

SPOTLIGHT ON R2P



Cambodian R2P Program 2021

The Significance of the Responsibility to Protect (R2P) in Myanmar

On 24 November 2021, from 8:00-11:30am (Cambodia Time), the Cambodian Institute for Cooperation and Peace, with the support of the Asia Pacific Centre for the Responsibility to Protect (APR2P), organized a workshop on “The Significance of the Responsibility to Protect (R2P) in Myanmar” via ZOOM.

The online workshop aims to explore the challenges and constraints in implementing R2P in Myanmar amidst the ongoing crisis. Specifically, with the continuing manifest failure of the military regime in protecting the people of Myanmar from atrocity crimes, what can regional and international actors do to break the current stalemate and pursue a more effective response to the crisis, including providing humanitarian assistance to affected communities and manage the country’s continuing health

and economic crisis in connection with the pandemic.

Four knowledgeable speakers were invited to deliberate various matters related to the topic namely, Ms. Debbie Stothart, Secretary General Coordinator of the Alternative ASEAN Network on Burma; Mr. Soeung Bunly, Research Fellow, CICP; Dr. Lina Alexandra, Senior Researcher at the Department of International Relations, Centre of Strategic and International Studies (CSIS); and Dr. Noel Morada, Director in charge of Regional Diplomacy and Capacity Building, APR2P. The discussions were moderated by Amb. Pou Sothirak, CICP Executive Director.

There were about 100 participants joining the event via ZOOM, and 20 core members of Friends of R2P-Cambodia attending the workshop in-person at CICP Office.

Amb. Pou Sothirak welcomed the four knowledgeable experts, and all online participants for taking part in this workshop. He set the stage of the event by giving key contexts of the relevance of the R2P in the Myanmar crisis.

The ongoing crisis in Myanmar invoked some memories of some of the most unfortunate humanitarian crises erupted in the aftermath of the end of the Cold War that continue to haunted human’s consciousness. From the Khmer Rouge’s killing field to the Rwanda genocide and killing spree in Srebrenica, the ongoing ruthless violence and crimes committed by the Tatmadaw provoke a stern challenge to the global consensus on the core R2P principle which was adopted unanimously at the world summit in 2005 and became official UN policy for the world to respond, to mass atrocities. Despite repeated appeals by the



Amb. Pou Sothirak



Ms. Debbie Stothart



Mr. Soeung Bunly



Dr. Lina Alexandra



Dr. Noel Morada

overwhelmed majority of the people in Myanmar who call for R2P against the climbing civilian death toll and ongoing suffering, the international community still remain mum and cannot craft an effective collective response to deal squarely with this tragedy. The ASEAN – Five Point consensus is still unimplementable due to non-cooperative behavior of the Tatmadaw.

It seems at this stage, consequently, no outside mechanism can honor the call by the people of Myanmar to return to civilian rule and stop military brutality which could mean indefinite military rule and ongoing suffering of the innocent civilian with no end in sight. Against this hopeless situation, the people of Myanmar are taking matters on their own hand and thereby provoke even more dreadful possibility that Myanmar may lapse into an entrenched civil war with more violence and killing.

Beside the effect of the military coup, Myanmar is also suffering enormously from the outbreak of Covid-19 as the country lacks doctors, bottled oxygen, vaccine doses, and medications. Doctors Without Borders reports that the country is suffering “uncontrolled community spread,” and the highly contagious Delta variant is moving through Myanmar. These terrible situations should not be curbed immediately so as to save lives and prevented the pandemic from spreading further.

For the sake of humanity, the international community has the duty to protect the civilian population in Myanmar from becoming victims of indiscriminate killing by the Junta and the pandemic.

Against this backdrop, Amb. Pou told the online participants that this virtual workshop sought to explore the challenges and constraints in implementing R2P in Myanmar amidst the ongoing humanitarian crisis. Specifically, with the continuing manifest failure of the military regime in protecting the people of Myanmar from atrocity crimes, the workshop attempts to address the core question what can regional and international actors do to break the current stalemate and pursue a more effective response to the crisis, including providing humanitarian assistance to affected communities and manage the country’s continuing health and

economic crisis in connection with the pandemic.

CICP ED introduced each panelist and announced the proceeding of the workshop.

There will be two sessions in this workshop. Right after Amb. Pou’s opening remarks, the first session will proceed to discuss the relevance of the R2P norm in the ongoing Myanmar crisis, specifically in protecting and preventing populations from atrocity crimes. The speakers will elucidate how international, regional and national actors can use the R2P principle and atrocities prevention as a tool and approach in dealing with the crisis in the country.

Particularly, Ms. Debbie Stothard, Secretary General Coordinator of the Alternative ASEAN Network on Burma, will discuss the ongoing violence in the Myanmar crisis that have negatively impacted on innocent civilians including women and young children. She will also suggest ways that ASEAN can work together with the UN Security Council to exert more pressures against the Myanmar junta so that the latter can back down its violent repressions and return to negotiate for potential political settlements.

Mr. Soeung Bunly, CICP Research Fellow, will deliberate on the significance of R2P in atrocity prevention in crises such as those in Myanmar. He will share his perspectives on grave risks for atrocity in Myanmar and argue that what is happening in Myanmar represents another failure of the international community in upholding R2P.

Following the first session, the second panel will examine the correlation between Covid-19 and atrocity risks as well as how the international community can help alleviate the dire condition of pandemic on the ground that has taken heavy toll on human lives in Myanmar.

Principally, Dr. Lina Alexendra, Senior Researcher at CSIS Indonesia, will talk on how the COVID-19 responses have been politicized by the SAC / junta as they prioritize to crack down the anti-military movement in the country. This has ultimately exacerbated the suffering of the people in distress and consequently increased greater risks to atrocities in the country. Toward the end, she will provide some recommen-

dations on some practical ways on how to mitigate this problem.

Dr. Noel Morada, Director Regional Diplomacy and Capacity Building, APR2P, will discuss the implications of Covid-19 for Atrocity Prevention in Myanmar. The coup in Myanmar has exacerbated the impact of the pandemic in the country. Specifically, it undermined access to health service and medical supplies as the military in Myanmar has weaponised COVID-19 against anti-coup protesters and the larger civil disobedience movement throughout the country. The coup and COVID-19 are what has been termed as the perfect storm, which could lead to the collapse of the Myanmar economy and possibly a protracted civil war in urban areas apart from armed rebellion in ethnic community areas in the country. The presentation will identify some of the key priorities for ASEAN and the international community in dealing with the crisis in Myanmar, including humanitarian assistance in relation to COVID-19 and internally displaced people in the country who are facing the brunt of the Tatmadaw’s continuing atrocities.

Session I: R2P and its Relevance in the context of Myanmar Crisis

After delivering his opening remarks, Amb. Pou, as a moderator of the workshop, announced the start of the first session discussing R2P and its relevance in the context of the ongoing crisis in Myanmar.

Ms. Debbie Stothard shared her views on how ASEAN and the UN can work together to address the Myanmar. She began her presentation by highlighting glaring impacts of Tatmadaw’s violence resulted from the military coup on 1 February on civilians, women and young children in Myanmar. According to an estimate, there were nearly 6,000 attacks on unarmed civilians by the Tatmadaw following the coup earlier this year, leaving thousands of casualties and arrests including women and young children. The Tatmadaw has also been in using unproportionable brute forces against anti-coup civilians including using real-bullet guns and launching airstrikes. With political solutions currently out of sight, more violent repressions by the Tatmadaw against Myanmar civilians are expected to continue that might reach to the

point of mass atrocities. In Myanmar, there have been calls for the international community including ASEAN and the UN to invoke R2P including international military interventions to help resolve the ongoing crisis. However, due to other preoccupations such as Covid-19 and polarization in the UN Security Council, the international community has been in no mood to contemplate invoking R2P in Myanmar. The situations are not helped as some foreign embassies in Myanmar including the Japanese Embassy downplayed the grave violence that is happening in the country, interrupting swift responses to using R2P.

In all frankness, the Myanmar junta is not afraid of ASEAN since the regional body is toothless in implementing the so called Five Point Consensus. The Five Point Consensus is death in the water. Instead, the junta is afraid of the UNSC as the international body can exert real pressures such as sanctions and perhaps even military interventions. Meanwhile, the Myanmar people have lost faiths on ASEAN, seeing its lukewarm responses to the crisis. They burned ASEAN flags, and some of them took the matters in their own hand to armed trained to fight the Tatmadaw, making the Myanmar situation tilting towards full-blown civil war. Therefore, it is important that ASEAN must work closely with the UNSC to ensure real pressures are applied to the Myanmar junta for them to back down their violent behaviors and return to negotiation tables to find potential political settlements. As first step, ASEAN needs to request cooperation with the UNSC to explore ways to collectively exert pressure against the Tatmadaw. Also, the UN Special Envoy and the ASEAN Special Envoy on Myanmar need to build rapport, and enhance engagements with each other to help forge partnership between the two bodies in the Myanmar crisis.

Next speaker was Mr. Soeung Bunly who discussed the importance of R2P norm, the ongoing Myanmar crisis and the failure of the international community in upholding R2P in Myanmar. According to Articles 138 and 139 the unanimously-adopted text on R2P at the World Summit in 2005, each state has responsibility to protect their own populations from atrocity crimes. If states fail this responsibility, the UN will act in accordance with the UN

Charter to undertake interventions including militarily. The UN also commits to assisting states in capacity building in atrocity prevention. Regarding the ongoing crisis in Myanmar, since the coup in February, the Tatmadaw has undertaken violent repressions against anti-coup and innocent civilians, causing deaths and heavy tolls of casualties. With no appropriate actions from the international community, with the Tatmadaw's tendency to use brute forces to cling to power at all cost, the situation in Myanmar can be transpired to mass atrocity crimes.

The case of Myanmar has become one of the most glaring examples for the failure of the international community to realize the promise made with the adoption of the responsibility to protect (R2P) norm in 2005, turning the 'Never again' into "Again and again" where Myanmar military committed mass atrocities against the Rohingya minority in 2017 and now again the people of Myanmar in 2021. Unless well calibrated sanctions by ASEAN and International Community (the UN) are applied in line with R2P principle, it will be too late to save the people of Myanmar from mass crimes. States committed to R2P need to analyse the situation to identify new atrocity risks, potential triggers and targets among the population, and initiate suitable preventative measures.

Session II: Covid-19 and its Impacts on Atrocity Prevention in Myanmar

Following the first session, Amb. Pou kickstarted the second session on Covid-19 and its implications on atrocity prevention efforts in Myanmar.

Dr. Lina Alexandra shared her perspectives on the politicization of Covid-19 responses in Myanmar. She observed three points namely multiple catastrophes, politicisation of COVID-19 responses and practical recommendations on what can be done by regional and international communities. For multiple catastrophes, 2021 has been filled with crises for Myanmar including the military coup, humanitarian crisis, economic crisis, resurgence of conflicts between Tatmadaw and ethnic armed organizations, and severe impacts by the Covid-19 pandemic.

For the politicization of Covid -19 responses, the Myanmar junta has focused on cracking down the pro-dem-

ocratic groups/ opposition which has ultimately hampered the effort to deal with COVID-19 crisis. The Tatmadaw lack of the willingness to pursue prior existing plans and launch attacks against the healthcare workers that are joining the Civil Disobedience Movement (CDM) strikes. There was also polarization within the Myanmar society. Junta authorities have limited public access to government-run health facilities and supplies while civilians reject military-associated aid, making Myanmar Covid-19 responses including vaccination have been in bad shape.

For practical recommendations, Dr. Lina said:

- Local community-based organisations, or individual local leaders and volunteers working on the ground should be key humanitarian actors. They should continue to receive financial & material support to perform their works.
- Encourage the increasing roles of frontline states, i.e. Thailand, China, India as suppliers and access point for external actors/ states to support local humanitarian actors. While communicating with the junta, those states should to put pressure on the junta to open bigger access for humanitarian assistance.
- Encourage other regional powers that have leverages on Myanmar, i.e. Japan to play more active roles in resolving the Myanmar crisis
- COVID-19 diplomacy should be served as an entry point. The strategy must be carefully crafted to ensure all can get access to the provisions, and also part of winning some access for negotiating dialogue process.

Subsequently, Dr. Noel Morada took the floor to deliberate on challenges of Covid-19 and Atrocities Prevention in Myanmar. He informed the workshop of graving situations in Myanmar since the February coup with many deaths and casualties, causing political instability and economic collapse in addition to confronting difficulties posed by the Covid-19 pandemic. Since the coup, the Tatmadaw has weaponized Covid-19, denying access to health services, medical supplies, testing, etc. to protesters and CMD, resistance forces. Anti-coup doctors and health workers

were arrested. Hospitals and health centres have become dangerous places for seeking medical services. There were increasing activities in informal and illicit economy (e.g., drug trafficking, human trafficking). Overall, Covid-19 has exacerbated humanitarian crisis in Myanmar.

Dr. Noel recommended priorities for ASEAN to help resolve the Myanmar crisis:

- Need to uphold ASEAN Charter principles on democracy, human rights protection, and rule of law
- ASEAN should hold the line regarding Myanmar's participation in dialogue partners' meetings
- Ensure that junta does not get away with non-compliance with 5-point consensus
- ASEAN should start openly engaging with NUG and democratic forces in Myanmar
- Prioritize humanitarian assistance to vulnerable populations affected by pandemic and atrocities by Tatmadaw forces
- Coordinate action and diplomacy with UN, dialogue partners

Thailand should ensure protection for refugees and vulnerable populations from Myanmar, especially along common border, including playing sig-

nificant role in providing health and medical services, food, and other humanitarian assistance in cooperation with ASEAN; considering proposals e.g., humanitarian corridor along border with Myanmar; and ensuring flow of COVID-19 vaccines into Myanmar through humanitarian organizations.

India and Bangladesh should also help in accepting refugees and in delivery of humanitarian assistance

In the closing, Amb. Pou Sothirak announced that the workshop is productive and successful as the transpired discussions are responsive to the event's objectives of exploring the significance of R2P in the Myanmar crisis by looking at how the international community, particularly the UN and ASEAN, can help resolve the Myanmar crisis using atrocity prevention approaches amidst the Covid-19 pandemic. The international community should uphold its pledge to R2P, and should not say "Never Again" but allow mass atrocity to happen again and again like in the case of Myanmar.

CICP ED expressed appreciations to APR2P for supporting this workshop, and also to all knowledgeable speakers and all participants, online and in-person, for taking their time to attend this interactive discussion.



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