

CAS DRAFT RESOLUTION

Myanmar and the EU-ASEAN summit

1 On 1 February 2021, the Myanmar armed forces (Tatmadaw) staged a military coup, deposed the democratically
2 elected government of State Counsellor Aung San Suu Kyi, dissolved the nation's parliament on claims of
3 election fraud during the November 2020 elections, and declared a state of emergency. Aung San Suu Kyi and
4 President Win Myint were arrested and subsequently sentenced to several years in jail and labour camps on
5 baseless and politically motivated charges. The military's Chief of Staff Min Aung Hlaing declared himself
6 president in August 2021 and installed the State Administration Council (SAC) legitimising the present military
7 junta ruling Myanmar with an iron fist.

8 Protests against the coup sprung up across the country in what was to be called the Spring Revolution.
9 Repressive and lethal action by the junta, which came to a head with the killing of Mya Thwe Thwe Khaing on 9
10 February 2022, forced the people to either leave the country or take up arms in what is now seen as a civil war
11 between the Tatmadaw and the SAC on one side and the civilian [National Unity Government](#) (NUG) with the
12 People's Defence Force (PDF) on the other.

13 According to Myanmar's [Assistance Association for Political Prisoners](#), more than 16,000 people have been
14 arrested and over 2,500 killed by the junta since the coup, including around 200 children. The deadliest attack so
15 far is the junta airstrike of a concert in Kachin state on 24 October, killing at least 50 people and injuring at least
16 100. The SAC also [reinstated capital punishment](#) in July 2022 – the first time in around four decades – with the
17 judicial execution of former rapper and political activist Phyo Zeya Thaw, prominent democracy activist Kyaw Min
18 Yu, and hip-hop artist Thaw.

19 According to the UN Special Rapporteur on the situation of human rights in Myanmar, approximately 7.8 million
20 children are out of school amid over 320 cases of armed occupation of schools and at least 260 attacks on
21 schools and education personnel, including a [school attack by the Tatmadaw](#) in September in the Sagaing region,
22 killing at least 11 children.

23 The Association of Southeast Asian Nations (ASEAN), of which Myanmar is a member state, agreed on a five-
24 point consensus on 24 April 2021 during the Malaysian presidency: an immediate cessation of violence in
25 Myanmar; constructive dialogue among all parties concerned; the appointment of an ASEAN special envoy to
26 facilitate mediation of the dialogue process; humanitarian assistance by ASEAN; and a visit by the special envoy
27 to Myanmar to meet with all parties concerned in the conflict. Two days later, the junta regime unilaterally
28 disengaged with the consensus, [denied the visit of the ASEAN special envoy](#).

29 The coup and the military junta's struggle for power only compound the struggles of ethnic minorities who are
30 yet to be recognised by the Myanmar State before the coup. The Rohingya people have been suffering the most,
31 being denied recognition and access to basic public services such as education and healthcare, let alone a
32 pathway to citizenship. They were met with constant alienation from other communities and increasing violence
33 from (ethnic) armed groups, which has been called by the UN High Commissioner for Human Rights as ethnic
34 cleansing and genocide. Since the coup, condemnation of violence against the Rohingya people have been
35 increasing and the NUG has recognised for the first time the Tatmadaw's acts specifically against the Rohingya
36 people as "crimes against humanity and war crimes".

37 During the subsequent Cambodian presidency, the ASEAN special envoy was able to visit Myanmar in three
38 instances and concluded with a report that stresses, among others, the importance of the five-point consensus
39 and including the NUG to negotiations.

40 According to the UN High Commissioner for Refugees, more than a million people have been internally displaced
41 since the coup and around 70,000 have fled to other countries. The Myanmar [Humanitarian Response Plan 2022](#)
42 remains heavily underfunded despite the dramatic increase in needs compared to 2021. According to the Office
43 for the Coordination of Humanitarian Affairs (UNOCHA), partners are consequently being forced to make tough
44 decisions about prioritising their assistance.

45 With the European Union hosting the 2022 EU-ASEAN summit commemorating the 45th anniversary of the
46 establishment of ties, the world is looking at Europe's next steps.

47 The European Green Party:

- 48 calls all European governments and the EU to:
 - 49 not recognise the State Administration Council, the Tatmadaw or their emissaries as representatives
50 of the Republic of the Union of Myanmar;
 - 51 freeze any remaining asset of the SAC, the Tatmadaw, and any and all of its members, remaining in
52 European territory, and place these individuals under a complete sanctions regime;
 - 53 meaningfully engage with the National Unity Government as the legitimate representative of the
54 Republic of the Union of Myanmar and grant them diplomatic representation in the EU whenever
55 the NUG so wishes, on the condition of a transparent and full commitment to honouring their
56 statements on the recognition of the right of citizenship of the Rohingyas and protection of their
57 fundamental rights;
 - 58 in particular the permanent members of France and the UK as well as the current European non-
59 permanent members, to propose in the Security Council the referral of the situation in the country
60 to the International Criminal Court (ICC) or the creation of an ad hoc international criminal tribunal,
61 as recommended by the Independent International Fact-Finding Mission on Myanmar (IFFM) on 27
62 August 2018;
 - 63 join the case and support the investigations of the International Court of Justice (ICJ) and to launch
64 individual investigations under universal jurisdiction, either as individual national governments or
65 via the European Joint Investigation Team, into the allegations of genocide, crimes against humanity,
66 and war crimes, and to support or coordinate investigations on this;
 - 67 support as well in any way possible the current investigations of the Independent Investigative
68 Mechanism for Myanmar (IIMM) and to push for the expansion of its scope and financing;
 - 69 increase engagement with the Special Rapporteur on the situation of human rights in Myanmar by
70 providing secondary assistance in documenting human rights violations in Myanmar whenever
71 possible;
 - 72 make a plea in the UN to convene an emergency meeting of all Member states which support
73 human rights in Myanmar to launch a focused, coordinated, and strategic initiative to deprive the
74 military junta of the weapons, finances, and legitimacy it utilises to sustain its campaign of violence
75 and suppression of the democratic aspirations of the people of Myanmar as recommended by the
76 UN Special Rapporteur for Myanmar;

- 77 □ increase contributions, if any, to the UN Myanmar Humanitarian Response Plan 2022 to ensure that
78 partner organisations on the ground continue to distribute much-needed aid in various communities
79 across the country. In this context, the European governments and the EU need to advocate for
80 comprehensive humanitarian access to all regions of Myanmar;
- 81 □ abrogate any ongoing military and technological assistance to the SAC and the Tatmadaw, including
82 but not limited to a full arms embargo, and not to sign any such agreement unless and until the SAC
83 is dissolved, all unjustly detained politicians, activists, human rights, health, press, and media
84 workers are unconditionally released, their charges dropped, and a new civilian government is
85 restored through free and fair elections, with the NUG taking the interim role;
- 86 □ degrade the SAC and the Tatmadaw's ability to finance its atrocities by sanctioning the Myanmar
87 Foreign Trade Bank, Myanmar Oil and Gas Enterprise, and other key sources of revenue, until the
88 aforementioned conditions are met;
- 89 □ target those individuals and entities providing arms and munitions to the SAC and the Tatmadaw
90 with economic sanctions;
- 91 □ support ASEAN in any way possible with its implementation of the 15-point statement agreed upon
92 at the recent 40th and 41st ASEAN summits and the desire of ASEAN to pursue indicators and
93 measures to ensure compliance of the military junta with the 15-point statement;
- 94 □ continue to lobby with our partners in ASEAN, as done in the past, to take more decisive actions and
95 commitments vis-a-vis Myanmar, and to deny legitimacy of the junta regime, as outlined below:
- 96 □ calls on the ASEAN and its Member States to:
- 97 □ maintain its non-recognition of the State Administration Council, the Tatmadaw or their emissaries
98 as the representatives of the Republic of the Union of Myanmar;
- 99 □ refrain from pushing back refugees from Myanmar and instead tackle the root causes of their
100 displacement;
- 101 □ establish contacts and engage with opposition groups including the NUG and to draft a new
102 agreement on the crisis in Myanmar with the National Unity Government to pave the way for a
103 peaceful and sustainable resolution of the civil war;
- 104 □ pursue concrete, tangible and tougher measures beyond warnings to ensure compliance of the
105 military junta with the 15-point statement;
- 106 □
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