanitarian Pledging Conference:**

4. With the deteriorating situation in Myanmar and the subsequent increase in displaced persons, estimated recently at nearly 250,000 according to Al Jazeera and UN Special Rapporteur for Human Rights on Myanmar Tom Andrews,<sup>1</sup> it is essential that these persons are given the support and assistance they need to survive. Past examples have proven pledging-conferences to be a useful tool in increasing financial support to assist refugees and IDPs. Additionally, they also provide the opportunity of

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<sup>1</sup> 'Nearly 250,000 People Displaced' in Myanmar Military Crackdown' *Aljazeera* (21 April 2021) accessed at: ['Nearly 250,000 people displaced' in Myanmar military crackdown | Myanmar News | Al Jazeera](#)

increasing international attention on the issue if publicised properly, while at the same time avoiding sensitive topics that could derail or harm other solutions that are currently in motion.

5. A humanitarian conference, stressing the humanitarian principles of independence, impartiality, neutrality and humanity, would provide a platform for bridges to be built on the crisis in Myanmar around the uncontroversial humanitarian assistance that is needed for those fleeing the violence and suffering. The UK could consider offering the facilities and financial requirements for this sort of activity, and could work with either the United Nations or the International Committee of the Red Cross to bring a pledging-conference to life.
6. Humanitarian pledging conferences have been effective before, noting the significance in particular of a recent pledging conference for Syria that has resulted in mobilising 5.3 billion EUROS,<sup>2</sup> as well as other past successes that have helped finance urgent humanitarian assistance. In Myanmar, prior to the coup, the humanitarian response plan by the UN and humanitarian partners called for a total of 256 million; of which only 32 million has been received so far.<sup>3</sup>
7. In addition to the financial assistance generated by these pledging mechanisms, the urgency of the need for a peaceful resolution to the crisis is equivalent to the level of political will. With that in mind, it's essential that the motivation for a peaceful resolution to the crisis does not extinguish, and that the international community does not normalise the crisis to the point of acceptance. Therefore due consideration should be given to how do we sustain the effort? And while pledging conferences may offer potential benefits of generating much needed financial assistance, they also help the crisis remain in the spotlight, and increase the interest and motivation in ending the crisis by stakeholders; who are more actively a part of it.

## **Action Concerning the National Unity Government (NUG)**

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<sup>2</sup> European Union News, 'Syrian Crisis: 5.5 billion Mobilised by Donors for 2021 and Beyond at 5<sup>th</sup> Brussels Conference' *European Civil Protection and Humanitarian Aid Operations* (30 March 2021) accessed at: [Syrian crisis: €5.3 billion mobilised by donors for 2021 and beyond at 5th Brussels Conference | European Civil Protection and Humanitarian Aid Operations \(europa.eu\)](#)

<sup>3</sup> United Nations, 'Renewed Clashes Displace Thousands in Myanmar, UN Reports' *United Nations News* (28 April 2021) accessed at: [Renewed clashes displace thousands in Myanmar, UN reports | | UN News](#)

8. Due to the popular legitimacy enjoyed by the NUG, and the overwhelming support of NUG by the people of Myanmar, NUG should be recognised formally by the UK government; reasserting the significance of popular legitimacy, and the willingness of a government to abide by its international obligations in recognition contests.
9. We also urge the UK Government to push for the inclusion of the NUG in ASEAN talks and summits.
10. Provide financial and technical assistance, as well as adequate facilities, to NUG, to enable the better function of their work for the people of Myanmar. And to further assist them in representing the voices and interests of Myanmar on the world stage, including in international organisations and bodies.

*Question 2) 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?*

## **Chapter VII, United Nations Charter:**

11. Under Article 39 of the United Nations Charter, the Security Council is primarily responsible for the determination of a threat to the peace, breach of the peace, or an act of aggression.<sup>4</sup> This seems like a reasonable place to start consensus building within the Security Council. There needs to be recognition from all of the P5 that what is happening in Myanmar is more than simply an 'internal affair,' with the subsequent displacement estimated to number up to 250,000 people.<sup>5</sup> This 'spillover' crisis not only affects neighboring countries but also gives rise to state obligations under international human rights law and refugee law.
12. The UK should reaffirm its own commitments to upholding international law, and lead by example. By making a determination of the crisis in Myanmar under Article 39, the Security Council's infamous Chapter VII

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<sup>4</sup> United Nations, 'Charter of the United Nations' (24 October 1945) 1 UNTS XVI

<sup>5</sup> 'Nearly 250,000 People Displaced' in Myanmar Military Crackdown' *Aljazeera* (21 April 2021) accessed at: ['Nearly 250,000 people displaced' in Myanmar military crackdown | Myanmar News | Al Jazeera](#)

powers are placed on the table, which if nothing else may be a useful form of signalling to the Tatmadaw to influence and adjust their behaviour, marking a substantial difference from recent statements which may embolden the Tatmadaw to act with continued impunity.

### **Security Council Resolutions:**

13. The recent presidential statement from the UN Security Council on the 10<sup>th</sup> of March, called again for, *inter alia*, “the safe and unimpeded humanitarian access to all people in need...”<sup>6</sup> This has been a common call of the Security Council statements since the coup d’état on the 1<sup>st</sup> of February. Rather than just reiterating it in a statement, the Security Council should work on a binding resolution built around humanitarian access, and ensuring its compliance.
14. Humanitarian access appears uncontroversial to the permanent members of the Council and therefore this offers a potential way forward amid the impasse. Past Security Council Resolutions on securing humanitarian access have included Resolution 2533 (2020), which consisted of the extension of a cross-border mechanism to deliver into Syria.<sup>7</sup>
15. Additionally, by focusing solely on how the Security Council can affect the behaviour of the Tatmadaw, the Council may be missing opportunities to provide leadership on the issue. Especially as support for the Tatmadaw among the P5 is mixed, the Council should also take due consideration of how and who else can help towards the peaceful resolution of the conflict.
16. Thailand for example has been denying access to the people of Myanmar in violation of its obligations under international refugee law.<sup>8</sup> By considering the role of ‘third parties’ to the crisis, the Council may have opportunities to break the deadlock and find common ground that can help ease the suffering of those in or fleeing Myanmar.

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<sup>6</sup> UNSC, ‘Statement by the President of the Security Council’ *United Nations Security Council* (10 March 2021) S/PRST/2021/5 accessed at: [s\\_prst\\_2021\\_5.pdf \(securitycouncilreport.org\)](https://www.securitycouncilreport.org/_prst_2021_5.pdf)

<sup>7</sup> UNSC, ‘After Several Failed Attempts, Security Council Authorises One-Year Extension of Mechanism for Cross-Border Aid Delivery into Syria’ *Security Council Press Release* (11 July 2020) SC/14247 accessed at: [After Several Failed Attempts, Security Council Authorizes One-Year Extension of Mechanism for Cross-Border Aid Delivery into Syria | Meetings Coverage and Press Releases](https://www.un.org/press/docs/2020/200711.sc14247.html)

<sup>8</sup> ‘Thailand: Stop Border Pushbacks, Provide Protection’ *Human Rights Watch* (10 March 2021) accessed at: [Thailand: Stop Border Pushbacks, Provide Protection | Human Rights Watch \(hrw.org\)](https://www.hrw.org/news/2021/03/10/thailand-stop-border-pushbacks-provide-protection)

## **General Assembly Resolution 377 (A):**

17. Perhaps now is not the right time for the invocation of the Uniting for Peace Resolution, but we stress its importance if the crisis continues to worsen and the Security Council, due to a lack of unanimity, is unable to authorise any meaningful actions, then it is important that the crisis not suffer from the current divisions within the Council and instead, be referred to the General Assembly to take up the matter.
18. In this scenario, the UK government should support the General Assembly in this endeavour and work with them to build an international consensus on recommended measures to be taken by member states; such actions should include at a minimum, an arms embargo, again stressing the need for member states to not breach their own obligations under international law by providing to arms to known violators of humanitarian law, as found in the Geneva Conventions.
19. Further, the inclusion of different member states on the issue may bring additional useful and agreeable ideas or measures; with such past measures having been both diverse and comprehensive in resolutions made under Uniting for Peace. The additional aspects of Resolution 377, such as agreeing to stay in emergency session and with an additional committee set up to monitor compliance with any agreed upon recommendations would further help to find a way towards the peaceful resolution of the crisis.

## **Conclusion:**

In conclusion, several recommendations have been made to the UK government, including action towards the youth of Myanmar, both in the UK and in Myanmar, as well as the facilitation of a pledging conference, which is desperately needed to fund life-saving support for the people most vulnerable in Myanmar. By taking the lead in recognising NUG, the UK would also set the pace as to what is acceptable and desired for another government, reinforcing the significance of popular legitimacy and the willingness of a state to abide by its international obligations. Furthermore, the UK is well suited to

utilising its seat on the Security Council to pursue enforceable resolutions on matters of common ground, but there seems to be a prior need to increase awareness that this crisis is not simply 'an internal affair.' Finally, Answer Myanmar would like to thank the UK Government for allowing submissions from individuals and civil society concerned with the matter. It is important that a way forward is found with the best interests of the people of Myanmar, and for that it is an obvious necessity to consult with them.

***May 2021***