



**The ANU Myanmar Research Group's Submission
for the Australian Parliament's Hearing on the Myanmar Crisis**

Attention to: Members of The Foreign Affairs and Aid Subcommittee of the Joint Standing Committee on Foreign Affairs and Trade.

This submission is by the Myanmar Research Group at the Australian National University (ANU), an interdisciplinary group of researchers from Australia, Myanmar, and other countries studying many aspects of Myanmar's social, political and economic life. We will respond to the following question raised by the committee:

What can or should Australia do to support the return to stability and democracy?

Context

As of April 2021, Myanmar's crisis has escalated to a new phase of increased state-based violence, public shootings, arbitrary arrests and detainments, and blatant terrorising of unarmed citizens by Myanmar's security sector. Parallel to the violent crackdown in capital cities and towns, Myanmar's multiple subnational conflict dynamics are shifting, and the country is heading to a full civil war. With this comes risks of a failed state scenario and an influx of refugees which could destabilise the region. As of writing, Myanmar's coup-makers have failed to gain control of the state apparatus, particularly at the subnational level, the spiraling economy and a defiant population. The illegitimacy of the junta and its terrorising behaviours against Myanmar citizens is the cause of current instability. Creating stability goes hand-in-hand with restoring democracy and supporting what Myanmar people see as their legitimate government and governance system.

Australia's Response

- ***Continue to refrain from recognising the Myanmar military as the government and work with the CRPH.***
Australia should communicate with and recognise the civilian elected body, the Committee Representing the Pyidaungsu Hluttaw (CRPH), which has released an interim constitution, the Federal Democracy Charter and Interim Agreement of the CRPH. Any communication with the military should be carefully done to avoid bestowing international legitimacy on the junta.
- ***Support preventive diplomacy and mediation efforts led by ASEAN and with the UN to reach both sides.***
While there is currently no opportunity for the civilian government and military to talk to one another, separate talks should be pursued by ASEAN. Australia should use its bilateral relationships with leading ASEAN countries—Indonesia, Malaysia, Singapore, Brunei—to encourage separate talks with the military and the CRPH, and broader dialogue with non-government stakeholders in the pro-democracy movement, including ethnic armed groups, the civil disobedience movement (CDM), the general strike committee (GSC), civil society and women's groups about the future of Myanmar's system of government and transitional steps. ASEAN and the UN face different opportunities and constraints in their ability to engage both sides – ASEAN is better placed to engage with the junta and UN leaders with CRPH and other stakeholders in a coordinated process of multiple tracks of dialogue.
- ***Support a UN or UN-ASEAN observer mission.*** Regrets from the Rohingya crisis by the international community include not getting on-the-ground presence to act as a deterrence to prevent atrocities. The UN cannot go this route alone and ASEAN will be needed to ensure Myanmar's cooperation and open up space for

an observer mission. If this option is blocked by the Security Council due to Russia and/or China's veto, Australia should lobby members of the General Assembly to use the "Uniting for Peace" provision and advance an immediate response to prevent further atrocities.

- ***Apply non-forceful and punitive measures targeting the military's economic interests and assets and enlist Asian countries and businesses to follow.*** While Australia does not have significant leverage on the Generals, the government needs to set a standard and appeal to our Asian partners who do. Australia should apply targeted sanctions against the military conglomerates, Myanmar Economic Holdings Limited (MEHL) and Myanmar Economic Corporation to lead by example and prevent all Australian businesses from engaging indirectly in crimes against humanity. It could also expand its individual sanctions to target key military individuals and military affiliated individuals. Australia's response may be symbolic but is important for building common approaches to apply significant pressure. For instance, the military relies on regional financial centres in Singapore: freezing assets and blocking transactions there would have an immediate impact. Australia should coordinate with Quad partners – the US, India, and Japan – to build a common platform and enlist other countries and businesses to apply punitive and targeted economic measures.
- ***Support a global arms embargo.*** While an arms embargo will not affect the escalating crisis, it will prevent the military from upgrading its capabilities in the future as the country heads towards a protracted crisis. If China and Russia block an arms embargo, Australia should again work through the General Assembly. Bilaterally, Australia should encourage the withdrawal of arms and equipment supplies from partner countries including India, Israel and the Philippines.
- ***Increase humanitarian aid and multi-pronged interventions in response to the multiple crises.*** On top of the political crisis is a pandemic, an economic crisis, and deepening humanitarian crises including food shortages and a pending refugee emergency. Humanitarian aid is needed to address the food crisis within Myanmar and the forthcoming regional refugee crisis. Australia should continue livelihood support and development assistance which does not go through the junta. This should include support to ethnic political organisation's health and education systems and the CRPH local administrations already set up in more than half the country.
- ***Support pillars of democracy, including civil society and national and ethnic media groups under attack.*** Australia's aid should support democracy advocates, including CDM support groups, general strike committees and national and regional alliances. Aid should also be allocated for local media groups, including ethnic media, who are frequently the only reliable regional news sources in rural areas and which urgently need funding for staff and continued journalism. Australia should support a broad coalition of women's groups leading many campaigns and ensure their engagement in dialogue about Myanmar's future. For all civil society and media support, funding should be flexible with provisions for psychosocial support to all staff.
- ***Support human rights documentation internationally via the UNHCR and domestically via groups in Myanmar.*** The Independent Investigative Mechanism in Myanmar (IIMM) established via the UN Human Rights Council following the Rohingya crisis is currently collecting evidence of international crimes and violations of international law. Australia should ensure the mechanism has political and financial support via the UNHCR, and that the multiple groups in Myanmar working on documentation are provided with financial and technical support. Again, the psychosocial needs of all staff and volunteers working for these entities need support.
- ***Extend visas for Myanmar people in Australia, including students for up to 18 months*** with a view to offer humanitarian and protection visas as needed due to the unfolding crisis. Engage Myanmar nationals in Australia in conversations around immediate and future visa needs.
- ***Create a strategy and team for negotiating Professor Sean Turnell's release.*** Australia's quiet diplomacy and negotiation approaches have not worked to date, and Professor Turnell remains a political prisoner of the junta. The process for negotiations should be escalated beyond just making contact via the embassy; a team of former ambassadors and military attaches and a highly experienced lead negotiator assembled to develop a strategy covering multiple tracks, combining different military contacts and drawing on partner countries. This process should be treated with the urgency of a hostage crisis.