



Special Advisory Council for MYANMAR

ASEAN Needs UN Security Council Action to End The Myanmar Military's Violence

13 March, 2023

Violence in Myanmar at the hands of the military has increased in 2023 in direct defiance of United Nations (UN) Security Council Resolution 2669 and the Association of Southeast Asian Nations (ASEAN) Five Point Consensus. The UN Security Council must respond to the military's non-compliance, with action, not mere words, says the Special Advisory Council for Myanmar (SAC-M).

The UN Security Council adopted Resolution 2669 on 21 December 2022. The resolution expressed "deep concern at the ongoing state of emergency imposed by the military in Myanmar on 1 February 2021 and its grave impact on the people of Myanmar" (preamble paragraph 1) and demanded "an immediate end to all forms of violence throughout the country" (operative paragraph 1). Operative demands made by the UN Security Council are considered binding under international law.

Since the resolution was adopted, credible reports indicate that the military has continued to launch airstrikes and artillery fire on civilian targets, massacred civilians and resistance fighters and burned civilian homes and property on a near-daily basis, in the north, northwest, east and southeast of Myanmar. In the past two weeks, cases have been reported of a single military troop beheading up to 18 resistance members and two children, and massacring 16 civilians, including three women who were raped before being killed, across three townships in Sagaing Region.

"Min Aung Hlaing and his military are not only failing to abide by the UN Security Council resolution – they are wilfully defying it," said Yanghee Lee of SAC-M. **"This is the same military that committed genocide against the Rohingya five years ago. Once again, the international community is watching on, this time as they attack an entire country and erode the security of south and southeast Asia. This is a global issue upon which the Security Council must act."**

Two years of democratic resistance have derailed Min Aung Hlaing's attempt to seize control of Myanmar by force. Rather than change course, Min Aung Hlaing last month announced an extension to his unlawful state of emergency and unilaterally declared martial law in further parts of the country. These announcements have no



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legal authority but correlate with the commission of increasingly brutal acts of terror by Min Aung Hlaing's troops.

"For two years, the military has systematically committed acts of terror, as defined under international and Myanmar law, in addition to widespread violations of international human rights law and international humanitarian law, and serious international criminal offences," said Chris Sidoti of SAC-M. **"The Security Council must act to enforce the military's compliance with its resolution, including through targeted sanctions on military financial interests, a comprehensive arms embargo and referral to the International Criminal Court."**

Resolution 2669 further called for immediate and concrete actions to "effectively and fully implement ASEAN's Five Point Consensus agreed on 24 April 2021" (operative paragraph 6). The Security Council will hear reports today from the Special Envoy of the UN Secretary-General on Myanmar and the Foreign Minister of Indonesia, this year's ASEAN Chair, on UN support for implementation of the Five-Point Consensus.

"The extreme violence being inflicted on the population by the military must stop – this is an absolute minimum requirement for any progress, by ASEAN, by the UN or by anyone else, towards an eventual resolution of the crisis in Myanmar," said Marzuki Darusman of SAC-M. **"The simple truth is that the Five Point Consensus is failing while the junta's violence intensifies. But Min Aung Hlaing has demonstrated no intention of curbing the atrocities. The UN Security Council must act in support of ASEAN to compel him to do so. There is no other option."**

