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UNITED NATIONS GENERAL ASSEMBLY

Social, Humanitarian and Cultural

DESCRIPTION OF THE COMMITTEE¹

An important part of the Committee's work focuses on the examination of human rights questions, including reports of the special procedures of the newly established Human Rights Council. In October 2009, the Committee will hear and interact with 25 such special rapporteurs, independent experts, and chairpersons of workings groups of the Human Rights Council.

The Committee also discusses the advancement of women, the protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the promotion of the right to self-determination. The Committee also addresses important social development questions such as issues related to youth, family, ageing, persons with disabilities, crime prevention, criminal justice, and drug control.

At the sixty-third session of the General Assembly, the Third Committee considered 67 draft resolutions, more than half of which were submitted under the human rights agenda item alone. These included a number of so-called country-specific resolutions on human rights situations.

TOPIC: THE SITUATION IN MYANMAR (FORMERLY BURMA)

On May 3rd 2008, Cyclone Nargis devastated Myanmar, with winds of over 120 miles per hour pounding the low-lying Irrawaddy delta in central Myanmar, resulting in the worst natural disaster ever for the already impoverished country. Pushing a wall of water as high as 12 feet some 25 miles inland, the cyclone destroyed nearly all of the villages in its path, knocked out power lines, destroyed houses and government infrastructure, and polluted fresh water sources and farm land with salt water.

The official tolls left over 76,000 people dead and more than 56,000 missing, with some unofficial estimates from various other outlets having the figures considerably higher. The UN has reported that about 2.5 million people have been "severely affected," requiring an immediate, effective response by the international community.

After a 10-day delay, the Burmese government, a military **junta**, finally requested aid from international **non-governmental organizations** (NGOs), allowing the first of ten World Food

¹ Committee description reprinted from the United Nations website at un.org/ga/third



Program helicopters from the World Food Program to carry supplies into the Irrawaddy delta. The ruling junta has severely restricted the movement of international experts and relief workers into and within the country, requiring travel permits obtained through a multi-level **bureaucratic process**. Analysts and international relief agencies have repeatedly complained that the junta is barring foreign aid and relief workers from the worst affected areas, which is endangering survivors.

“Helping people in need should take precedence over the priorities of the generals. By still delaying and hampering aid efforts that are stopping aid from reaching those who need it, the generals are showing that, even during a disaster, oppression rules.”

Brad Adams, Asia Director, Human Rights Watch, <http://www.hrw.org/en/news/2008/05/28/burma>

BACKGROUND

Early History and Colonization

Since the late 1700s, Myanmar—formally Burma—has been engaged in major conflicts with its surrounding neighbors. The Qing Dynasty of China unsuccessfully invaded the country four times from 1765 to 1769. In the 1780s, Burmese King Bodawpaya failed to conquer Siam (present-day Thailand), and in 1819 King Bagyidaw put down a rebellion in Manipur, capturing the then-independent kingdom of Assam (both states in Northeast India) later that year.

Burma was colonized by the British following a sixty-two year effort, beginning with the First Anglo-Burmese War (1824-1826). By the time the Third Anglo-Burmese War occurred in 1885, the Burmese military force was unable to repel British colonial forces, which captured the capital city of Mandalay after just one month of fighting. The Burmese royal family was exiled to India and British forces incorporated the country into its Indian Empire.



Myanmar, *International Herald Tribune*

Colonial Era

Myanmar was administered as a province of India until 1937. To enhance their local trading network and help organize changes within Myanmar, the British brought in many Indian and Chinese workers, who quickly displaced the Burmese within cities, major trading, and urban areas. Basic infrastructure such as railroads, schools, and prisons were built by the British as a way to strengthen their central grip on the area and improve business. A strong underlying resentment of



British colonial rule existed among the Burmese, who hated the disrespect British officers had for Burmese culture and traditions. Violent riots swept through Yangon, the largest city in Myanmar, from the beginning of the British colonial rule and throughout the 1930s. In October 1919, a famous incident involving Buddhist monks attempting to physically expel a group of British occurred in Mandalay at Eindawya Pagoda. Similar incidents helped channel the Burmese resistance, using a defense of Buddhism as their cause. Buddhist monks became the vanguards of the independence movement, and many died while protesting. On April 1, 1937, Burma became a separate self-governing territory, independent of the Indian administration.

Democratic Rule and Military Takeover

On January 4, 1948, the Union of Burma became an independent republic, with Sao Shwe Thaik as its first President. Unlike most other former British colonies and overseas territories, it did not become a member of the Commonwealth, and a bicameral parliament was formed to legislate.

Like many newly formed states, Burma suffered widespread conflict and internal struggle from 1948 to 1962, when the newly instituted constitution and rule of law was at its weakest. Constitutional disputes and persistent division among political and social groups contributed to the weakness of the democratic government's hold on power.ⁱⁱⁱ Although its young democratic government was struggling domestically, Burma began to see its relevance rise within the international community as U Thant was elected Secretary-General of the United Nations in 1961, becoming the first non-Westerner to head any international organization.

Recognizing the political opportunity, General Ne Win led a military coup in March 1962, overthrowing the established government to form a repressive, military junta that governed ruthlessly and vehemently opposed democracy. Ne Win quickly suspended the constitution and parliament, creating the Burma Socialist Program Party (BSPP) as the country's only legal party. Governing policies changed quickly under the junta, as they became xenophobic and put Burma on the path to socialism. Burma's economy changed very quickly. Under British rule, Burma was one of the richest countries in South East Asia, as the world's largest rice exporter and a successful exporter of teak and gems. After the 1962 coup, it became the poorest. All business was nationalized as privately owned stores were closed and taken control of by the state. A thriving black market emerged as the only way to find necessary goods. In 1987, after nearly three decades of isolation, Burma was given Least Developed Country status by the United Nations.^{iv}

Present-Day Burma (Myanmar)

The situation in Burma between 1974 and 1988 continued to deteriorate. People were not only poor, but starving, and they had no confidence in the ruling junta to help their situation, as well as no means to overthrow them. This situation led to massive **social unrest** within the population.

On August 8th, 1988 the unrest came to life with large protests against the junta, led mostly by pro-democracy students. The protestors clashed with the junta's military forces and at least 3,000 students were killed and many more went missing.^v Since they were seen as a breeding ground for the "democratic threat," all universities in Burma were closed.



After the protests, another military coup replaced Ne Win by General Saw Maung, who created the State Law and Restoration Council (SLORC). Saw Maung declared Burma to be in a state of crisis and put it under martial law. General Saw Maung then changed the name of the country to Myanmar as Burma was considered outdated and served as a reminder to the junta of its times under British colonial rule. Confident that the junta could manipulate a victory for itself, and in an attempt to settle the unrest, General Saw Maung agreed to hold free elections in 1989. A coalition party was quickly formed to run in opposition to the military-run dictatorship, called the National League of Democracy (NLD). **Aung San Suu Kyi**, the daughter of independence crusader Aung San, emerged as the leader of the NLD. Following the protests, she began giving speeches about democracy and Myanmar's future, which gained widespread support from the people.

During this time, the SLORC began to change some of their policies in an effort to boost their support from the people. The biggest change was from socialism to a form of **government-controlled capitalism**. Despite the SLORC's best efforts to reach out to their people, Suu Kyi and the NLD's support continued to grow. Realizing that they would not win the elections fairly, the junta placed Suu Kyi and other leaders of the NLD under house arrest so they could not campaign, and began an operation of fear and intimidation. Despite these efforts, the NLD won the election by a landslide, claiming 392 of the 485 seats in parliament. After the results were announced, SLORC refused to acknowledge the results and imprisoned the elected members of parliament who would not support the SLORC's agenda. In 1991, the Norwegian Nobel Committee announced Suu Kyi as the winner of the Nobel Peace Prize. Suu Kyi, however, remained in detention, reportedly having rejected an offer of freedom if she would leave Myanmar and withdraw from politics.⁶ In April 1992, General Saw Maung unexpectedly resigned citing health reasons, and **General Than Shwe** replaced him as Chairman of the Council, head of state, Secretary of Defense and Commander-in-Chief of the armed forces.



Buddhist Monks peacefully protesting in Myanmar before the government crackdown

<http://www.cfr.org/publication/14292>

On July 10, 1995, SLORC released Suu Kyi from house arrest after six years of detention following an increase in international attention on her, her imprisonment and Myanmar itself. Unfortunately, in May 2003 a group of democracy supporters, NLD members and Suu Kyi were attacked by pro-government supporters in northern Myanmar. Many of her supporters were killed in the attack and after Suu Kyi fled, she was captured and once again placed under house arrest where she remains to this day.

Inspired in part by Suu Kyi herself, and led by defiant Buddhist monks, Myanmar's people continue to voice their opposition. In September 2007, these peaceful protests came together in what was known as the "Saffron Revolution." Using televised warnings, the junta warned the protesters to disband.



"Defying the corrupt, inept, brutal generals who rule them, they took to the streets in their hundreds of thousands to demand democracy."

http://www.economist.com/opinion/displaystory.cfm?story_id=9867036

A violent crackdown on the Saffron Revolution ensued, with an unknown amount of people killed and detained for “interrogation.” Human Rights Watch, an international NGO dedicated to protecting the human rights of people around the world, stated that “many more people were killed and detained in the violent government crackdown on monks and other peaceful protesters in September 2007 than the Burmese government has admitted,” and called for greater international action by the UN Security Council to press the Burmese government to undertake major reforms.^{vi}

Human Rights Issues in Myanmar

After several visits by the United Nations Special Rapporteur to Myanmar, many human rights violations were documented throughout the country. The Special Rapporteur noted that the International Committee of the Red Cross, a neutral international organization, had substantial difficulty in gaining access to prisoners. It learned that prisoners are regularly detained without notice of their charges, often times for several months in interrogation or detention centers. These prisoners are often treated very poorly including being provided minimal food, little or no access to health care, as well as being subject to torture.

“The pressing need today is not to change the law, but to clarify the alternatives to the use of force. In the case of Myanmar, the urgent need is to bring together the general outrage and the diplomatic synergies in the face of obstacles and a level of suffering that are unanimously considered to be acceptable.”

Franoise Bouchet-Saulnier, *The Practical Guide to Humanitarian Law*
<http://www.doctorswithoutborders.org/news/article.cfm?id=2740>

There is also little freedom of expression within Myanmar. The press is closely monitored by the government censorship board. Neither the press nor citizens are able to speak out against the state without fear of retribution. As the socio-economic conditions of the country have declined, there is much talk regarding forced labor within Myanmar, including child labor. This had leading to the spread of malnutrition and disease. Specifically, this includes marked increases in diseases such as HIV/AIDS, malaria and tuberculosis.

PAST INTERNATIONAL ACTION

In late 2007, after the “Saffron Revolution” began, the UN Security Council issued a statement “deploring the use of violence against peaceful demonstrations” and urged the government of



Myanmar to work with other parties to better the situation and come to a peaceful solution.^{vii} The statement also called on Myanmar to address the political, humanitarian, economic and human rights issues within the country, including opening a genuine dialogue with Aung San Suu Kyi.



Aung San Suu Kyi remains under house arrest to this day.

The Security Council attempted to pass a draft resolution that called for the release of certain political prisoners such as Aung San Suu Kyi, the cessation of military attacks against ethnic minorities in the country, and movement toward a true democratic state. The draft resolution, however, was vetoed by Russia and China. Overall, there has been growing tension between many members of the Security Council and Russia and China. China, for one, has become more uncomfortable with the topic of Myanmar and has stated that it wishes to avoid any action by the Council in Myanmar.^{viii}

On May 10, 2008, Myanmar was to hold elections for a referendum to adopt a new constitution. After Cyclone Nargis devastated the Irrawaddy delta, the government decided to continue with the referendum, but to postpone voting in the affected areas for two weeks. Prior to the cyclone, on May 2, 2008, the president of the UN Security Council issued a statement regarding the referendum, calling for the government to “establish the conditions and create an atmosphere conducive to an inclusive and credible process” for voting.^{ix} France soon thereafter requested from the Security Council that they take action on Myanmar, citing the idea of the “**responsibility to protect.**”

The **European Union** (EU) soon requested that the Myanmar government “offer free and unfettered access to international humanitarian experts and to take urgent action to facilitate the flow of aid.”^x One day after the statement from the EU, the Myanmar government permitted the EU Commissioner for Development and Aid to visit the country for two days.

After a visit from the Secretary-General, the government of Myanmar agreed to accept international humanitarian personnel in June 2008. Both the UN and Myanmar agreed that the aid distribution would be facilitated by the **Association of South East Asian Nations (ASEAN)**.

RECOMMENDATIONS FOR CREATING A RESOLUTION

When addressing the issue of the situation in Myanmar, delegates must understand the economic, political, humanitarian and human rights issues affecting the country.

- The Council may recommend that the country hold new elections that are supervised by the United Nations or another outside organization to ensure
- The Council may urge the current junta to leave Myanmar in order to hold free and fair elections



- The Council may request that the government of Myanmar take further action to alleviate the human rights abuses that they have been accused of.

As representatives in the Security Council, delegates will be responsible for developing draft resolution that look to solve or alleviate one or more of the political, economic, security, or human rights issues in Myanmar.

QUESTIONS TO CONSIDER

1. How can your government specifically place pressure on Myanmar's junta to improve the situation for its people?
2. How can the Security Council make sure that the government of Myanmar work to address the political, economic, humanitarian, and human rights crises?
3. Can the Security Council find a legal way to get around the existing form of the Responsibility to Protect (R2P) doctrine? If not, do moral considerations outweigh the issue of sovereignty and state borders enough to intervene in Myanmar without the junta's consent?
4. Should the Council use other non-violent, yet coercive methods of pressuring Myanmar? If so, what?
5. How can the international community address the political situation in Myanmar, specifically the status of democratic opposition leader Aung San Suu Kyi, and the violent crackdowns on other demonstrators? Are these reasons solid enough to intervene, using force, which would then provide the opening for international NGOs to address the humanitarian situation?
6. Looking at long-term scenarios, should R2P be amended to include these types of situations? How could this be done and how exactly should the changes be worded?



TERMS AND CONCEPTS

Junta: A small group ruling a country, especially immediately after an overthrow of the existing government and before the next legally constituted government has been created.

Non-Governmental Organization (NGO): Non-profit, voluntary citizens' groups. NGOs perform a variety of services and humanitarian functions, bring citizens' concerns to Governments, monitor policies and encourage political participation at the community level.

Bureaucratic process: The way that the state executes, administers, and enforces legal rules throughout society. The bureaucratic process requires signals of authority, especially at the beginning of the process when an agency has to make its intentions public, and at the end of the process, when the agency will announce and enforce a regulation of some kind.

Infrastructure: Fundamental facilities and systems serving a country, city, or area, such as transportation and communication systems, military installations, power plants, schools, etc.

Vanguard: Leaders of any intellectual, social, or political movement.

U Thant: A Burmese diplomat and the third Secretary-General of the United Nations, from 1961 to 1971. During his time in office, U Thant oversaw the entry into the UN of many new Asian and African states and was a firm opponent of apartheid in South Africa. He also established many of the UN's development and environmental agencies, funds and programs, including the UN Development Program, the UN University, and the UN Environmental Program.

Coup: A sudden seizure of leadership or power; a takeover.

Xenophobia: An unreasonable fear or hatred of foreigners or strangers.

Socialism: Any of various theories or systems of social organization in which the means of producing and distributing goods is owned collectively or by a centralized government that often plans and controls the economy.

Teak: A large East Indian tree that produces a hard, durable, resinous, yellowish-brown wood used for shipbuilding, making furniture, etc.

Least Developed Country: A status given by the UN to countries which exhibit the lowest indicators of socioeconomic development—having the lowest Human Development Index ratings of all countries in the world. A country is classified as a Least Developed Country if its people have a gross net income of less than \$750, have clear human resource weaknesses in education, health, and nutrition, and economic vulnerabilities judged by instability of production and its exports.

Social unrest: An expression of dissatisfaction by a large group of people, usually towards the government or other established order. Their actions may range from civil disobedience and mass nonviolent resistance to violent and organized attempts in an attempt to alter or destroy an established authority.



Aung San Suu Kyi: a Burmese pro-democracy activist and leader of the National League for Democracy in Myanmar. She is a past winner of the Nobel Peace Prize in 1991, and an advocate of nonviolent resistance.

Bicameral Parliament: the practice of having two legislative or parliamentary bodies in government, an example being the United States.

Government-controlled capitalism: The most prominent form of capitalism, since true pure market capitalism does not exist. Under a government controlled capitalist system, capitalists would be free to operate in the state, but their business activities would be regulated in a manner which would benefit both them and society as a whole through laws set by the government.

General Than Shwe: The head of state of Myanmar, serving as Commander-in-Chief of the military and chairman of the State Peace and Development Council since April 23, 1992. These positions and titles effectively amount to Shwe being what is generally referred to as the “head” of Myanmar's ruling military junta.

Saffron Revolution: The nonviolent efforts of Buddhist monks and other peaceful protesters in Myanmar to overthrow Burma’s military government during September 2007. These efforts were met with swift and violent suppression by Myanmar’s junta.

Natural disaster: Any event or force of nature that has catastrophic consequences, such as an avalanche, earthquake, flood, forest fire, hurricane, tsunami, etc.

Internally Displaced Person (IDP): A person who has fled his or her home to take up residency in another area of the country due to social, political and/or economic unrest.

Refugee: A person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country”

Humanitarian assistance: Supplies, such as food, clothing, and water that are provided to people who are in need of help.

Sudden-onset emergency: Humanitarian disasters that occur with little to no warning. Frequently, they are natural disasters such as a tsunami or an earthquake.

Responsibility to Protect (R2P): A recently developed concept in international relations which relates to a state's responsibilities towards its population and to the international community's responsibility in the case that a state fails to fulfill its responsibilities. World leaders defined a carefully limited scope for the norm covering only “protection of people from genocide, war crimes, ethnic cleansing and crimes against humanity”.

Humanitarian intervention: Refers to armed interference in one state by other states with a goal to end or reduce suffering within the affected state. That suffering may be the result of civil war, humanitarian crisis, or crimes by the first state, including genocide.

European Union: An economic and political organization of 27 European states.

Association of South East Asian Nations: An economic and political organization of 10 southeast Asian state.



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- ⁱ “Cyclone Nargis embodied the ‘perfect storm,’” *The Associated Press*, <http://www.msnbc.msn.com/id/24526960/>
- ⁱⁱ “Burma in the Aftermath of Cyclone Nargis: Death, Displacement, and Humanitarian Aid,” The International Crisis Group, http://www.theirc.org/resources/2007/irc_testimony_gbeck_burma.pdf
- ⁱⁱⁱ “History of Burma,” The Peaceway Foundation, <http://www.burmaissues.org/En/facts.html>
- ^{iv} “Least Developed Countries: Historical Background,” UN, <http://www.un.org/events/ldc3/prepcom/history.htm>
- ^v “The Saffron Revolution,” *The Economist*, http://www.economist.com/opinion/displaystory.cfm?story_id=9867036
- ^{vi} “Burma: Crackdown Bloodier Than Government Admits,” Human Rights Watch, <http://hrw.org/english/docs/2007/12/07/burma17494.htm>
- ^{vii} “Statement by the President of the Security Council”. United Nations Security Council. 2 May 2008. <http://www.securitycouncilreport.org/atf/cf/{65BF99B-6D27-4E9C-8CD3-CF6E4FF96FF9}/Myan%20S%20PRST%202008%2013.pdf>
- ^{viii} “Update Report No. 1: Myanmar” United Nations Security Council. 10 September 2008. http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.4488273/k.4DA4/Update_Report_No_1brMyanm arbr10_September_2008.htm
- ^{ix} Ibid.
- ^x “Update Report No. 4: Myanmar”. United Nations Security Council. 14 May 2008. <http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.4130257/>

