

Myanmar and the EU-ASEAN summit

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

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

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

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

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

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

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

According to the UN High Commissioner for Refugees, more than a million people have been internally

displaced since the coup and around 70,000 have fled to other countries. The Myanmar [Humanitarian Response Plan 2022](#) remains heavily underfunded despite the dramatic increase in needs compared to 2021. According to the Office for the Coordination of Humanitarian Affairs (UNOCHA), partners are consequently being forced to make tough decisions about prioritising their assistance.

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

The European Green Party:

- Calls all European governments and the EU to:
 - Not recognise the State Administration Council, the Tatmadaw or their emissaries as representatives of the Republic of the Union of Myanmar;
 - Freeze any remaining asset of the SAC, the Tatmadaw, and any and all of its members, remaining in European territory, and place these individuals under a complete sanctions regime;
 - Meaningfully engage with the National Unity Government as the legitimate representative of the Republic of the Union of Myanmar and grant them diplomatic representation in the EU whenever the NUG so wishes on the condition of a transparent and full commitment to honouring their statements on the recognition of the right of citizenship of the Rohingyas and protection of their fundamental rights;
 - Abrogate any ongoing military and technological assistance to the SAC and the Tatmadaw, including but not limited to a full arms embargo, and not to sign any such agreement unless and until the SAC is dissolved, all unjustly detained politicians, activists, human rights, health, press, and media workers are unconditionally released, their charges dropped, and a new civilian government is restored through free and fair elections, with the NUG taking the interim role;
 - Degrade the SAC and the Tatmadaw's ability to finance its atrocities by sanctioning the Myanmar Foreign Trade Bank, Myanmar Oil and Gas Enterprise, and other key sources of revenue, until the aforementioned conditions are met;
 - Target those individuals and entities providing arms and munitions to the SAC and the Tatmadaw with economic sanctions;
 - Increase contributions, if any, to the UN Myanmar Humanitarian Response Plan 2022 to ensure that partner organisations on the ground continue to distribute much-needed aid in various communities across the country. In this context, the European governments and the EU need to advocate for comprehensive humanitarian access to all regions of Myanmar;
 - Increase engagement with the Special Rapporteur on the situation of human rights in Myanmar by providing secondary assistance in documenting human rights violations in Myanmar whenever possible;
 - Support as well in any way possible the current investigations of the Independent Investigative Mechanism for Myanmar (IIMM) and to push for the expansion of its scope and financing;
 - Make a plea in the UN to convene an emergency meeting of all Member states which support human rights in Myanmar to launch a focused, coordinated, and strategic initiative to deprive the military junta of the weapons, finances, and legitimacy it utilises to sustain its campaign of violence and suppression of the democratic aspirations of the people of Myanmar as

recommended by the UN Special Rapporteur for Myanmar;

- In particular the permanent members of France and the UK as well as the current European non-permanent members, to propose in the Security Council the referral of the situation in the country to the International Criminal Court (ICC) or the creation of an ad hoc international criminal tribunal, as recommended by the Independent International Fact-Finding Mission on Myanmar (FFM) on 27 August 2018;
 - Consider joining the case and support the investigations of the International Court of Justice (ICJ) and to launch individual investigations under universal jurisdiction, either as individual national governments or via the European Joint Investigation Team, into the allegations of genocide, crimes against humanity, and war crimes, and to support or coordinate investigations on this;
 - Support ASEAN in any way possible with its implementation of the 15-point statement agreed upon at the recent 40th and 41st ASEAN summits and the desire of ASEAN to pursue indicators and measures to ensure compliance of the military junta with the 15-point statement;
 - Continue to lobby with our partners in ASEAN, as done in the past, to take more decisive actions and commitments vis-a-vis Myanmar, and to deny legitimacy to the junta regime, as outlined below.
- Calls on the ASEAN and its Member States to:
 - Maintain its non-recognition of the State Administration Council, the Tatmadaw or their emissaries as the representatives of the Republic of the Union of Myanmar;
 - Refrain from pushing back refugees from Myanmar and instead tackle the root causes of their displacement;
 - Establish contacts and engage with opposition groups including the NUG and to draft a new agreement on the crisis in Myanmar with the National Unity Government to pave the way for a peaceful and sustainable resolution of the civil war;
 - Pursue concrete, tangible and tougher measures beyond warnings to ensure compliance of the military junta with the 15-point statement.