



Image: Agencies

How the UN Is Failing Myanmar

3 October 2023



Special Advisory Council for
Myanmar

Contents

Glossary and Abbreviations	3
1. Introduction	6
2. Background and Context	8
2.1 The UN System	8
2.2 The UN System and Myanmar Before the Coup	9
2.3 The Rosenthal Report	12
2.4 The Situation in Myanmar Since the Coup Began	14
3. The UN Response Since the Coup	19
3.1 UN Intergovernmental Forums	19
3.2 The UN Country Team	24
3.3 The UN Secretariat	45
4. Conclusion and Recommendations	53
Appendix A: UN Entities in the UN Myanmar Country Team	59
Appendix B: Meetings Between the Junta and Representatives of UN Entities	62

Glossary and Abbreviations

AA - Arakan Army

ASEAN - Association of Southeast Asian Nations

CDM - Civil Disobedience Movement

CDF - Chinland Defence Force

CNF - Chin National Front

CRPH - Committee Representing the Pyidaungsu Hluttaw

DPPA - Department of Political and Peacebuilding Affairs

ERO - Ethnic Resistance Organisation

FAO - Food and Agriculture Organization

FDC - Federal Democratic Charter

FFM - Fact-Finding Mission on Myanmar

GAD - General Administration Department

HCT - Humanitarian Country Team

HNO - Humanitarian Needs Overview

HRP - Myanmar Humanitarian Response Plan

IDP - Internally displaced person

IIMM - Independent Investigative Mechanism for Myanmar

KIA - Kachin Independence Army

KNDF - Karenni Nationalities Defence Force

KNPP - Karenni National Progressive Party

KNU - Karen National Union

MoU - Memorandum of Understanding

NMSP - New Mon State Party

NUCC - National Unity Consultative Council

NUG - National Unity Government

OCHA - United Nations Office for the Coordination of Humanitarian Affairs

OHCHR - United Nations Office of the High Commissioner for Human Rights

OLA - United Nations Office of Legal Affairs

PDF - People's Defence Force

R2P - Responsibility to Protect - A political commitment rooted in the legal obligations outlined in the UN Charter and international law. It underscores the 'Responsibility to Protect' populations from the grave crimes of genocide, war crimes, crimes against humanity, and ethnic cleansing.

RCSS - Restoration Council of Shan State

Rosenthal Report - A 2019 report documenting the findings of a "brief and independent" inquiry into the involvement of the UN in Myanmar from 2010 to 2018 conducted by Guatemalan Ambassador Gert Rosenthal and commissioned by the UN Secretary-General.

SAC-M - Special Advisory Council for Myanmar

SERRP - Socioeconomic Resilience and Response Plan

UN - United Nations

UNCT - United Nations Country Team

UN entities - The specialised agencies, funds, and programs that are part of the UN system but operate separately, each having their own area of work, leadership, and budget.

UNHCR - United Nations High Commissioner for Refugees

UNDP - United Nations Development Programme

UNICEF - United Nations Children's Fund

UN intergovernmental forums - Forums of UN member States that decide on the UN's policies, priorities and work, through a process of debating, negotiating, voting on and adopting resolutions. They include the General Assembly, the Security Council and the Human Rights Council.

UN Secretariat - A principle organ of the UN, headed by the Secretary-General, that carries out the day-to-day work of the UN as mandated by the General Assembly, the Security Council and other main intergovernmental forums.

UN system - The component bodies and entities that together comprise the UN.

UWSA - United Wa State Army

WFP - World Food Program



1. Introduction

“The Secretary-General reaffirms the unwavering support of the United Nations to the people of Myanmar in their pursuit of democracy, peace, human rights and the rule of law.”¹

That statement was issued on 1 February 2021, the day that the Myanmar military attempted to re-take full power over Myanmar by launching a coup. People in Myanmar took to the streets soon after in mass demonstrations to protest the coup, despite the military’s notorious brutality. A powerful peaceful resistance to the coup quickly mobilised in the days and weeks that followed. Among the most striking images from this time were those of protestors, mostly young people full of hope, carrying signs calling on the international community to invoke the Responsibility to Protect, or “R2P”. The Responsibility to Protect populations against the atrocities of genocide, war crimes, crimes against humanity and ethnic cleansing is a commitment that was unanimously adopted by the United Nations (UN) in 2005.² Knowing what might lie ahead, thousands of people in Myanmar’s streets held signs directed to the international community: “We Need R2P, We Want Democracy”, “Welcome R2P

¹ United Nations, “Statement attributable to the Spokesperson for the Secretary General - on Myanmar,” 31 January 2021, <https://www.un.org/sg/en/content/sg/statement/2021-01-31/statement-attributable-the-spokesperson-for-the-secretary-general-myanmar>.

² Special Advisory Council for Myanmar, “Briefing Paper: The Responsibility to Protect (R2P) in Myanmar,” 1 September 2021, <https://specialadvisorycouncil.org/2021/09/briefing-paper-the-responsibility-to-protect-r2p-in-myanmar/>.

in Myanmar”, “We Need R2P, Save Myanmar” and “R2P, Prevent/Protect, End Impunity”.³ Their hopes would be betrayed. The Secretary-General’s promise would not be kept.

The military has besieged Myanmar’s people for two and a half years for resisting its attempt to seize power. The military junta’s systematic targeting of civilians and routine commission of atrocities during that time have displaced two million people inside the country and put up to 20 million people in need of humanitarian assistance. The junta has destroyed Myanmar’s infrastructure, institutions and economy and threatens the security of the region. Its attacks have escalated in 2023 and the UN is still failing to respond.

This paper by the Special Advisory Council for Myanmar (SAC-M) is written from the perspective of SAC-M’s members as former UN mandate holders on Myanmar before, during and after the atrocities committed by the Myanmar military against the Rohingya in Myanmar in 2016 and 2017. This paper also draws on SAC-M’s experience of having closely followed events in Myanmar, and the international response to those events, in an independent capacity since February 2021. The UN failed to mitigate the events of 2016-17, despite having massively scaled-up its presence in Myanmar in the preceding years. The same cycle of failure in Myanmar has been repeated across the UN system since the coup began. This paper identifies how the UN is failing in its response to Myanmar so that lessons can be learned and changes made.

The UN failed to mitigate the military’s atrocities against the Rohingya. The same cycle of failure in Myanmar has been repeated across the UN system since the coup began.

³ Pawnday, S., and Scott, L., “The Yearlong Failure to Protect Myanmar’s People and What to Do Now,” The Diplomat, 1 February 2022, <https://thediplomat.com/2022/02/the-yearlong-failure-to-protect-myanmars-people-and-what-to-do-now/>.



Image: Reuters

2. Background and Context

2.1 The UN System

The UN system is large and complex. The way in which it functions is best understood when broken down into component parts: the UN intergovernmental forums, the UN Secretariat and the UN entities. Each part is interconnected and is intended to complement and reinforce the work of the system as a whole.⁴

The UN intergovernmental forums include the most important UN organs - the General Assembly and the Security Council. All 193 UN member States are represented in the General Assembly. The Security Council has five permanent member States (China, France,

the Russian Federation, the United Kingdom (UK) and the United States (US)) and ten non-permanent member States that are elected by the General Assembly to serve two-year terms. The Human Rights Council is another important intergovernmental forum. It is a subsidiary of the General Assembly and rotates its 47 elected members.⁵ These forums made up of UN member States – the intergovernmental forums – decide on the UN’s policies, priorities and work, through a process of debating, negotiating, voting on and adopting resolutions. The Security Council alone can pass and enforce binding resolutions.⁶

⁴ See United Nations, Main Bodies, <https://www.un.org/en/about-us/main-bodies>.

⁵ SAC-M, "Briefing Paper: The Response So Far of United Nations Political Bodies to the Unlawful Military Coup in Myanmar," 9 September 2021, <https://specialadvisorycouncil.org/2021/09/briefing-paper-the-response-so-far-of-united-nations-political-bodies-to-the-unlawful-military-coup-in-myanmar/>.

⁶ United Nations, Model United Nations - How Decisions are Made at the UN, <https://www.un.org/en/model-united-nations/how-decisions-are-made-un/#:~:text=Because%20the%20General%20Assembly's%20resolutions.possible%20implementation%20of%20GA%20decisions>.

The UN Secretariat, headed by the Secretary-General, carries out the day-to-day work of the UN as mandated by the General Assembly, the Security Council and other main intergovernmental forums. It has a range of offices and departments located in New York and worldwide.⁷ These include the Office for the Coordination of Humanitarian Affairs (OCHA) and the Office of the High Commissioner for Human Rights (OHCHR).

The UN entities are the specialised agencies, funds and programmes that are part of the UN system but operate separately, each having its own area of work, leadership and budget. Examples include the Food and Agriculture Organization (FAO), the United Nations Children's Fund (UNICEF), the United Nations Development

Programme (UNDP) and the United Nations High Commissioner for Refugees (UNHCR). They are supposed to coordinate and cooperate with the rest of the UN system with the aim of advancing the UN's goals, as defined by the intergovernmental forums.⁸

The UN Secretariat and UN entities implement various activities in countries worldwide.⁹ The UN country team (UNCT) in a particular country represents the UN Secretariat and all of the UN entities operating in that country. UNCTs currently exist in 132 countries. Each UNCT is led by a UN Resident Coordinator whose role is to ensure interagency coordination and to lead decision-making at the country level. The Resident Coordinator is the highest-ranking UN representative at the country level.¹⁰

2.2 The UN System and Myanmar Before the Coup

Two major events shaped UN involvement in Myanmar in the decade prior to the coup beginning. The first was a partial democratic transition initiated by the military junta that had ruled Myanmar from 1989, centred around the military-drafted 2008 Constitution and the establishment of a coalition government of both military and civilian authorities.¹¹ The second was the increasingly serious persecution of Myanmar's Rohingya people, including atrocities

and other incidents of violence committed primarily by the military and its security forces. The most significant of these occurred in 2012 in central Rakhine state and in 2016 and 2017 in northern Rakhine state. The so-called democratic transition and the violent persecution of the Rohingya changed the level and focus of UN engagement in Myanmar, but in contradictory and, at times, conflicting ways.

⁷ United Nations, Secretariat, <https://www.un.org/en/about-us/secretariat>.

⁸ United Nations, UN System, <https://www.un.org/en/about-us/un-system>.

⁹ United Nations Sustainable Development Group, How We Work, [https://unsdg.un.org/about/how-we-work#:~:text=The%20United%20Nations%20Country%20Team%20\(UNCT\)%20exists%20in%20132%20countries.and%20transition%20in%20programme%20countries](https://unsdg.un.org/about/how-we-work#:~:text=The%20United%20Nations%20Country%20Team%20(UNCT)%20exists%20in%20132%20countries.and%20transition%20in%20programme%20countries).

¹⁰ United Nations Sustainable Development Group, How We Work, [https://unsdg.un.org/about/how-we-work#:~:text=The%20United%20Nations%20Country%20Team%20\(UNCT\)%20exists%20in%20132%20countries.and%20transition%20in%20programme%20countries](https://unsdg.un.org/about/how-we-work#:~:text=The%20United%20Nations%20Country%20Team%20(UNCT)%20exists%20in%20132%20countries.and%20transition%20in%20programme%20countries).

¹¹ Prior military juntas had ruled Myanmar from 1962.

Myanmar has been on the agenda of the Security Council since 2006, even though the Security Council did not pass a single resolution on Myanmar until December 2022, other than a resolution in 1948 to admit Burma (as Myanmar was then called) to UN membership.¹² The Security Council's level of engagement on Myanmar increased after the 2012 violence in central Rakhine, and more so after the atrocities in 2016 and 2017. However, despite the gravity of those events, the Security Council could only agree on issuing a "Presidential Statement" that called on Myanmar to end excessive military force and intercommunal violence, stopping short of adopting a formal resolution.¹³

The General Assembly had also had Myanmar on its regular agenda for many years, but it had dropped it in 2015 in response to the ostensibly positive developments taking place as part of the military's democratic transition. The General Assembly reinstated Myanmar to its agenda in 2017, adopting a resolution that called for an end to the continuing military operations that led to the systematic violation and abuse of human

rights of the Rohingya community and for the perpetrators to be held accountable.¹⁴ It also requested the Secretary-General to appoint a Special Envoy on Myanmar, a post that continues today.¹⁵ The General Assembly adopted a second resolution on the situation in Myanmar in 2018 and an annual resolution on the situation of Rohingya and other minorities in Myanmar since then.¹⁶

The Human Rights Council currently adopts an annual resolution on the situation of human rights in Myanmar¹⁷ and an annual resolution on the situation of human rights of Rohingya and other minorities in Myanmar.¹⁸ These resolutions provide the mandate for the Special Rapporteur on the situation of human rights in Myanmar,¹⁹ a mandate that has existed since 1992, and the mandate for the Independent Investigative Mechanism for Myanmar (IIMM).²⁰ Following the 2016 violence in Rakhine, the Human Rights Council established the Independent International Fact-Finding Mission on Myanmar (FFM), which operated from 2017 to 2019.²¹ The members of SAC-M, during their respective

¹² Security Council Report, UN Documents for Myanmar, <https://www.securitycouncilreport.org/un-documents/myanmar/>.

¹³ United Nations, "Security Council Presidential Statement Calls on Myanmar to End Excessive Military Force, Intercommunal Violence in Rakhine State," Meetings Coverage SC/13055, 6 November 2017, <https://press.un.org/en/2017/sc13055.doc.htm>.

¹⁴ Situation of human rights in Myanmar, General Assembly Resolution 72/248, UN Doc. A/RES/72/248, 24 December 2017, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F72%2F248&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁵ There had been UN Special Envoys on Myanmar in earlier periods in Myanmar's history.

¹⁶ Most recently: Situation of human rights of Rohingya Muslims and other minorities in Myanmar, General Assembly Resolution 77/227, UN Doc. A/RES/77/227, 15 December 2022, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F77%2F227&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁷ Most recently: Situation of human rights in Myanmar, Human Rights Council Resolution A/HRC/RES/52/31, 4 April 2023, <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session52/res-dec-stat>.

¹⁸ Most recently: Situation of human rights of Rohingya Muslims and other minorities in Myanmar, Human Rights Council Resolution A/HRC/RES/53/26, 14 July 2023, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F53%2F26&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁹ See United Nations, Special Rapporteur on the situation of human rights in Myanmar - Overview, <https://www.ohchr.org/en/special-procedures/sr-myanmar>.

²⁰ See United Nations, Independent Investigative Mechanism for Myanmar, <https://iimm.un.org/>.

²¹ See United Nations Human Rights Council, HRC Mandated Investigations, Independent International Fact-Finding Mission on Myanmar, <https://www.ohchr.org/en/hr-bodies/hrc/myanmar-ffm/index>.

mandates as Special Rapporteur on Myanmar and members of the FFM, reported extensively on the 2016 and 2017 atrocities committed against the Rohingya.²² On the basis of those reports, those events are now subject to procedures at the International Court of Justice²³ and the International Criminal Court.²⁴ The US Government determined in March 2022 that the events constituted genocide.²⁵

The Special Rapporteur and the FFM also reported on human rights violations and the commission of possible war crimes and crimes against humanity against other ethnic and religious minorities in Myanmar by the military.²⁶ In response to their recommendations for accountability, the Human Rights Council established the IIMM in 2018.²⁷ The work of the IIMM is to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since

2011, to facilitate and expedite accountability in accordance with international law. The IIMM is not, however, a prosecutorial body and does not itself provide a jurisdiction where accountability proceedings can take place. There remains no international court with full jurisdiction to try international crimes committed in Myanmar.

UN entities have had a presence inside Myanmar since the 1950s and provided humanitarian assistance under a restricted mandate from 1993, working directly with communities and individuals.²⁸ The UN's presence in Myanmar increased after Cyclone Nargis in 2008, as did engagement between UN entities and the military. When the military initiated its partial democratic transition, the UN presence in Myanmar grew further still, with a major increase in development programming. By 2014, a full country programme with a UNCT of 18 entities had been established. A full list of UN

²² See FFM, "Report of the independent international fact-finding mission on Myanmar," UN Doc. A/HRC/39/64, 12 September 2018, https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/39/64; FFM, "Sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts," UN Doc. A/HRC/42/CRP.4, 22 August 2019, <https://reliefweb.int/report/myanmar/sexual-and-gender-based-violence-myanmar-and-gendered-impact-its-ethnic-conflicts>; and Special Rapporteur on Myanmar, "Report of the Special Rapporteur on the situation of human rights in Myanmar," UN Doc. A/72/382, 8 September 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/279/73/PDF/N1727973.pdf?OpenElement>.

²³ See Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar) [2019] ICJ Application, <https://www.icj-cij.org/case/178>.

²⁴ See Situation in the People's Republic of Bangladesh/Republic of the Union of Myanmar, ICC-01/19, <https://www.icc-cpi.int/bangladesh-myanmar>.

²⁵ Blinken, A., J., "Genocide, Crimes Against Humanity and Ethnic Cleansing of Rohingya in Burma," US Department of State, March 2021, <https://www.state.gov/burma-genocide/#:~:text=On%20March%2021%2C%202022%2C%20following.crimes%20against%20humanity%20against%20Rohingya>.

²⁶ All reports by the Special Rapporteur are available here: https://ap.ohchr.org/documents/dpage_e.aspx?m=89. All reports by the FFM are available here: <https://www.ohchr.org/en/hr-bodies/hrc/myanmar-ffm/index>.

²⁷ Situation of human rights of Rohingya Muslims and other minorities in Myanmar, Human Rights Council Resolution 39/2, UN Doc. A/HRC/RES/39/2, 27 September 2018, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2Fres%2F39%2F2&Language=E&DeviceType=Desktop&LangRequested=False>.

²⁸ Rosenthal, G., "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018", United Nations, 29 May 2019, <https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/Myanmar%20Report%20-%20May%202019.pdf>.

entities that currently comprise the UN country team is available in appendix A.²⁹ At the same time as the Human Rights Council was hearing warnings of ethnic cleansing in Rakhine state and reports of alleged war crimes in northern

Myanmar, UN agencies were moving closer to both sides of the coalition Government, the military and the civilian authorities, and scaling-up development assistance in coordination with them.

2.3 The Rosenthal Report

The nature of UN engagement in Myanmar in the immediate years preceding the 2016 and 2017 atrocities and the failure to mitigate those events were a concern to the members of SAC-M during their UN mandates. In their reports to the Human Rights Council they recommended that, as a matter of urgency, a comprehensive, independent inquiry be conducted into the involvement of the UN in Myanmar since 2011, with a view to establishing whether everything possible had been done to prevent or mitigate the unfolding crises, identifying lessons learned and good practices, making recommendations as appropriate, including on accountability, and enabling more effective work in future.³⁰

In response to those recommendations, the Secretary-General commissioned Guatemalan Ambassador Gert Rosenthal to conduct a “brief independent inquiry” into the involvement of the UN in Myanmar from

2010 to 2018, the findings of which were published in a 2019 report commonly referred to as “the Rosenthal Report”.³¹ The inquiry was limited, not the comprehensive review that was recommended. Nonetheless, the report concluded that during the period under inquiry the UN system was “relatively impotent to effectively work with the authorities of Myanmar to reverse the negative trends in the area of human rights and consolidate the positive trends in other areas”.³² The report found that this “unsatisfactory state of affairs” was an example of “systemic and structural failures” within and across the UN system.³³

The Rosenthal Report identified several areas of systemic and structural failure. First, and foremost, was the insufficient support from the UN’s intergovernmental forums for stronger action to address the events occurring in Rakhine state. A lack of collective political support on the

²⁹ A full list of UN entities that currently comprise the UN country team is available in appendix A. See also, United Nations, UN Entities in Myanmar, <https://myanmar.un.org/en/about/un-entities-in-country>.

³⁰ Special Rapporteur on Myanmar, “Report of the Special Rapporteur on the situation of human rights in Myanmar,” UN Doc. A/HRC/37/70, 9 March 2018, <https://reliefweb.int/report/myanmar/report-special-rapporteur-situation-human-rights-myanmar-ahrc3770-advance-unedited> and FFM, Report of the independent international fact-finding mission on Myanmar.

³¹ Rosenthal, G., “A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018”.

³² *Ibid.* p. 23.

³³ *Ibid.* p. 24.

part of the UN membership and division among the permanent members of the Security Council meant that, in Ambassador Rosenthal's view, it was not only the UN staff and leadership that did not show its finest hour in addressing the events in Rakhine from 2012 to 2017.³⁴ The UN member States collectively also bore part of the responsibility for the UN's failure, failing to recognise the severity of what was occurring and continuing to pursue a conciliatory approach with the Myanmar military and civilian authorities.

Another major failure identified in the Rosenthal Report was the absence of a clear, unifying strategy on the part of the UN Secretariat, specifically with opinion divided on whether quiet diplomacy or outspoken advocacy was the best course of action to pursue.³⁵ This translated down to a lack of systematic and unified analysis from the field, with the two competing strategies relying on different sources of information on the ground for the data and analysis that went into their own interpretation of events.³⁶ Some official reports suggested that the situation was stable, while others warned of impending disaster, a

symptom of various people in UN headquarters being told what they wanted to hear, not what they needed to know, concluded Rosenthal. The most egregious examples of these were "instances of deliberately de-dramatising events in reports prepared by the Resident Coordinator, as well as instances of various UN entities, including OCHA, not sharing their analysis with other entities of the UN system".³⁷

The Rosenthal Report made a series of recommendations, all of which were accepted by the UN Secretary-General, along with the report's findings, which were seen as relevant not just for the UN's approach in Myanmar but to other human rights crises as well. Subsequently, in early 2020, the Secretary-General launched a "Call to Action for Human Rights" to reaffirm the importance of human rights to the UN.³⁸ The Call to Action outlined seven priority areas, including "rights in times of crisis", which made specific reference to the Rosenthal Report and the need to develop a "UN Agenda for Protection". However, three years later, the Agenda for Protection has still not been finalised.³⁹

³⁴ *Ibid.* p. 14.

³⁵ *Ibid.* p. 16.

³⁶ *Ibid.* p. 23.

³⁷ *Ibid.* p. 23.

³⁸ United Nations, Secretary-General's Call to Action for Human Rights, <https://www.un.org/en/content/action-for-human-rights/index.shtml#~:text=The%2520Call%2520to%2520Action%2520is,%252C%2520safe%252C%2520and%2520peaceful%2520societies>.

³⁹ Lilly, D., 2022, "The UN Agenda for Protection: Policy, Strategic, and Operational Priorities," The International Peace Institute, <https://www.ipinst.org/2022/03/the-un-agenda-for-protection-policy-strategic-and-operational-priorities#:~:text=Setting%20out%20a%20common%20framework,plan%20and%20accountability%20framework%3B%20and>.

2.4 The Situation in Myanmar Since the Coup Began

De Jure Status of Government

The situation in Myanmar has changed significantly since 2019, when the Rosenthal Report was published. On 1 February 2021, the Myanmar military arbitrarily detained the President of Myanmar, U Win Myint, and the State Counsellor, Daw Aung San Suu Kyi, along with many of Myanmar's elected representatives. It obstructed the opening of parliament, declared a state of emergency and announced that all executive, legislative and judicial powers had been transferred to the Commander-in-Chief of the military, Min Aung Hlaing, who has led the military since 2011.

The military's stated justification and the method used for declaring the state of emergency were inconsistent with the provisions on state of emergency in the 2008 Constitution and with Myanmar law.⁴⁰ The state of emergency itself and the junta appointed by the military on the basis of the state of emergency, the so-called "State Administration Council", are, therefore, unlawful. The military and its leaders and members remain Myanmar state actors and, for that reason, have particular obligations under international human rights and humanitarian law. The military junta, however, does not exist in law and has no legitimacy. It is not the lawful government of

Myanmar, and the Commander-in-Chief of the military is not the head of government or the head of state.

The military's actions on 1 February 2021 were not only unlawful; they were also unsuccessful. Members of Myanmar's elected parliament convened in the form of the Committee Representing the Pyidaungsu Hluttaw (CRPH) and, in April 2021, duly appointed a new government on the basis of Myanmar's November 2020 general elections, the National Unity Government (NUG). President U Win Myint and State Counsellor Daw Aung San Suu Kyi were reappointed to their respective positions, despite their continuing detention by the junta. Duwa Lashi La was appointed Acting President,⁴¹ Mahn Winn Khaing Thann was appointed Prime Minister,⁴² and Daw Zin Mar Aung was appointed Minister of Foreign Affairs.⁴³ Exercising an overwhelming democratic mandate, the NUG is the legitimate Government of Myanmar and the legitimate representative of Myanmar in international forums.

Resistance and Revolution

The military junta failed to consolidate power after the coup began due to the immediate and widespread adoption of non-violent forms

⁴⁰ SAC-M, "Briefing Paper: Recognition of Governments," 22 August 2021, <https://specialadvisorycouncil.org/2021/08/briefing-paper-recognition-of-governments/>.

⁴¹ See National Unity Government, Acting President Duwa Lashi La, <https://gov.nugmyanmar.org/acting-president-duwa-lashi-la/>.

⁴² See National Unity Government, Prime Minister Mahn Winn Khaing Thann, <https://gov.nugmyanmar.org/prime-minister-mahn-winn-khaing-thann/>.

⁴³ See National Unity Government, Union Minister of Foreign Affairs, <https://mofa.nugmyanmar.org/h-e-daw-zin-mar-aung/>.

of resistance by the Myanmar people. These include the Civil Disobedience Movement (CDM) in which upwards of 400,000 civil servants simultaneously went on strike, as well as private sector strikes, boycotts, and mass protests and demonstrations in Myanmar's main cities.⁴⁴ The junta responded to the peaceful resistance with increasing brutality over the following weeks and months.⁴⁵ In April 2021, a group of ten of Myanmar's ethnic armed organisations that had been part of a nationwide ceasefire agreement with the military, including the Karen National Union (KNU), Restoration Council of Shan State (RCSS) and Chin National Front (CNF), issued a joint statement condemning the military's violent crackdown on anti-coup protestors, welcomed moves by the CRPH and pledged support for the CDM.⁴⁶ The junta subsequently extended its attacks and began launching airstrikes in Myanmar's ethnic states.⁴⁷

As the junta's violent human rights violations escalated in scope and intensity, armed defence became necessary and eventually proliferated across Myanmar. The Acting President announced a "people's defensive war" against the junta on 7 September 2021, calling on people

to take up arms against junta targets and assets to protect their lives and property.⁴⁸ The junta has since routinely committed mass atrocities in an effort to crush the resistance. As it has done in the past, the junta is seeking to advance its military and political objectives through a campaign of terror against civilians, involving massacre, rape, torture, detention and arson, through ground operations and airstrikes.⁴⁹ Villages have been bombed and burned and an estimated 75,000 dwellings destroyed.⁵⁰ The junta's strategy also involves the systematic denial of food, medicine, shelter and other basic human needs to entire regions, including in the aftermath of Cyclone Mocha in 2023.

Ethnic armed organisations (now called Ethnic Resistance Organisations (EROs)) and newly formed "defence forces", including the People's Defence Forces (PDFs), have responded with armed resistance to the military junta. Most PDFs were either formed by the NUG or are closely associated with it. Other "local defence forces" are more autonomous or affiliated with specific ethnic groups. The NUG has established a Central Command and Coordination Committee with the Kachin Independence Army (KIA),

⁴⁴ See Progressive Voice et al., "Civil Disobedience Movement: A Foundation Of Myanmar's Spring Revolution and Force Behind Military's Failed Coup," May 2023, <https://progressivevoicemyanmar.org/2023/05/25/civil-disobedience-movement-a-foundation-of-myanmars-spring-revolution-and-force-behind-militarys-failed-coup/>.

⁴⁵ Fortify Rights, "Nowhere Is Safe – The Myanmar Junta's Crimes Against Humanity Following the Coup d'Etat," 24 March 2022, <https://www.fortifyrights.org/mya-inv-rep-2022-03-24/>.

⁴⁶ Peace Process Steering Team, "The Statement of Peace Process Steering Team (PPST) Meeting (14/ 2021)," 4 April 2021, <https://ncaseao.org/activity-detail/the-statement-of-peace-process-steering-team-ppst-meeting-14-2021>.

⁴⁷ SAC-M, "SAC-M: Myanmar Military Waging Nationwide Offensives To Crush Ethnic Support For Anti-Coup Resistance," 9 April 2021, <https://specialadvisorycouncil.org/2021/04/sac-m-myanmar-military-waging-nationwide-offensives-to-crush-ethnic-support-for-anti-coup-resistance/>.

⁴⁸ "Myanmar shadow government calls for uprising against military," Al Jazeera, 7 September 2021, <https://www.aljazeera.com/news/2021/9/7/myanmar-shadow-government-launches-peoples-defensive-war>.

⁴⁹ SAC-M, "Briefing Paper: The Myanmar Military is a Terrorist Organisation Under Law," 14 December 2021, <https://specialadvisorycouncil.org/2021/12/briefing-paper-the-myanmar-military-is-a-terrorist-organisation-under-law/>.

⁵⁰ OCHA, "Myanmar Humanitarian Update No. 32," 8 September 2023, <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-32-8-september-2023>.

Karenni National Progressive Party (KNPP), CNF and the All-Burma Students' Democratic Front, and a Joint Command Coordination with the KNU. These bodies constitute the central command system for the armed resistance.⁵¹ Three or four other EROs are collaborating more quietly with the NUG. There are up to a dozen more that oppose the junta's attempted rule. A large proportion of the attacks on junta forces involve direct collaboration between EROs and one or more PDFs, with the overall trend being increased collaboration over time,⁵² although clashes between groups do occur too.

The political side of the revolution is shaped by an alliance of diverse elements of the population – elected leaders, political parties, EROs, civil society, striking civil servants – that form a complex structure of interim governance to guide a movement that aims to establish a new federal democracy.⁵³ At the centre of this alliance is the NUG and the broader, more representative National Unity Consultative Council (NUCC).⁵⁴ The NUCC has laid down an ambitious vision for a federal democratic system of government. To this end, a “Federal Democracy Charter” (FDC) has been adopted to provide a roadmap for the revolution and lay the foundation for a future

Myanmar – a “peaceful federal democratic union that guarantees freedom, justice and equality”.⁵⁵ The NUCC faces many complex challenges but is the most inclusive political body in Myanmar's history and the NUG is the most inclusive government.

De Facto Status of Government

Myanmar's territory is held under three broad categories of control: the military and its proxy militia; the NUG-alliance of resistance groups; and more autonomous groups, such as the Arakan Army (AA) or the United Wa State Army (UWSA). Territorial control is one element of “effective control” as defined in international law. Effective control in this context means the extent to which an entity may be considered to have “de facto government” or “de facto authority” status, based on whether it is a government in fact, if not in law. The acceptance of the population, the capacity to administer the functions of government and a degree of permanency are also required for an entity to claim to have effective control of the state, in addition to territorial control.⁵⁶

Over the two and a half years since the attempted coup, armed resistance has been effective and

⁵¹ Ye Myo Hein, “Understanding the People's Defense Forces in Myanmar,” United States Institute of Peace, 3 November 2022, <https://www.usip.org/publications/2022/11/understanding-peoples-defense-forces-myanmar>.

⁵² Naye Thit, “Myanmar Junta Escalates War Crimes as Resistance Gains Ground in July,” The Irrawaddy, 1 August 2023, <https://www.irrawaddy.com/opinion/analysis/myanmar-junta-escalates-war-crimes-as-resistance-gains-ground-in-july.html>.

⁵³ See Gun Maw; Yee Mon; and Min Ko Naing, “Like Ukraine, Myanmar Deserves International Aid,” USIP, 13 June 2023, <https://www.usip.org/publications/2023/06/ukraine-myanmar-deserves-international-aid>.

⁵⁴ See National Unity Consultative Council, <https://nucc-federal.org/>.

⁵⁵ NUCC, “Federal Democracy Charter Part - I Declaration of the Federal Democratic Union 2021,” 31 March 2021, p. 9, <https://nucc-federal.org/wp-content/uploads/2022/06/FDC-Part-1-En-01042022.pdf>.

⁵⁶ H. Lauterpacht, Recognition of Governments, Columbia Law Review, (pp. 825-830), Volume XLV, No. 6, November 1945. Available at: Recognition of Governments: I on JSTOR. See also Tinoco Claims Arbitration (Great Britain v. Costa Rica), UN Rep. International Arbitration Awards 369, 1923, <https://www.jstor.org/stable/1117910>.

the junta does not have control of the majority of Myanmar's territory.⁵⁷ In July 2023, junta targets were hit by daily attacks in every part of the country, including close to its capital in Naypyitaw and in the main commercial centres of Yangon and Mandalay.⁵⁸ By the end of August 2023, the junta was reported to have shifted from an offensive to defensive posture in key conflict areas.⁵⁹ Junta troops cannot move freely around the country outside lower central Myanmar and in some key towns and cities.⁶⁰ The junta has resorted to massively escalating its use of airstrikes as a result.⁶¹ The population manifestly rejects the junta, evidenced by the entrenched, widespread and continuing mass peaceful and armed resistance to it. The minimum requirement for any illegitimate seizure of state power to be complete is for the population to eventually submit, even if that is achieved by force. That has not happened in Myanmar, two and a half years into the coup. The junta's actions in its attempt to seize control of the central state apparatus by force, combined with the impact of the CDM and boycotts, have brought the central state administration to near-

total collapse, leaving the junta incapable of governing.⁶² They have destroyed Myanmar's economy. In short, the junta does not meet the legal criteria for having effective control of Myanmar. This assessment was reported in greater detail by SAC-M in September 2022 and by the UN Special Rapporteur in January 2023. The junta is not the legitimate, or de jure, government and it cannot be considered a de facto government or equivalent authority.

Territories in ethnic states held by NUG-allied and non-aligned EROs, that existed before the coup, have expanded. The PDFs and local defence forces are also contesting territory in the west, northwest, east and southeast of Myanmar, as well as in central Sagaing and Magway regions – the Bamar heartlands where the military has traditionally been unchallenged.⁶³ The functions of local government in these territories are administered by a growing network of ERO governance departments, many of which have existed for decades, and newer community-led administrative bodies that are being formed in areas where there is little or no traditional ERO

⁵⁷ See SAC-M, "Effective Control in Myanmar," 5 September 2022, <https://specialadvisorycouncil.org/2022/09/briefing-effective-control-myanmar/> and Conference room paper of the Special Rapporteur on the situation of human rights in Myanmar, "Illegal and Illegitimate: Examining the Myanmar military's claim as the Government of Myanmar and the international response," UN Doc. A/HRC/52/CRP.2., 31 January 2023, <https://www.ohchr.org/sites/default/files/documents/countries/mmm/2023-01-27/crp-sr-myanmar-2023-01-31.pdf>.

⁵⁸ Nayt Thit, "Myanmar Junta Escalates War Crimes as Resistance Gains Ground in July," The Irrawaddy, 1 August 2023, <https://www.irrawaddy.com/opinion/analysis/myanmar-junta-escalates-war-crimes-as-resistance-gains-ground-in-july.html>.

⁵⁹ Nayt Thit, "Myanmar Junta Goes on the Defensive in August, Resistance Gains Ground," The Irrawaddy, 31 August 2023, <https://www.irrawaddy.com/opinion/analysis/myanmar-junta-goes-on-the-defensive-in-august-resistance-gains-ground.html>.

⁶⁰ Free Burma Rangers, "Situation Maps: The Burma Army's Authority Deteriorates as it Struggles to Maintain Control within the Country," 24 April 2023, <https://www.freeburmarangers.org/2023/04/24/situation-maps-the-burma-armys-authority-deteriorates-as-it-struggles-to-maintain-control-within-the-country/>.

⁶¹ Willis, H., Cai, W., "The Country That Bombs Its Own People," The New York Times, 31 July 2023, <https://www.nytimes.com/interactive/2023/07/31/world/asia/myanmar-military.html>.

⁶² SAC-M, "Effective Control in Myanmar," 5 September 2022.

⁶³ Nayt Thit, "Myanmar Junta Escalates War Crimes as Resistance Gains Ground in July," The Irrawaddy, 1 August 2023.

presence, both in direct coordination with the NUG and EROs and independently. These structures have been a lifeline for people in Myanmar since the coup began. They are also the manifestation of the ground up political project to build a federal democratic Myanmar, outside military control, that reflects the diversity and self-determination

of Myanmar's peoples. While this decentralised network does not yet meet the legal criteria for having effective control of the country, these bodies and systems are becoming increasingly formalised and are an established fact of today's Myanmar. There is not just one de facto authority or state actor in Myanmar – there are many.

The junta is not the legitimate, or de jure, government and it cannot be considered a de facto government or equivalent authority.



Image: Twitter



Image: APHR

3. The UN Response Since the Coup

3.1 UN Intergovernmental Forums

The Security Council

The Security Council was the first of the main UN intergovernmental forums to respond to the attempted coup, issuing a Press Statement on 4 February 2021 that expressed deep concern at the declaration of the state of emergency by the military and the arbitrary detention of members of the Government, including President U Win Myint, State Counsellor Daw Aung San Suu Kyi and others.⁶⁴ The use of “military”, “President” and “State Counsellor” made clear that the Security Council did not recognise the junta as the de jure or de facto government of Myanmar. On 10 March 2021, a Security Council Presidential Statement reiterated concern about the arbitrary detention of members of the Government, including the President and the State Counsellor.⁶⁵

Then, almost two years later, in December 2022, the Security Council finally adopted an historic resolution on Myanmar, Security Council Resolution 2669.⁶⁶ The resolution is unprecedented. It is the

⁶⁴ United Nations, “Security Council Press Statement on Situation in Myanmar,” UN Doc. SC/14430, 4 February 2021, <https://press.un.org/en/2021/sc14430.doc.htm>.

⁶⁵ United Nations, “Issuing Presidential Statement, Security Council Expresses Deep Concern about Developments in Myanmar,” UN Doc. SC/14462, 10 March 2021, <https://press.un.org/en/2021/sc14462.doc.htm>.

⁶⁶ Security Council Resolution 2669 (2022) [Myanmar], UN Doc. S/RES/2669 (2022), 21 December 2022, [https://undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F2669\(2022\)&Language=E&DeviceType=Desktop&LangRequested=False](https://undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F2669(2022)&Language=E&DeviceType=Desktop&LangRequested=False).

first time that the UN Security Council has reached agreement on a resolution on Myanmar, meaning it was not vetoed by any of the five permanent members, notably neither Russia nor China. The resolution continues to recognise President U Win Myint and State Counsellor Daw Aung San Suu Kyi, once again explicitly rejecting the junta's claim to being the legitimate government. Moreover, the resolution refers to the military as the military only, not as military authorities or any other term that would indicate recognition on the part of the Security Council of the military having the status of de facto authorities.

The first Operative Paragraph of the resolution “demands an immediate end to all forms of violence throughout the country, and urges restraint and de-escalation of tensions”.⁶⁷ The use of “demand” by the Security Council is considered binding under international law.⁶⁸ However, the resolution fails to attribute primary responsibility for the violence to the junta and does not include any measures for the Security Council to act to enforce its binding demand. In the ninth Operative Paragraph of the resolution the Security Council “reiterates the necessity for full, safe and unhindered humanitarian access, and underlines the need for scaled up humanitarian assistance to all people in need in Myanmar and to ensure the full protection, safety and security of humanitarian and medical personnel”.⁶⁹ But again, the resolution does not include any concrete means by which this could be achieved. The remainder of Resolution 2669 is then primarily concerned with emphasising the central role of the Association of Southeast Asian Nations (ASEAN) in responding to the crisis.

The General Assembly

The General Assembly passed a resolution condemning the coup on 18 June 2021. Although not legally binding, the resolution is a politically significant expression supported by 119 of the 193 UN member States. The resolution expressed serious concern about the actions taken by the military against the elected civilian Government and the arbitrary detention of President U Win Myint and State Counsellor Daw Aung San Suu Kyi.⁷⁰ The resolution also called upon States to prevent the flow of arms into Myanmar.⁷¹

The General Assembly's continuing rejection of the junta has been made clear repeatedly since the adoption of this resolution, by its refusal to accept the credentials of a junta-appointed representative to the UN. After the opening of the 76th annual session of the General Assembly in September 2021,

⁶⁷ Security Council Resolution 2669 (2022) [Myanmar], operative para. 1.

⁶⁸ See “Legal Consequences For States Of The Continued Presence Of South Africa In Namibia (South West Africa) Notwithstanding Security Council Resolution 276 (1970),” Advisory Opinion Of 21 June 1971, International Court of Justice, <https://www.icj-cij.org/public/files/case-related/53/053-19710621-ADV-01-00-EN.pdf>.

⁶⁹ Security Council Resolution 2669 (2022) [Myanmar], operative para. 9.

⁷⁰ The situation in Myanmar, UN General Assembly Resolution 75/287, UN Doc. A/75/287, 18 June 2021, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F75%2F287&Language=E&DeviceType=Desktop&LangRequested=False>.

⁷¹ UN General Assembly Resolution 75/287 (18 June 2021), operative para. 7.

when the UN Credentials Committee convened to consider the credentials of member States' representatives, Myanmar's incumbent Ambassador Kyaw Moe Tun, who accepts the NUG as the legitimate Government of Myanmar, was permitted to remain in his seat with the right to vote, speak and circulate documents as the representative of Myanmar.⁷² The Credentials Committee effectively rejected the credentials of the junta and effectively allowed the NUG to represent Myanmar at the UN. The Credentials Committee came to the same conclusion following the start of the 77th session of the UN General Assembly in September 2022, and Ambassador Kyaw Moe Tun remains the representative of Myanmar on behalf of the NUG.⁷³

The General Assembly's most recent annual resolution on the situation of Rohingya and other minorities in Myanmar was adopted in December 2022. It makes a series of calls towards ending the persecution of Rohingya and other minorities in Myanmar but, like the Security Council, at no point includes any language that indicates recognition of the junta as the de facto authorities. The military is referred to as the armed forces of Myanmar or the military only, and it is explicitly distinguished from being recognised as representing the state of Myanmar, by calls in the resolution being directed to "Myanmar or the Myanmar Military where applicable".⁷⁴ The resolution also refers directly to the NUG, by acknowledging pronouncements of the NUG articulated in its "Policy position on the Rohingya in Rakhine State".⁷⁵ The resolution goes on to request that the Secretary-General extend the appointment of his Special Envoy on Myanmar for another year and to call the continued attention of the Security Council to Myanmar with concrete recommendations for action, including towards ensuring accountability for those responsible for mass atrocities and human rights violations and abuses.⁷⁶

The General Assembly's continuing rejection of the junta has been made clear by its repeated refusal to accept the credentials of a junta-appointed representative.

⁷² See See Colum Lynch, Robbie Gramer, and Jack Detsch, "U.S. and China Reach Deal to Block Myanmar's Junta From U.N.," Foreign Policy, 13 September 2021, <https://foreignpolicy.com/2021/09/13/myanmar-united-nations-china-biden-general-assembly/>.

⁷³ See Report of the Credentials Committee, UN Doc. A/77/600, 12 December 2022, <https://undocs.org/Home/Mobile?FinalSymbol=A%2F77%2F600&Language=F&DeviceType=Desktop&LangRequested=False>.

⁷⁴ UN General Assembly Resolution 77/227 (2022), operative para. 14.

⁷⁵ UN General Assembly Resolution, UN Doc. A/RES/77/227 (2022); see also NUG, "Policy Position on the Rohingya in Rakhine State," 3 June 2021.

⁷⁶ UN General Assembly Resolution 77/227 (2022), operative para. 28.

The Human Rights Council

The Human Rights Council convened an emergency Special Session on 12 February 2021 in response to the coup. At its conclusion, the Council passed a resolution calling for the coup to be reversed and the release of all persons arbitrarily detained, including President U Win Myint and State Counsellor Daw Aung San Suu Kyi.⁷⁷

The Human Rights Council has adopted two further resolutions on Myanmar generally since then, the most recent in March 2023 by consensus.⁷⁸ It condemns the continuing violence in Myanmar and attributes responsibility for it to the military throughout. Like the Security Council and General Assembly, it at no point suggests that the military constitutes either the *de jure* or *de facto* authorities of Myanmar and continues to recognise the authority of President U Win Myint and State Counsellor Daw Aung San Suu Kyi. However, securing consensus came at the cost of removing important language that called on States to cease the export and sale of arms and dual-use and strategic trade items to Myanmar, falling short of the General Assembly's June 2021 call for States to prevent the flow of arms into Myanmar. As with the most recent General Assembly resolution, the March 2023 Human Rights Council resolution refers directly to the NUG⁷⁹ by welcoming the pronouncements articulated in the policy position on the Rohingya in Rakhine State,⁸⁰ and requests the Secretary-General to call the continued attention of the Security Council to the situation in Myanmar and to continue as necessary with concrete recommendations for action.⁸¹ The resolution also invites the Secretary-General to offer "relevant recommendations to enable more effective work in the future and to strengthen the prevention capacity of the United Nations system" in follow-up to the Rosenthal Report.⁸²

The Human Rights Council's most recent resolution on the human rights of Rohingya and other minorities in Myanmar was adopted in July 2023, also by consensus. However, the resolution caused some division in the Council. Operative Paragraph 32 urges "Myanmar" to immediately commence the voluntary, safe, dignified and sustainable repatriation of all forcibly displaced Rohingya from

⁷⁷ Human rights implications of the crisis in Myanmar, Human Rights Council Resolution S-29/1, UN Doc. A/HRC/RES/S-29/1, 12 February 2021, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2FS-29%2F1&Language=E&DeviceType=Desktop&LangRequested=False>.

⁷⁸ Situation of human rights in Myanmar, Human Rights Council Resolution 52/L.19, UN Doc. A/HRC/52/L.19, 24 March 2023, <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session52/res-dec-stat>.

⁷⁹ The Human Rights Council resolution differed slightly from that of the General Assembly by placing National Unity Government in quotation marks.

⁸⁰ UN Human Rights Council resolution, UN Doc. A/HRC/52/L.19 (March 2023), preambular para. 32.

⁸¹ *Ibid.*, operative para. 52.

⁸² *Ibid.*, operative para. 51.

Bangladesh.⁸³ The inclusion contradicts earlier statements in the resolution that recognise the lack of tangible progress in creating conditions in Myanmar conducive to repatriation.⁸⁴ Representatives of the European Union, the UK and the US explained their votes during adoption of the resolution, expressing opposition to the immediate commencement of repatriation as conducive conditions do not yet exist, but affirming that they had joined the consensus in the interest of ensuring constructive efforts among all Council members towards a resolution to the crisis.⁸⁵

All Rhetoric, No Action

The Rosenthal Report found that insufficient support from the UN intergovernmental forums for stronger action on Myanmar from 2010 to 2018 was foremost among the reasons for the UN failing to mitigate the mass atrocities of 2016 and 2017. Division among the permanent members of the Security Council, failure to recognise the severity of what was occurring, conciliatory approaches towards the Myanmar civilian and military authorities and a lack of collective support for action from the UN membership were all considered key contributing factors.

That situation has changed in some important ways following the attempted coup. The permanent five members of the Security Council are, to some degree, currently less divided on Myanmar, having finally passed a resolution on the issue for the first time. This trajectory within the Security Council may also represent a greater recognition of the severity of the crisis, consistent with the hardening positions of the General Assembly and the Human Rights Council over time. There has been no attempt by any of the intergovernmental forums to recognise or deal with the junta. They are all explicit in their rejection of the junta and there is consensus as to its status: it is not the legitimate government and it is not the de facto authorities of Myanmar. At the same time, there is tacit acceptance from the General Assembly of the NUG representing Myanmar at the UN and, more recently, positive acknowledgement of the NUG's political role in Myanmar from the General Assembly and Human Rights Council.

While these may be positive developments, they are not enough. Following the Security Council's demand for an immediate end to all forms of violence, the scale and intensity of the junta's violence against the Myanmar people have increased. On 11 April 2023, the junta committed its single most deadly attack on civilians since the coup began, when it bombed the opening ceremony of a community administrative office in Pazi Gyi village in Sagaing region, killing at least 157 people.⁸⁶ In

⁸³ Situation of human rights of Rohingya Muslims and other minorities in Myanmar, Human Rights Council Resolution 53/26, UN Doc. A/HRC/53/26, 6 July 2023, operative para. 32, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F53%2F26&Language=E&DeviceType=Desktop&LangRequested=False>.

⁸⁴ UN Human Rights Council Resolution 53/26 (6 July 2023), preambular para. 9.

⁸⁵ See UN Web TV, A/HRC/53/L.30/Rev.1 Vote Item 2 - 37th Meeting, 53rd Regular Session Human Rights Council [Video], 14 July 2023, <https://media.un.org/en/asset/k1v/k1v0x28suu>.

⁸⁶ SAC-M, "ASEAN Act Now: Protect The Myanmar People From Atrocities By The Military Junta," 12 April 2023, <https://specialadvisorycouncil.org/2023/04/un-asean-myanmar-junta-atrocities/>.

August 2023, the IIMM issued its annual report citing “strong evidence that the Myanmar military and its affiliate militias are committing increasingly frequent and brazen war crimes, according to information collected and analysed by the Mechanism”.⁸⁷ The most egregious failure of UN member States identified by Ambassador Rosenthal, and of the Security Council in particular, remains: the failure to move beyond rhetoric and mandate desperately needed action to protect the Myanmar people.

3.2 The UN Country Team

The Basis of Relations

Prior to the coup, the UN entities that comprise the Myanmar UNCT were engaged in a range of development, humanitarian, peacebuilding and other initiatives in Myanmar, including programmes that provided technical and financial support directly to government ministries and departments. In response to the events of 1 February 2021, the UNCT recognised the need to reconfigure this approach and adopted a set of “principles of engagement” that required a review of all UN programming in Myanmar.⁸⁸



Image: The Irrawaddy

The principles provided that programmes aimed at strengthening government institutions and providing policy advice would be “paused until further notice”. With respect to contact with the junta, the principles stipulated:

“Official meetings and public events with senior officials newly appointed by the de facto authorities should be avoided. Communications to the authorities should be addressed to the institutions and not the appointees themselves. In case the UN is invited to such meetings, appropriate representation needs to be consulted with the Resident/Humanitarian Coordinator who will decide if further consultations with UN Headquarters are necessary.”

⁸⁷ IIMM, “Press Release: War crimes by Myanmar military are more frequent and brazen – Myanmar Mechanism Annual Report,” 8 August 2023, <https://iimm.un.org/press-release-war-crimes-by-myanmar-military-are-more-frequent-and-brazen-myanmar-mechanism-annual-report/>.

⁸⁸ The principles of engagement have not been released. They were updated at the beginning of 2022.

The fundamental problem with the principles of engagement is that they designate the junta as “the de facto authorities”. This is a legal term with a specific meaning – it means that the UNCT considers the junta to be the Government of Myanmar in fact, even if it is not the legitimate Government in law. As has been explained above, this designation is factually and legally inaccurate. It is also not consistent with the decisions of the UN intergovernmental forums on Myanmar, which have avoided using this language in relation to the junta in their resolutions.

The junta is not the de facto authority of Myanmar. It is merely a junta that is currently in control of some parts of the country. The real de facto authorities in Myanmar in rightful possession of public legitimacy, and therefore of power, are the NUG (which is also the de jure authority), the EROs and other entities in charge over ever widening swaths of territories and sustainably and effectively administering local governance and social services.

The practical implications of designating the junta as “the de facto authorities” in the principles of engagement are that it overstates the junta’s capacity and makes the UNCT blind to the aims and efforts of the democratic resistance which actively rejects the junta and junta institutions, resists the return of a junta-controlled state and is developing alternative public institutions and governmental administration in resistance territory. This has had serious implications for the UN’s efficacy and credibility in Myanmar.

UN entities’ actions in programme countries are meant to be guided by internationally recognised principles of humanity, neutrality, impartiality and independence. The principles of engagement for Myanmar seek to depoliticise UNCT engagement with the junta. But, by failing to accurately reflect the actual situation on the ground as it pertains to governance, security and social service provision, the principles of engagement bind UN entities to the junta, apparently preventing them from navigating engagement in Myanmar in a humane, neutral, impartial and independent manner.

Meetings and Cooperation

According to SAC-M’s records, at least 66 “official” meetings between the junta and UN representatives have been publicly reported as having taken place from the coup’s beginning until the date of this report, despite the principles of engagement warning against such activities (see Appendix B). Most of these meetings are reported in junta-controlled media in a way that attempts to promote the legitimacy of the junta, describing junta representatives present at the meetings as “Ministers” and other “Government” officials. The meetings in SAC-M’s records date back as far as 2021 and include virtual meetings, junta attendance at international conferences and high-level meetings in Naypyitaw.

The most recent was a visit to Naypyitaw by the head of OCHA, the Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, in August 2023, the most

senior UN official to visit Myanmar since the coup began.⁸⁹ In a statement released by OCHA following the visit, Min Aung Hlaing was referred to as the “State Administration Council Chairman”, his chosen title as head of the junta. The reference deviated from the language used by the General Assembly, Security Council and Human Rights Council. It acknowledged the unlawful junta without qualification and conferred a status on Min Aung Hlaing beyond that of his role as Commander-in-Chief of the military. Following the visit, 514 civil society organisations published an open letter expressing concern that the visit lacked substantive achievements and was used as propaganda by the military junta.⁹⁰ The purpose of the visit was to secure greater humanitarian access for UN entities. When asked by the representative of the European Union during the 54th Regular Session of the Human Rights Council on 26 September 2023 whether there was any indication that UN engagement [with the junta] had led to any increased access on the ground, the High Commissioner for Human Rights responded, with specific reference to the Emergency Relief Coordinator’s visit, that so far, this engagement has not changed the military’s approach on humanitarian access.⁹¹

Presenting Credentials

The issue of UN engagement with the junta became particularly contentious in 2022 when junta-controlled media published photos of UN officials posing with junta representatives after presenting them with “credentials”. The presentation of credentials is a formal process by which a representative of a foreign state or international organisation confirms their status with a host government or relevant authority. This process of accreditation is usually required to ensure the observation of, for example, diplomatic privileges and immunities. Accreditation of UN representatives and signed agreements outlining activities to be implemented are required for UN entities to operate in programme countries.

The UN Secretariat’s Department of Political and Peacebuilding Affairs (DPPA) and Office of Legal Affairs (OLA) issued guidance on accreditation for UN representatives in Myanmar



⁸⁹ OCHA, “Lack of access and funding hampering aid to 18 million people in Myanmar, UN Humanitarian Chief Martin Griffiths says following visit to the country,” 17 August 2023, <https://www.unocha.org/publications/report/myanmar/lack-access-and-funding-hampering-aid-18-million-people-myanmar-un-humanitarian-chief-martin-griffiths-says-following-visit-country>.

⁹⁰ Progressive Voice et al., “Civil society statement on the visit of Head of OCHA to Myanmar,” 22 August 2023, <https://progressivevoicemyanmar.org/2023/08/22/civil-society-statement-on-the-visit-of-head-of-ocha-to-myanmar/>.

⁹¹ Human Rights Council, 23rd Meeting - 54th Regular Session of Human Rights Council, UN Web TV [video] <https://media.un.org/en/asset/k18/k18jzf8a2x> (at 03:11:00).

in 2022.⁹² At that point, five of the eighteen UNCT agencies resident in Myanmar did not have accredited heads in country. This was said to be limiting effective implementation of programme activities, including the provision of humanitarian assistance. The DPPA and OLA advised that, technically, UN entities do not engage in acts of recognition but that, consistent with the position taken by the Security Council and General Assembly, “UN entities should not take any action that would involve dealing with members of the junta as if they were members of the Government”.

However, the guidance went on to say that UN entities may nevertheless engage with members of the junta “in so far as may be necessary to carry out their mandated activities”, as outlined in the principles of engagement. It further advised that UN entities could consider presenting credentials to the junta should non-presentation severely affect implementation of mandated activities such that “the Myanmar people are directly and adversely affected”. The guidance warned that the junta could be expected to instrumentalise all engagement, and so political implications should be weighed carefully. Importantly, the guidance also advised that, should the presentation of credentials to the junta be deemed necessary, UN agencies should inform other stakeholders of the process in parallel, including the NUG.

SAC-M is aware of six occasions on which representatives of UN entities have presented credentials to the junta’s representatives.

- The Representative to Myanmar of UNICEF, Marcoluigi Corsi, to Wunna Maung Lwin, at the time the junta’s minister for foreign affairs, on 16 June 2022⁹³
- The Representative of FAO, Yuka Makino, to Wunna Maung Lwin on 30 August 2022.⁹⁴
- The Chief of Mission of the International Organization for Migration (IOM), Dragan Aleksoski, to Wunna Maung Lwin on 9 September 2022.⁹⁵
- The Representative of the World Health Organization (WHO), Thushara Fernando, to Wunna Maung Lwin on 23 November 2022.⁹⁶

⁹² The guidance has not been publicly released.

⁹³ “Presenting Credentials: UNICEF Rep Presented His Credentials To FM,” MiTV, 17 June 2022, <https://www.myanmaritv.com/news/presenting-credentials-unicef-rep-presented-his-credentials-fm>.

⁹⁴ “FAO Representative to Myanmar presents her Credentials to Union Minister for Foreign Affairs,” Global New Light of Myanmar, 31 August 2022, <https://www.gnlm.com.mm/fao-representative-to-myanmar-presents-her-credentials-to-union-minister-for-foreign-affairs/#~:text=The%20Representative%20of%20the%20Food>.

⁹⁵ “IOM Chief of Mission for Myanmar presents his Accreditation Letter to Union Minister for Foreign Affairs,” Global New Light of Myanmar, 10 September 2022, <https://www.gnlm.com.mm/iom-chief-of-mission-for-myanmar-presents-his-accreditation-letter-to-union-minister-for-foreign-affairs/>.

⁹⁶ “MoH Union Minister receives delegation led by WHO Resident Representative to Myanmar,” Global New Light of Myanmar, 24 November 2022, <https://www.gnlm.com.mm/who-representative-to-myanmar-presents-his-credentials-to-union-minister-for-foreign-affairs/#~:text=>.

- The Country Director of the Office of the Joint United Nations Programme on HIV/AIDS (UNAIDS), Rangaiyan Gurumurthy, to Than Swe, the junta's new foreign minister, on 9 February 2023.⁹⁷
- The Representative of UNHCR, Noriko Takagi, to Than Swe on 16 May 2023.⁹⁸

While the presentations of credentials may not amount to acts of recognition, these meetings confer an undue degree of legitimacy on the junta and enable its domestic and international propaganda. At the same time, UN officials are not presenting credentials to the NUG or resistance authorities that hold and administer territories.

The details of agreements made between UN entities and the junta during these meetings have not been released, with Memorandums of Understanding (MoU), letters of agreement and other documents being withheld from the Myanmar public, despite calls for transparency.⁹⁹ In a context where continuing acts of resistance to the junta include the CDM, mass refusal to pay taxes to the junta and boycotts of junta-controlled public services and junta-owned or controlled businesses, the details of formal arrangements between the junta and UN entities, such as whether and what taxes they are paying to the junta and how they plan to implement their programmes, are not politically neutral. Tax payments made by UN entities to the junta and payments for services would bring the actions of UN entities into direct conflict with the efforts of the democratic resistance.

Myanmar civil society has criticised the UN strongly for its actions. In September 2022, 638 Myanmar civil society organisations published an open letter to the UN Secretary-General condemning the formal engagements and signing of agreements between UN representatives and the junta.¹⁰⁰ The UN has not responded directly, but in a letter to UN staff in October 2022 the Resident Coordinator ad interim (a.i.) defended the UN's actions, saying they were required to ensure ongoing operations in the country and that each incident was "handled very carefully on a case-by-case basis, weighing the benefits and risks".¹⁰¹

⁹⁷ "Country Director of UNAIDS Myanmar presents his Credentials to MoFA Union Minister," Global New Light of Myanmar, 10 February 2023, <https://www.gnlm.com.mm/country-director-of-unaid-s-myanmar-presents-his-credentials-to-mofa-union-minister/>.

⁹⁸ [Junta] Ministry of Information, "MoIC Union Minister receives UNHCR Representative to Myanmar," 17 May 2023, <https://shorturl.at/nE368>.

⁹⁹ Blazevic, I., "UN in Burma Urged to Publish What You Have Signed with the Junta," DVB, 10 October 2023, <https://english.dvb.no/un-in-burma-urged-to-publish-what-you-have-signed-with-the-junta/>.

¹⁰⁰ See Progressive Voice, "Open Letter to the UN Secretary-General: Regarding UN Agencies, Funds and Programmes and Other Entities Engagement with the Military Junta," 23 September 2022, <https://progressivevoicemyanmar.org/2022/09/23/un-agencies-funds-programmes-and-other-entities-engagement-with-the-military-junta/#:~:text=Your%20Excellency%2C%20as%20the%20people,to%20the%20crisis%20in%20Myanmar>.

¹⁰¹ Message from UN RC a.i to all UN personnel in Myanmar, 1 October 2022.

The risks associated with UNCT engagement with the junta are considerable. For example, on 16 March 2023, an email from the Resident Coordinator a.i. to members of the UNCT was leaked to the Myanmar Accountability Project (MAP).¹⁰² The email confirmed that UNHCR and WFP assisted a pilot scheme organised by the junta and the Government of Bangladesh, with the support of China, to repatriate 1000 Rohingya refugees from Bangladesh to Myanmar. The Resident Coordinator a.i. also revealed in the email that the UN agencies provided UN vehicles on which members of the junta travelled and that UN insignia were removed from the vehicles. These actions were despite UNHCR's own assessment that repatriation remains unsafe.¹⁰³ The same assessment was publicly stated by the UN Special Rapporteur on the situation of human rights in Myanmar, the UN High Commissioner for Human Rights, and the UN Deputy High Commissioner for Human Rights during the 53rd Regular Session of the Human Rights Council in June and July 2023.¹⁰⁴ The most recent Human Rights Council resolution recognises the lack of tangible progress in creating conditions conducive to voluntary, safe, dignified and sustainable repatriation.¹⁰⁵ Rohingya who took part in a so-called 'go-and-see' visit to Rakhine state concluded they would not return to Myanmar under the arrangement as suitable conditions do not exist.¹⁰⁶

The decision to cooperate with the junta and permit UN involvement in the repatriation scheme put UN entities at risk of being complicit in further violations committed against Rohingya. Meanwhile, the attempt to ensure secrecy of the UN's decision and actions has contributed to further distrust of UN entities in Myanmar, raised concerns over the full and unknown extent of cooperation between the junta and the UN, and damaged the UN's reputation and credibility.

At the same time as engaging closely with the junta, the UNCT has effectively shunned the NUG with its actions: unlike the high-level meetings with junta representatives, meetings between UNCT officials and the NUG have only been technical, unofficial and unpublicised. Contrary to the legal and political advice from the UN's Office of Legal Affairs and the Department of Peace-keeping and Political Affairs, UN entities failed to inform the NUG of the appointment of UN agency heads in Myanmar in parallel to the credentials processes undertaken with the junta. The comparative level of engagement is directly opposed to the attitude of the General Assembly, which rejects the junta and effectively accepts the NUG as representing Myanmar. This is contrary to UN rules.¹⁰⁷

¹⁰² Myanmar Accountability Project, "Leaked Email Shows UN Participating in Rohingya Repatriation Pilot Despite Fears for Refugee Safety," 18 March 2023, <https://the-world-is-watching.org/2023/03/18/leaked-email-shows-un-participating-in-rohingya-repatriation-pilot-despite-fears-for-refugee-safety/>.

¹⁰³ UNHCR, "UNHCR statement on Bangladesh, Myanmar bilateral pilot project on Rohingya returns," 19 March 2023, <https://www.unhcr.org/news/press-releases/unhcr-statement-bangladesh-myanmar-bilateral-pilot-project-rohingya-returns>.

¹⁰⁴ All oral statements made during the 53rd Regular Session of the Human Rights Council can be found here: <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/53/Pages/Oral%20statements.aspx>.

¹⁰⁵ UN Human Rights Council Resolution 53/26 (6 July 2023), preambular para. 32.

¹⁰⁶ Paul, R., "Rohingya say will not go home to Myanmar to be stuck in camps", Reuters, 7 May 2023, <https://www.reuters.com/world/asia-pacific/rohingya-say-they-wont-return-myanmar-be-stuck-camps-2023-05-06/>.

¹⁰⁷ Recognition by the United Nations of the representation of a Member State, General Assembly Resolution 396, UN Doc. A/RES/396, 14 December 1950, <https://www.refworld.org/docid/3b00f08c0.html>. See also SAC-M, "Briefing Paper: Recognition of Governments," 22 August 2021.

The lack of UN coordination with the NUG and resistance authorities risks the UN impacting on conflict dynamics on the ground to the advantage of the junta. The junta is able to exploit the lack of coordination for its own military purposes. Many allegations have been reported of the junta using vehicles displaying the logos of UN agencies to travel through conflict areas and penetrate resistance territory.¹⁰⁸ The UNCT's failure to liaise with the NUG means that resistance forces cannot know whether to suspect supposed UN convoys of carrying junta troops and the junta is using this to its strategic advantage. Conversely, this also puts the UN's national staff at unacceptable risk, as they may be suspected by resistance actors of being junta troops or associates.

Humanitarian Relief

The UNCT's assessment of humanitarian needs in Myanmar and its planned response for 2023 are set out in the Myanmar Humanitarian Response Plan (HRP) 2023.¹⁰⁹ The HRP is produced by OCHA on behalf of the Humanitarian Country Team (HCT) and partners. The HCT is led by the UNCT and also comprises humanitarian NGOs and donors. The HRP sets out the strategic response developed to meet acute humanitarian needs of people in Myanmar as identified by the Humanitarian Needs Overview (HNO),¹¹⁰ also developed by OCHA on behalf of the HCT.

The humanitarian needs in Myanmar described by the HRP are extreme and have grown rapidly. As of the beginning of 2023, out of a population of 56 million people, at least 25 million were identified as living in poverty, 17.6 million needed humanitarian assistance and 1.5 million were internally displaced. That is compared to 1 million people in need of humanitarian assistance and 350,000 internally displaced at the beginning of 2021, when the coup began.¹¹¹ The numbers have continued to grow throughout 2023, with OCHA verifying 1.9 million internally displaced persons (IDPs) by August 2023,¹¹² although data provided by community based groups show that the number of people displaced in some areas of the country could be more than double the figures published by the UN.¹¹³ The HRP 2023 requests funding to reach 4.5 million people prioritised for life-saving humanitarian support.¹¹⁴

¹⁰⁸ Greening, P., "UN's Refusal to Talk to Myanmar's NUG Will Lead to Convoy Attacks," 14 March 2023, <https://www.irrawaddy.com/opinion/guest-column/uns-refusal-to-talk-to-myanmars-nug-will-lead-to-convoy-attacks.html>.

¹⁰⁹ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, <https://myanmar.un.org/en/216732-myanmar-humanitarian-response-plan-2023-january-2023>.

¹¹⁰ UNHCR, "Myanmar Humanitarian Needs Overview 2023," January 2023, <https://data.unhcr.org/en/documents/details/90298>.

¹¹¹ OCHA, "Myanmar Humanitarian Response Plan 2021," 27 January 2021, <https://reliefweb.int/report/myanmar/myanmar-humanitarian-response-plan-2021-january-2021#:~:text=The%20present%20Humanitarian%20Response%20Plan,different%20parts%20of%20the%20country>.

¹¹² OCHA, "Myanmar Humanitarian Update No.32," 8 September 2023, <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-32-8-september-2023>.

¹¹³ Kantar, S., "Displacement crisis in southeastern Myanmar requires local humanitarian response, Karen groups say," Myanmar Now, 31 October 2022, <https://myanmar-now.org/en/news/displacement-crisis-in-southeastern-myanmar-requires-local-humanitarian-response-karen-groups-say/>.

¹¹⁴ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 5.

These figures do not include the refugees from Myanmar living in Bangladesh, Thailand, India, Malaysia and other countries, whose numbers have also continued to grow since the beginning of the coup. Combined, they may now count close to 2 million.¹¹⁵ Further compounding the situation, Cyclone Mocha made landfall in western Myanmar on 14 May, causing massive devastation. The Cyclone affected approximately 5 million people.¹¹⁶ OCHA subsequently launched a Flash Appeal for additional funds to assist 1.6 million people in the five states most severely affected.¹¹⁷ But the junta has refused to allow UN agencies and international humanitarian organisations to access the affected areas to provide humanitarian assistance.

The scale of the humanitarian crisis is a direct result of the junta's attacks on the population. The junta deliberately creates humanitarian suffering to break the will of the people and the capacity of communities to mount and support resistance to it. It does this by, for example, forcibly displacing communities through the commission of atrocities, burning and destroying homes, farms, livestock, crops, means of food production and medical supplies, obstructing livelihoods and transport by blocking access roads and waterways, and placing other burdens on communities, such as internet blackouts. Access by international humanitarian actors to targeted communities is then denied. This strategy has been pursued by the military for decades, as documented by civil society, successive UN mandate-holders, investigators and academic and other experts. In June 2023, the so-called "Four Cuts Strategy" and its impact was comprehensively detailed in a report to the Human Rights Council by the UN High Commissioner for Human Rights.¹¹⁸

The junta uses arbitrary administrative tools, such as a complex bureaucratic system for travel authorisations, registration processes and visa issuance, to restrict the movements of humanitarian actors.¹¹⁹ The junta also delays customs clearance or confiscates humanitarian supplies, and places tight controls on the banking system.¹²⁰ UN entities comply with the junta's administrative

¹¹⁵ See UNHCR, Rohingya refugee crisis explained, <https://www.unrefugees.org/news/rohingya-refugee-crisis-explained/>; UNHCR, Thailand, [https://www.unhcr.org/countries/thailand#:~:text=Thailand%20hosts%2091%2C401%20refugees%20from.and%20some%20480%2C000%20stateless%20persons](https://www.unhcr.org/countries/thailand#:~:text=Thailand%20hosts%2091%2C401%20refugees%20from.and%20some%20480%2C000%20stateless%20persons;); OCHA Services, "ACAPS Briefing note: India - Myanmar refugees (28 July 2023)," <https://reliefweb.int/report/india/acaps-briefing-note-india-myanmar-refugees-28-july-2023#:~:text=As%20at%202023%2C%20India%20was.15%2F07%2F2023>); UNHCR, What we do: Figures at a glance in Malaysia, <https://www.unhcr.org/my/what-we-do/figures-glance-malaysia#:~:text=UNHCR%20in%20Malaysia.-As%20of%20end%20June%202023%2C%20there%20are%20some%20181%2C560%20refugees.or%20fleeing%20persecution%20in%20Myanmar.1,118,000%20refugees%20and%20asylum%20seekers%20from%20Myanmar%20in%20neighbouring%20countries%20were%20registered%20with%20UNHCR%20as%20of%20December%202022,see%20UNHCR,Myanmar%20Emergency%20Regional%20Update,https://reporting.unhcr.org/myanmar-emergency-regional-update>.

¹¹⁶ OCHA Services, "Myanmar: Cyclone Mocha Situation Report No.1," 27 May 2023, <https://reliefweb.int/report/myanmar/myanmar-cyclone-mocha-situation-report-no1-1400-25-may-2023>.

¹¹⁷ United Nations, "\$333M Humanitarian Appeal To Support Communities Hit By Cyclone Mocha In Myanmar", United Nations Myanmar Press Release, 23 May 2023, <https://myanmar.un.org/en/232831-333m-humanitarian-appeal-support-communities-hit-cyclone-mocha-myanmar>.

¹¹⁸ Report of the United Nations High Commissioner for Human Rights, "Situation of human rights in Myanmar since 1 February 2021", UN Doc. A/HRC/53/52, 28 June 2023, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F53%2F52&Language=E&DeviceType=Desktop&LangRequested=False>.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

requirements, despite the junta not being recognised as the legitimate government or de facto authorities by UN member States. This makes UN entities subject to the junta's arbitrary access restrictions to areas outside of its control, correlating directly with its military and political objectives.

The areas identified in the HRP 2023 as being where people are most in need of humanitarian assistance are the areas where resistance to the junta has been the strongest, and subsequent junta attacks the most severe. They are also the areas that are identified as being most difficult for UN entities to access.¹²¹ Checkpoints imposed by the junta, as well as EROs and PDFs to a lesser extent, also limit access.¹²² The only parts of Myanmar classified as "accessible" for the UNCT without challenges in 2023 are Yangon, Naypyitaw, and parts of Bago and Mandalay and eastern Shan State. UN access to the rest of Myanmar is restricted. That means that 76% of the displaced population identified in the HRP and 2.3 million of the 4.5 million people prioritised for life-saving humanitarian support are in areas that are very difficult or difficult for the UN to access.¹²³ The text boxes below provide further detail on the situations in the east and southeast, northeast, northwest and west of Myanmar, respectively, which make up these areas.

By treating the junta as the de facto authority of Myanmar, UN entities subject themselves to the junta's arbitrary access restrictions, which directly correlate with its military and political objectives.

¹²¹ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 49.

¹²² *Ibid.*, p. 47.

¹²³ *Ibid.*, p. 50.

East and Southeast Myanmar

The east and southeast states and regions of Myanmar, mostly bordering Thailand, are all classified in the HRP 2023 as being either “very difficult” or “difficult” for the UNCT to access. They include Karenni (Kayah), Karen (Kayin) and Mon states, and Tanintharyi and Bago regions. Resistance in these regions is strong and well-established. Karenni state is now almost under the full combined administrative control of the KNPP and the Karenni Nationalities Defence Force (KNDF). The KNU controls expanding territory across Karen and other southeastern states, and trains, arms and conducts joint operations with a range of new PDF and local defence forces in the southeast. Other EROs such as the New Mon State Party (NMSP) are also active.



The junta has responded to resistance in the east and southeast with airstrikes and other atrocities. Airstrikes targeting civilian infrastructure such as hospitals and schools have been launched continuously by the junta in the southeast since mid-2021.¹²⁴ One of the most shocking incidents since the coup took place in Hpruso township, Karenni state, when junta troops burned 30 civilians, including two humanitarian workers, alive on Christmas Eve 2021.¹²⁵

Civil society organisations estimate there to be at least 250,000 people displaced by the junta in Karenni state¹²⁶ and a further 500,000 people displaced across the rest of the southeast,¹²⁷ living in temporary camps and shelters. In these areas, junta access restrictions prohibit UN

¹²⁴ Karen Human Rights Group, “Military Atrocities and Civilian Resilience: Testimonies of injustice, insecurity and violence in Southeast Myanmar during the 2021 coup,” 24 November 2023, <https://www.khrg.org/2021/11/military-atrocities-and-civilian-resilience-testimonies-injustice-insecurity-and-violence>.

¹²⁵ J, E., “As details of Christmas Eve massacre emerge, calls for justice grow,” Myanmar Now, 24 January 2023, <https://myanmar-now.org/en/news/as-details-of-christmas-eve-massacre-emerge-calls-for-justice-grow/>.

¹²⁶ “Myanmar Regime Forces Suffering Heavy Casualties in Kayah State,” The Irrawaddy, 31 May 2023, <https://www.irrawaddy.com/news/burma/myanmar-regime-forces-suffering-heavy-casualties-in-kayah-state.html>.

¹²⁷ Karen Peace Support Network, “Kawthoolei IDP Update,” 27 February 2023, https://www.karenpeace.org/wp-content/uploads/2023/02/Briefing_Kawthoolei-IDP-update_Eng.pdf.

and other international aid agencies from delivering food and medicine to IDPs outside major urban centres under the control of the junta. Local actors are subject to the same restrictions, but use existing alternative community networks, including long-established cross-border routes from Thailand, to covertly provide support to displaced people where possible. But with support from UN agencies heavily restricted, local actors are simply unable to provide sufficient relief to the growing numbers in need. Inadequate food rations and lack of access to basic medicines have caused a sharp rise in malnutrition-related and water-borne diseases, maternal health complications and preventable deaths among displaced populations.¹²⁸

Although there has been some collaboration between UN agencies and local actors to reach remote IDPs,¹²⁹ civil society groups have urged the UN to find more effective ways to partner with local organisations to deliver lifesaving humanitarian relief at scale. Since mid-2022, the NUG, KNPP and KNU have jointly called on the UN to coordinate with them directly to deliver assistance to people in the east and southeast.¹³⁰



A female medic from the Free Burma Rangers relief group examines a man in a displacement camp in Karenni state.

Image: Thierry Falise/TNH

¹²⁸ KHRG, "Denied and Deprived: Local communities confronting the humanitarian crisis and protection challenges in Southeast Burma," June 2022, p. 32, <https://reliefweb.int/report/myanmar/denied-and-deprived-local-communities-confronting-humanitarian-crisis-and-protection-challenges-southeast-burma-enmyth>.

¹²⁹ "Myanmar junta's confiscation of food, medicine leaves Kayah state residents at risk," Radio Free Asia, 21 February 2023, <https://www.rfa.org/english/news/myanmar/roadway-checkpoints-02212023165344.html>.

¹³⁰ NUG et al., "Joint Statement Of The Ministry Of Humanitarian Affairs and Disaster Management – NUG, Karenni National Progressive Party, Karen National Union And Chin National Front On ASEAN and UN Proposed Humanitarian Support To Burma/ Myanmar," 30 May 2022, <https://progressivevoicemyanmar.org/2022/05/30/joint-statement-of-the-ministry-of-humanitarian-affairs-and-disaster-management-nug-karenni-national-progressive-party-karen-national-union-and-chin-national-front-on-asean-and-un-proposed-humanit/>.

Northeast Myanmar

Much of Kachin and northern Shan states in northeast Myanmar are classified as “very difficult” and “difficult” to access in the HRP 2023. At least 100,000 people have been displaced across these areas since 2011,¹³¹ when a 17-year ceasefire between the military and the KIA broke down. The KIA exerts vast territorial control across northeast Myanmar. Since the coup, the KIA has provided material and operational support to PDFs in Sagaing, Magway and Mandalay, in addition to its existing support provided to other EROs. In response, the military has escalated airstrikes and shelling of towns and villages in Kachin and northern Shan, causing further large-scale displacement.¹³² On 23 October 2022 the junta launched an airstrike on a concert organised by the KIA in Hpakant, killing at least 60 people.¹³³



The military has long denied the UN access to IDP camps in northeast Myanmar in both KIA-controlled and military controlled areas. The health and wellbeing of displaced populations have been adversely impacted, in some cases severely, by shortages of food, medical supplies, adequate winter clothing, shelter and a lack of access to healthcare. Increasingly, northeast IDP camps are becoming targets for junta attacks, with IDPs having been killed by junta shelling.¹³⁴ The danger, uncertainty and acute shortages of necessities in camps, driven by junta access restrictions, have already forced some IDPs to leave camps in search of resettlement areas.¹³⁵ Civil society organisations in northern Myanmar have repeatedly called on international organisations, including the UN, to provide humanitarian aid

¹³¹ Savary, M., “Don’t forget us, says displaced farmer in Kachin state, Myanmar,” UNHCR, 4 June 2014, <https://www.unhcr.org/news/stories/dont-forget-us-says-displaced-farmer-kachin-state-myanmar>.

¹³² Kachin Women’s Association Thailand, “Deadly reprisals: regime steps up attacks on civilians in retaliation for conflict losses in northern Burma,” June 2021, https://kachinwomen.com/wp-content/uploads/2021/06/Deadly_Reprisals_ENG.pdf.

¹³³ Human Rights Watch, “Myanmar Junta Airstrike Apparent Laws-of-War Violation,” 24 October 2022, <https://www.hrw.org/breaking-news/2022/10/25/myanmar-junta-airstrike-apparent-laws-war-violation>.

¹³⁴ Nyein Swe, “Junta artillery fire kills two people in northern Shan State IDP camp,” Myanmar Now, 20 June 2022, <https://myanmar-now.org/en/news/junta-artillery-fire-kills-two-people-in-northern-shan-state-idp-camp/>.

¹³⁵ “Despite danger, hundreds of displaced in Myanmar’s Kachin state return to their homes,” Radio Free Asia, 23 February 2023, <https://www.rfa.org/english/news/myanmar/kachin-idps-02232023101739.html>.

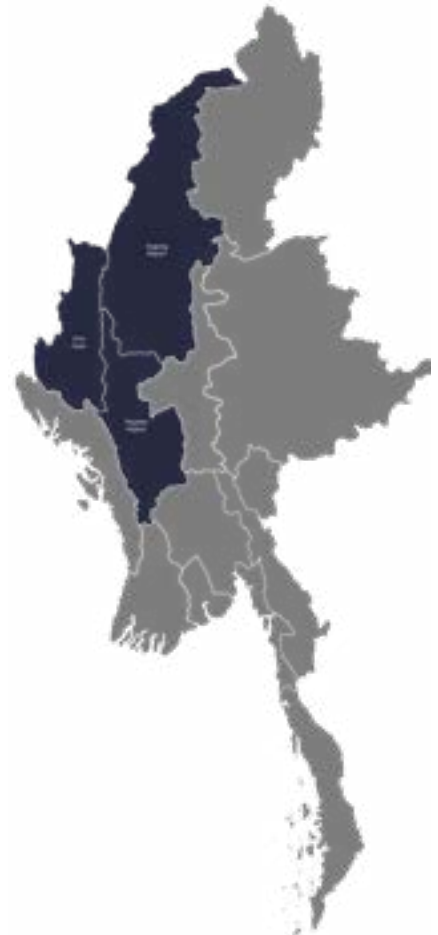
¹³⁶ Joint Strategy Team, “Urgent Requests: Concerns and Requests Related to the Humanitarian Situation in Kachin and Northern Shan States, Myanmar,” 14 October 2016, <https://progressivevoicemyanmar.org/wp-content/uploads/2016/10/JST-Humanitarian-Situation.pdf>.

by land through cross-border channels to IDPs in Kachin and northern Shan and for direct support to ethnic social service structures which have underpinned humanitarian relief efforts for IDPs for more than a decade.¹³⁶

Northwest Myanmar

More than one million people have been internally displaced in Chin state and Sagaing and Magway regions in northwest Myanmar since February 2021.¹³⁷ A further 54,300 people from Chin state have sought refuge from the junta across the border in Mizoram and Manipur states of neighbouring India.¹³⁸ The HRP 2023 classifies access to the majority of Chin state and Sagaing and northern Magway regions as “difficult”, with access to Gangaw township in Magway’s north and adjacent Mingin township in Sagaing classified as “very difficult”.

Communities in Chin state and Sagaing and Magway regions were among the first outside Myanmar’s major urban centres to mobilise in peaceful and, eventually, armed resistance to the attempted coup. In Chin state, many young people have joined the CNF and new allied PDF groups, such as the Chinland Defence Force (CDF). Most of Chin state is now under the administrative control of Chin resistance actors.¹³⁹ In Sagaing and Magway, thousands of mostly young people have joined dozens of new PDF groups which are now at the epicentre of armed anti-junta resistance in Myanmar’s Bamar majority heartland. The junta has responded with



¹³⁶ Joint Strategy Team, “Urgent Requests: Concerns and Requests Related to the Humanitarian Situation in Kachin and Northern Shan States, Myanmar,” 14 October 2016, <https://progressivevoicemyanmar.org/wp-content/uploads/2016/10/JST-Humanitarian-Situation-.pdf>.

¹³⁷ OCHA, “Myanmar Humanitarian Update No. 31,” 15 July 2023.

¹³⁸ UNHCR, “Myanmar UNHCR Displacement Overview,” 13 June 2023, <https://reliefweb.int/map/myanmar/myanmar-unhcr-displacement-overview-12-jun-2023>.

¹³⁹ “Around 70% of Western Myanmar’s Chin State Controlled by Resistance,” The Irrawaddy, 8 September 2022, <https://www.irrawaddy.com/news/burma/around-70-of-western-myanmars-chin-state-controlled-by-resistance.html>.

large scale atrocity operations across the northwest. Tens of thousands of homes have been destroyed in junta arson attacks.¹⁴⁰ The entire town of Thantlang in Chin state has been razed to the ground by arson and airstrikes.¹⁴¹ Civilians in Sagaing and Magway are frequently detained, tortured and massacred in village raids by junta troops and junta-aligned militia.¹⁴² A single junta battalion, Light Infantry Battalion 99, known as the “Ogre Column”, beheaded up to 18 resistance members and two children, and massacred 16 civilians, including three women who were raped before being killed, across three townships in Sagaing region in February and March 2023 alone.¹⁴³

The severe restrictions on humanitarian access to the region are creating shortages of food and medical supplies among those displaced by the junta’s violence. The network of resistance administration bodies established by the NUG and CNF, as well as independent community bodies, civil society and ethnic organisations, are straining to meet the immense humanitarian needs of affected populations.¹⁴⁴ People delivering aid are at risk of being caught and killed by junta troops.¹⁴⁵ In Sagaing, the destruction of farmland and displacement of rural villagers have disrupted farming activities leading to food insecurity across what was one of Myanmar’s major rice-growing regions. Increasingly, villagers are dependent on rice donations from local monasteries to survive.¹⁴⁶ In Chin state, shortages of medical supplies, winter clothing and food rations have already contributed to malnutrition-related illness and avoidable deaths among the displaced.¹⁴⁷ Since Cyclone Mocha, humanitarian needs have become even more acute.¹⁴⁸ The junta has obstructed international aid following the cyclone, causing local groups to urge international agencies to channel relief through the NUG, EROs or local people’s authorities,

¹⁴⁰ Myanmar Witness, “Map of Fires in Myanmar (01 Sep 2021 - Present),” <https://www.myanmarwitness.org/fire-map>.

¹⁴¹ “Once-bustling town of Thantlang reduced to rubble by Myanmar’s junta,” Radio Free Asia, 31 March 2023, <https://www.rfa.org/english/news/myanmar/thantlang-03312023162932.html>.

¹⁴² “‘Ogre’ battalion uses brutality to instill terror in Myanmar,” Radio Free Asia, 22 April 2023, <https://www.rfa.org/english/news/myanmar/ogre-04192023150057.html>; Khin Maung Soe and Nayrein Kyaw, “I had to cut off the head, bro: Myanmar soldiers swap slaughter stories,” Radio Free Asia, <https://www.rfa.org/english/news/special/myanmar-soldier-atrocities/index.html>.

¹⁴³ Maung Shwe Wah, “‘Ogre Column’ kills three more PDF fighters in southern Sagaing,” Myanmar Now, 31 March 2023, <https://myanmar-now.org/en/news/ogre-column-kills-three-more-pdf-fighters-in-southern-sagaing/>.

¹⁴⁴ “Everything was destroyed: Families find new homes after military attacks,” Frontier Myanmar, 7 June 2023, <https://www.frontiermyanmar.net/en/everything-was-destroyed-families-find-new-homes-after-military-attacks/>.

¹⁴⁵ SAC-M interview with members of the Sagaing Forum, 24 July 2023.

¹⁴⁶ Aung Naing, “When paddies become battlefields,” Myanmar Now, 31 July 2022, <https://myanmar-now.org/en/news/when-paddies-become-battlefields/>.

¹⁴⁷ SAC-M, “‘We Are Struggling To Live Another Day’ — Statement By Secretary-1 Of The Mindat People’s Administration,” 29 October 2021, <https://specialadvisorycouncil.org/2021/10/we-are-struggling-to-live-another-day-statement-by-secretary-1-of-the-mindat-peoples-administration/>.

¹⁴⁸ OCHA, “Myanmar Humanitarian Update No. 31,” 15 July 2023.

including by utilising cross-border land routes from neighbouring Bangladesh and India, which the junta has little control over.¹⁴⁹ The CNF has joined the NUG, KNPP and KNU since 2022 in calling for the UN to coordinate with them directly to deliver humanitarian relief.¹⁵⁰

West Myanmar

Most of Rakhine state in western Myanmar is classified in the HRP 2023 as being “accessible with some challenges” but this has not been consistent throughout the year. Periodic updates published by OCHA demonstrate that UN access was heavily restricted for much of 2023 and partially suspended since Cyclone Mocha.¹⁵¹

The Arakan Army (AA), a powerful ERO pursuing self-determination for ethnic Rakhine people, controls and administers territory in much of northern and central Rakhine state, and this has expanded since the coup. The AA has not publicly joined the NUG-alliance but has opposed the coup¹⁵² and is arming and training PDFs in west and northwest Myanmar.¹⁵³ The AA has been at war with the Myanmar military since 2019, with a series of ceasefires being agreed and broken during this time. In 2019, the military blocked humanitarian access to civilians in rural areas of five townships in central



¹⁴⁹ “Chin State Humanitarian Crisis Deepens as Aid Agencies Fail to Gain Access,” The Irrawaddy, 25 May 2023, <https://www.irrawaddy.com/news/burma/chin-state-humanitarian-crisis-deepens-as-aid-agencies-fail-to-gain-access.html>.

¹⁵⁰ NUG et al., “Joint Statement Of The Ministry Of Humanitarian Affairs and Disaster Management – NUG, Karenni National Progressive Party, Karen National Union And Chin National Front On ASEAN and UN Proposed Humanitarian Support To Burma/Myanmar,” 30 May 2022.

¹⁵¹ OCHA, “Myanmar Humanitarian Update No. 31,” 15 July 2023.

¹⁵² The Brotherhood Alliance, “Statement on the ongoing internal conflicts in Myanmar after the military coup,” 30 March 2021, <https://www.arakanarmy.net/post/statement-on-the-ongoing-internal-conflicts-in-myanmar-after-the-military-coup>.

¹⁵³ Kyaw Hsan Hlaing, “Understanding the Arakan Army,” Stimson, 21 April 2023, <https://www.stimson.org/2023/understanding-the-arakan-army/>.

and northern Rakhine state following the outbreak of conflict with the AA.¹⁵⁴ More recently, in September 2022, the junta imposed a three-month aid blockade on six Rakhine townships following the outbreak of fresh clashes. The ban on humanitarian aid was extended to two more townships in November 2022 before the AA agreed to a ceasefire with the military later that month. But even by mid-December 2022, the military had still not granted the UN access to nearly 100,000 mostly ethnic Rakhine IDPs in urgent need of emergency food and medicine.¹⁵⁵ Many of the access restrictions on northern Rakhine were still in place in the first half of 2023, according to OCHA, which reported that “delayed provision of travel authorisations is endangering the health and survival of malnourished children”.¹⁵⁶

Rakhine state is also home to around 600,000 Rohingya. The military has heavily restricted access of UN and other international agencies to Rohingya communities in northern Rakhine since the 2016 and 2017 atrocities. Rohingya still living in northern Rakhine remain largely cut off from livelihoods and services and denied freedom of movement, putting them in need of humanitarian assistance. 150,000 Rohingya are still confined to IDP camps in central Rakhine, where they have lived since the violence in 2012. UN access to these camps is heavily restricted by the military.

Rakhine state was hardest hit by Cyclone Mocha. Rohingya communities in central and northern Rakhine suffered the highest number of cyclone related deaths. At least 100 Rohingya men, women and children are estimated to have been killed as cyclonic winds and storm surges swept through the central Rakhine camps.¹⁵⁷ Locals say the military failed to sufficiently warn, prepare and evacuate Rohingya to safety prior to the cyclone.¹⁵⁸ The military has subsequently denied humanitarian access to those impacted. In a statement published on 12 June 2023, the UN Resident Coordinator a.i said: “Four weeks into this disaster response and with the monsoon season well underway, it is unfathomable that humanitarians are being denied access to support people in need.” Civil society organisations, on the other hand, considered

¹⁵⁴ “U.N. calls for ‘rapid and unimpeded’ aid access to Myanmar’s Rakhine”, Reuters, 14 January 2019, <https://www.reuters.com/article/us-myanmar-rakhine-idUSKCN1P8101>.

¹⁵⁵ Thein San, “Junta reopens roads but keeps aid pathways closed following temporary ceasefire in Rakhine State,” Myanmar Now, 14 December 2022, <https://myanmar-now.org/en/news/junta-reopens-roads-but-keeps-aid-pathways-closed-following-temporary-ceasefire-in-rakhine-state/>.

¹⁵⁶ OCHA, “Myanmar Humanitarian Update No. 27,” 4 March 2023, <https://myanmar.un.org/en/221975-myanmar-humanitarian-update-no-27>.

¹⁵⁷ “‘They ignore us on purpose’: Cyclone deepens Rohingya suffering,” Frontier Myanmar, 15 June 2023, <https://www.frontiermyanmar.net/en/they-ignore-us-on-purpose-cyclone-deepens-rohingya-suffering/>.

¹⁵⁸ Ko Cho, “Hundreds feared dead after Cyclone Mocha hits western Myanmar’s Rohingya IDP camps,” Myanmar Now, 16 May 2023, <https://myanmar-now.org/en/news/hundreds-feared-dead-after-cyclone-mocha-hits-western-myanmars-rohingya-idp-camps/>.

the military's access restrictions to be predictable and evidence of its ongoing commission of alleged genocidal acts against the Rohingya.¹⁵⁹

In early June, a spokesperson for the AA said there had been little outreach to the AA by the UN on cyclone relief efforts. "We are pleading with international organisations, including United Nations agencies, to assist the Rakhine people. Until now, they have provided very little support," he said.¹⁶⁰

The NUG has called on UN entities in Myanmar to expand direct partnership to the NUG and its ethnic and civil society partners to ensure that assistance reaches people following the cyclone, securing cross-border aid delivery by land through established networks.¹⁶¹

The HRP points to two strategies by which the UNCT will respond to the junta's access restrictions. The first strategy is to expand operational capacity through increased partnership with local organisations that are already assisting people in their own communities, hosting displaced persons or responding to those sheltering in jungles and forests, that international actors are unable to reach.¹⁶² However, the HRP also notes that the capacity of these local responders is already very stretched – they have limited human and financial resources that are being rapidly depleted and face severe challenges in mobilising additional funds. Their staff are also shouldering an increasing burden of risk in delivering aid.¹⁶³ As detailed in the text boxes above, local organisations are straining to meet the enormous extent of humanitarian needs in all parts of Myanmar. While support from UN entities is wanted, in reality this poses serious challenges, given the basis of relations and extent of cooperation between the UNCT and the junta. Local organisations report concerns over requirements to register their details with UN entities for fear they will be shared with the junta, putting them and anyone associated with them in danger.¹⁶⁴ Cash transfers to local organisation through traditional means are also dangerous due to junta checks and controls on transactions.¹⁶⁵ The UNCT cannot treat the junta as the de facto government and simultaneously safely expand its operational capacity into resistance areas

¹⁵⁹ Burmese Rohingya Organisation UK, "Preventable Deaths In Cyclone Mocha And The Rohingya Genocide," 25 May 2023, <https://www.brouk.org.uk/new-report-preventable-deaths-in-cyclone-mocha-and-the-rohingya-genocide/>.

¹⁶⁰ "People trust the AA: Aid restrictions backfire on the regime," Frontier Myanmar, 2 June 2023, <https://www.frontiermyanmar.net/en/people-trust-the-aa-aid-restrictions-backfire-on-the-regime/>.

¹⁶¹ NUG - Ministry of Foreign Affairs, "Statement on Cyclone Mocha relief," 30 May 2023, <https://mofa.nugmyanmar.org/tag/statement-on-cyclone-mocha-relief/>.

¹⁶² OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 45.

¹⁶³ *Ibid.*

¹⁶⁴ Greening, P., "Myanmar Civil Society Organizations Face a Moral Conundrum on Funding," 6 June 2023, <https://www.irrawaddy.com/opinion/guest-column/myanmar-civil-society-organizations-face-a-moral-conundrum-on-funding.html>.

¹⁶⁵ International Crisis Group, "Crowdfunding a War: The Money behind Myanmar's Resistance," 20 December 2022, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/328-crowdfunding-war-money-behind-myanmars-resistance#~:text=Myanmar's%20junta%20and%20the%20forces,regime%20restrictions%20on%20moving%20it>.

through increased partnership with local organisations in the contested Myanmar context, where the systematic denial of humanitarian relief is a strategic weapon of the junta and humanitarian actors are a target.

A second strategy pointed to in the HRP is for stepped up local and high-level advocacy towards the removal of access restrictions.¹⁶⁶ There is no evidence to support an assumption that the junta will be receptive to such advocacy, however. Even the HRP explains that the UNCT's own planning scenarios predict that junta access restrictions are likely to increase, not decrease, throughout 2023 (as has been the case).¹⁶⁷

The only effective alternative to the present largely ineffective approach is for UN entities to work directly with the resistance authorities in whose territory the vast majority of the people in need of humanitarian assistance reside, and to support the established civil society networks that have mounted an effective humanitarian response by utilising cross-border channels. The NUG and EROs have called for the UN to extend direct partnership to them to facilitate the delivery of humanitarian relief across Myanmar's land borders.¹⁶⁹ Civil society organisations have called for the UN to support and scale-up the existing informal cross-border response. Uptake from the UN has been slow on both counts despite the scale of the emergency. UN entities do not need the junta's permission to engage with resistance authorities or civil society, or to enter resistance territory, as the junta is not the de jure or de facto government. Instead, UN entities need to focus efforts on exploring all possible alternatives to the current failed approach of seeking humanitarian access solely through the junta, and work with all those that can facilitate a response to find the most effective ways of getting humanitarian relief to the most in need through all available channels, including across borders.

In the contested Myanmar context, the systematic denial of humanitarian relief is a strategic weapon of the junta.

¹⁶⁶ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 47.

¹⁶⁷ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 25.

¹⁶⁸ NUG et al., "Joint Statement Of The Ministry Of Humanitarian Affairs and Disaster Management – NUG, Karenni National Progressive Party, Karen National Union And Chin National Front On ASEAN and UN Proposed Humanitarian Support To Burma/Myanmar"; 30 May 2022.

¹⁶⁹ Walden-Schertz, J., "Media Advisory: As Myanmar crisis enters third year, Special Envoy Heyzer urgently calls for international unity on humanitarian aid, stance on elections and civilian protection"; United Nations, 31 January 2023, <https://myanmar.un.org/en/217185-media-advisory-myanmar-crisis-enters-third-year-special-envoy-heyzer-urgently-calls>.

Development Assistance

UN entities have resumed development programming in Myanmar after an initial pause following the attempted coup. The UN developed in 2021 a Socioeconomic Resilience and Response Plan (SERRP) which provides an overview of the UN's development activities in Myanmar over an 18-month timeframe. The SERRP primarily seeks to complement the UN's humanitarian response. The HRP explains that development programming carried out under the SERRP is being scaled up in 2023, and that a significant caseload of vulnerable people in urban and peri-urban areas targeted by the 2021 and 2022 HRPs will be transitioned to development partners, as the HRP 2023 shifts its focus to people in need in rural, conflict-affected areas.¹⁷⁰

There are serious risks associated with UN development programming in Myanmar because of the UNCT's current relationship with the junta. The UN principles of engagement refer to the junta as "the de facto authorities", meaning that, while the UNCT seeks to limit engagement with the junta at senior levels to avoid conferring legitimacy on the junta, it engages with the rest of the junta-controlled state apparatus, including the General Administration Department (GAD) and public services such as schools, health facilities and transport. Consequently, programmes outlined in the SERRP aimed at supporting junta-controlled institutions and public services bring the UNCT's actions into direct conflict with the actions of the democratic resistance, which has sought to disrupt and dismantle the junta-controlled state through the CDM, general strikes, boycotts and armed resistance and to replace the junta-controlled state with democratic public institutions. A document leaked in September 2023 revealed the extent of the risks. The document reveals that UNICEF has signed an agreement with the junta to implement more than USD 3 million worth of projects through a "government led mechanism" and explains that UNICEF's activities will be executed in coordination with the junta's ministry of investment and foreign economic relations.¹⁷¹

Even if resources and support are not directly provided to the junta, coordination on development programming with junta-controlled departments and ministries risks the UN providing economic benefits to the junta itself and to junta cronies and allies. The Myanmar military is known to have vast economic interests that span the Myanmar economy. The FFM reported extensively in 2019 on how the military relies on a network of conglomerates and their subsidiaries, State-owned enterprises and close ties with a subset of domestic private business enterprises, known as "crony companies", to finance its operations, including its atrocity campaigns against civilians, and to enrich its leaders.¹⁷²

¹⁷⁰ OCHA, "Myanmar Humanitarian Response Plan 2023," 25 January 2023, p. 35.

¹⁷¹ Butler, G., "UNICEF signs \$3m agreement with Myanmar junta, leaked documents show", Myanmar Now, 13 September 2023, <https://myanmar-now.org/en/news/unicef-signs-3m-agreement-with-myanmar-junta-leaked-documents-show/>.

¹⁷² FFM, "Economic interests of the Myanmar military," UN Doc. A/HRC/42/CRP.3, 16 Sept 2019, <https://www.ohchr.org/en/hr-bodies/hrc/myanmar-ffm/economic-interests-myanmar-military>.

The junta is desperate for foreign exchange to buy weapons to continue committing atrocities against the Myanmar people.¹⁷³ In April 2023, the Resident Coordinator a.i. met with the junta's minister for investment and foreign economic relations.¹⁷⁴ The content of the meeting was not made public. Cooperation such as this undermines the sanctions imposed on the junta by many UN member States and is far more likely to be exploited by the junta for its own economic gain and used against the Myanmar people, their homes and infrastructure, than it ever is to result in development that benefits the Myanmar people.

At the same time, the UN is not providing development assistance to the network of actors that administer government functions in the vast territory held and administered by the resistance. Administrative bodies at the community, township and state and regional levels are proliferating and becoming more organised and cohesive. They support ever-growing numbers of people across Myanmar in areas where the junta has been forced out.

Service delivery on this scale has been achieved through the development of, and increased coordination between, resistance administrative systems. The systems generally focus activities on three key areas: public mobilisation, local coordination and social services delivery. They have typically prioritised emergency support to displaced populations due to the scale of junta atrocities, but they also include a wide range of other initiatives, from healthcare to justice and policing.¹⁷⁵ These are the structures on which an international response should be built.¹⁷⁶ UN entities are failing to support the development of these grassroots administrative bodies and public service providers that reflect the Myanmar people's democratic will. Instead, they are perceived to be propping up the junta while it mobilises all the remaining resources available to it to commit atrocities against the population with impunity.

Prioritising Presence Over Impact

The UN's principles of engagement for Myanmar set the UNCT up to fail by designating the junta as "the de facto authorities" contrary to language used by the UN intergovernmental forums. The principles do not reflect the realities of local governance across the country and fail to respond to the extreme politicisation of institutions and public services at all levels in the contested Myanmar

¹⁷³ Turnell, S., "The Latest @ USIP: For Myanmar's Economy to Recover, Military Rule Must End," USIP, video, 4.46, 18 July 2023, <https://www.youtube.com/watch?v=w2p07a5PXas&t=281s>.

¹⁷⁴ "Union Minister for Investment and Foreign Economic Relations receives Mr Ramanathan Balakrishnan, Country Representative of United Nations Population Fund," Global New Light of Myanmar, 6 April 2023, <https://www.gnlm.com.mm/union-minister-for-investment-and-foreign-economic-relations-receives-mr-ramanathan-balakrishnan-country-representative-of-united-nations-population-fund/>.

¹⁷⁵ See SAC-M, "Effective Control in Myanmar," 5 September 2022.

¹⁷⁶ See Petrie, C., and Guggenheim, S, "Opinion: A new aid model can better assist communities in pariah states," Devex, 6 June 2023, <https://www.devex.com/news/opinion-a-new-aid-model-can-better-assist-communities-in-pariah-states-105617#~:text=Opinion%3A%20new%20aid%20model%20can%20better%20assist%20communities%20in%20pariah%20states,-By%20Charles%20Petrie&text=World%20leaders%20are%20struggling%20over,engagement%20is%20not%20the%20answer>.

context. The principles should enable the UNCT to act in a neutral, impartial and independent manner, navigating the crisis to support as many people as possible, while facilitating coherence across the UN system as a whole. As they stand, however, the principles tie the UNCT to the junta without legal justification or effective practical result. This has brought the UNCT into conflict with the democratic resistance and created inconsistency within the UN system.

While the position of the UN intergovernmental forums has hardened against the junta over time, with UN resolutions explicitly rejecting the junta and increasing condemnation, the UNCT has moved closer to the junta pursuing closer engagement and cooperation. This has undermined the UN bodies' recent resolutions on Myanmar, conferred legitimacy on the junta, damaged the UN's reputation in Myanmar and compromised the UNCT's adherence to international principles of independence, impartiality and neutrality. Meanwhile, the UNCT's failure to engage and coordinate equally with resistance authorities is putting people at risk, including the UN's national staff.

The Resident Coordinator a.i. claims that the UNCT's actions are necessary to ensure ongoing operations in the country and that the risks of engagement with the junta are carefully weighed against the benefits. In SAC-M's view, however, the UNCT is prioritising its continuing presence in Myanmar over its operations having an actual positive impact on the crisis and on the wellbeing of the people of Myanmar. The benefits of the UNCT's relationship with the junta do not outweigh the risks. Rather, the relationship benefits the junta and the UNCT more than the people of Myanmar.

In every part of the country where humanitarian relief is desperately needed, UN access is predictably limited by the same junta that is creating those very needs. These parts of the country, outside the junta's control, that now make up the majority of Myanmar, are not isolated. They are accessible from Myanmar's borders. But rather than responding to calls from Myanmar's legitimate Government, resistance authorities, local actors and civil society for the UN to establish effective alternative means of delivering aid – for which there are many possibilities – the UN is slow to engage meaningfully and remains committed to pursuing the same failed model of appeasing the junta. The UNCT has not shifted its position, even as opportunities emerge for the UN to provide development assistance directly to the people through the community administration bodies and resistance governance structures that have been Myanmar's lifeline throughout the junta's attacks. UN entities appear prepared to assist the junta in rebuilding what it itself has destroyed of the country's infrastructure and institutions or has been dismantled by the democratic resistance at great personal cost to those involved.

Over the past two and a half years, the UNCT has placed greater importance on maintaining a relationship with the junta to ensure its continuing presence in Naypyitaw and Yangon, than on finding new ways to deliver benefits directly to the Myanmar people in line with their needs and their democratic will and aspirations.



3.3 The UN Secretariat

The Secretary-General

In an immediate response to the coup, the Secretary-General said that the UN would do everything it could to mobilise all key actors in the international community to put enough pressure on Myanmar to make sure the coup fails.¹⁷⁷ The Secretary-General has considerable scope for action under the powers set for the office by the UN Charter. The Secretary-General is the chief administrative officer of the UN and must, therefore, take careful account of the concerns of UN member States, especially as expressed officially in General Assembly and Security Council resolutions. The Secretary-General is also an advocate for the values and principles of the UN. The Charter empowers the Secretary-General to bring matters to the attention of the Security Council, and to speak and act for peace and in the interests of the world's peoples, even if this may sometimes challenge the position of member States.¹⁷⁸

Since his initial statement, the Secretary-General has not treated Myanmar as a priority. Despite the gravity of the crisis and the need for his leadership within the UN system on Myanmar, particularly given the failings identified in the Rosenthal Report, the Secretary-General did not visit the region until September 2023, more than two and a half years into the crisis and has made limited public statements on Myanmar. There is arguably greater scope for the Secretary-General to push for stronger UN action on Myanmar now than there was during the period covered in Ambassador Rosenthal's inquiry, with UN member States more aligned on Myanmar and even the Security Council demonstrating growing intolerance for the junta's actions.

¹⁷⁷ António Guterres interviewed by Washington Post Live, "U.N. Secretary General says U.N. will do everything it can to make sure Myanmar coup fails," 4 February 2021, news clip, 2:06, https://www.washingtonpost.com/video/washington-post-live/wplive/un-secretary-general-says-un-will-do-everything-it-can-to-make-sure-myanmar-coup-fails/2021/02/03/60195915-9e88-4e5e-996b-c1c0dbadada5_video.html.

¹⁷⁸ United Nations, The role of Secretary-General, <https://www.un.org/sg/en/content/the-role-of-the-secretary-general/#:~:text=Equal%20parts%20diplomat%20and%20advocate,poor%20and%20vulnerable%20among%20them>.

The Secretary-General's lack of priority given to the crisis in Myanmar contrasts with his response to the crisis in Ukraine. The Secretary-General visited Ukraine three times in less than a year following the invasion by the Russian Federation.¹⁷⁹ In July 2022, he travelled to Istanbul and brokered an agreement between Ukraine, Russia and Türkiye to ensure ongoing grain exports through the Black Sea, preventing food shortages affecting millions of people.¹⁸⁰ Similarly, if he were more engaged, he could be instrumental in negotiating the cross-border access needed for UN entities to reach the almost 20 million people identified as being in need of humanitarian relief in Myanmar. But he has not engaged.

The Secretary-General's distance from the Myanmar situation became apparent in an error he made in a formal statement at a press conference on 31 August 2023.¹⁸¹ He referred to the junta as "the de facto authorities", a status the junta has craved but been denied since the coup began. As this paper has demonstrated, the Secretary-General's reference was wrong in law and fact and indicated a lack of understanding of the situation in Myanmar. It conflicted with the policy positions of the General Assembly, the Security Council and the Human Rights Council and contradicted the statements of other senior UN officials, notably the High Commissioner for Human Rights. The Secretary-General's statement demonstrated that there is no One UN in relation to Myanmar and that his own Call to Action for Human Rights is mere rhetoric.

The statement called for "the de facto authorities" to "launch an inclusive process to return to the democratic institutions". This is contrary to ASEAN's official position and thus subverted ASEAN's centrality in resolving the Myanmar crisis, a centrality repeatedly affirmed by the General Assembly, the Security Council and UN officials, including the Secretary-General himself. The call places agency solely on the junta, dismissing the purpose of the democratic resistance, which has been to take the matter of establishing a democratic Myanmar into the hands of the Myanmar people, in the face of total abandonment from the international community when support was called for two and a half years ago. The call can also be interpreted as support from the Secretary-General for junta-led elections, a process that has been categorically rejected by the NUG, EROs, the CDM and strike committees, Myanmar and international civil society and UN member States, such as the US, as a sham that it is only intended to consolidate power for the junta.¹⁸² Had the Secretary-General engaged meaningfully

¹⁷⁹ United Nations, "Activities of Secretary-General in Ukraine, 6-9 March," Press release SG/T/3346, 10 March 2023, <https://press.un.org/en/2023/sgt3346.doc.htm>.

¹⁸⁰ "Black Sea grain exports deal 'a beacon of hope' amid Ukraine war - Guterres," UN News, 22 July 2022, <https://news.un.org/en/story/2022/07/1123062>.

¹⁸¹ <https://www.un.org/sg/en/content/sg/speeches/2023-08-31/secretary-generals-opening-remarks-press-encounter-his-forthcoming-travels>.

¹⁸² United Nations, "Secretary-General's opening remarks at press encounter on his forthcoming travels," 31 August 2023, <https://www.un.org/sg/en/content/sg/speeches/2023-08-31/secretary-generals-opening-remarks-press-encounter-his-forthcoming-travels#:~:text=I%20urge%20all%20countries%20to,York%20and%20around%20the%20world>.

with a broad range of Myanmar stakeholders, he would be informed of the intense opposition among the Myanmar public for a “return” to any system resembling the military-designed coalition years of the 2010s. An outside attempt to impose such a system at this stage would strengthen the hand of the junta and betray the hard-won gains of the democratic resistance.

A few days later the Secretary-General used the term “military authorities”, which is better than “de facto authorities”, but the original error remains on the record and has not been corrected. SAC-M considers the Secretary-General’s treatment of the crisis in Myanmar to be shameful.¹⁸³

Rosenthal Follow-up

The Secretary-General had the opportunity to explain in detail how the UN has responded to the findings identified in the Rosenthal Report and demonstrate leadership on Myanmar at the same time, one year after the attempted coup. In March 2022, the Secretary-General was required to present a report to the Human Rights Council on progress made in the implementation of the Rosenthal Report’s recommendations. Although the follow-up report was prompted specifically by previous UN failures in Myanmar, it discussed not merely Myanmar but focused on system-wide initiatives implemented by the UN Secretariat to strengthen the protection capacity of the UN system as a whole.¹⁸⁴

The follow-up report failed to address the scale and gravity of the post-coup crisis in Myanmar. It provided no information on how the UN was actually responding to the crisis inside the country. Myanmar was not even mentioned in the report until halfway through. The report championed UN work in several other countries and highlighted the reinvigorated role of the UN Resident Coordinator as the centre piece of UN system reform, but it failed to mention that Myanmar had not had a Resident Coordinator in the country for almost all of the previous four years and that the position was, and remains, vacant. Myanmar civil society condemned the report as a “whitewash”.¹⁸⁵

¹⁸³ SAC-M, “UN Secretary-General Repeating Cycle of UN Failure In Myanmar,” 21 March 2022, <https://specialadvisorycouncil.org/2022/03/un-secretary-general-repeating-cycle-of-un-failure-in-myanmar/>.

¹⁸⁴ Rosenthal, G., “A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018 – Report of the Secretary-General,” 29 May 2019.

¹⁸⁵ Forum Asia and Progressive Voice, “UN Secretary-General’s new report whitewashes the UN’s historical failures in Myanmar,” 18 March 2022, <https://progressivevoicemyanmar.org/2022/03/18/un-secretary-generals-new-report-whitewashes-the-uns-historical-failures-in-myanmar/>.

The Special Envoy

Another vital role that could be played by the Secretary-General, in addition to public advocacy, is the use of the position's "good offices". These are steps taken, publicly and in private, drawing upon the independence, impartiality and integrity of the office of the Secretary-General, to prevent threats to peace from arising, escalating or spreading.¹⁸⁶ The Secretary-General has delegated this role to his Special Envoy on Myanmar.

The post of Special Envoy on Myanmar has existed in its current form since 2017. The General Assembly established the mandate in its December 2017 resolution in response to the 2016 and 2017 atrocities. The mandate in the resolution was vague. The General Assembly requested the Secretary-General to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders, and in this regard to appoint a special envoy on Myanmar and to offer assistance to the Government of Myanmar.¹⁸⁷ Christine Schraner Burgener was subsequently appointed to the role of Special Envoy by the Secretary-General in April 2018.¹⁸⁸ She was succeeded by Noeleen Heyzer in October 2021.¹⁸⁹

The General Assembly failed to elaborate on, or modify, the mandate of the Special Envoy in its June 2021 resolution in response to the attempted coup, despite the significant change in circumstances in Myanmar. The General Assembly did, however, reaffirm its support for the Special Envoy and her efforts to maintain communication and engage constructively with all relevant parties in Myanmar. It also called upon the Myanmar armed forces to fully cooperate with and immediately facilitate a visit to Myanmar by the Special Envoy without delay.¹⁹⁰ The General Assembly extended the mandate in December 2021¹⁹¹ and 2022,¹⁹² also encouraging the Special Envoy's engagement and inclusive dialogue with all relevant stakeholders, including civil society, and affected populations.

Noeleen Heyzer visited Myanmar as Special Envoy in August 2022. She met with junta leader Min Aung Hlaing in Naypitaw but her request to meet with President U Win Myint and State Counsellor

¹⁸⁶ United Nations website, The role of Secretary-General.

¹⁸⁷ Situation of human rights in Myanmar, General Assembly Resolution 72/248, UN Doc. A/RES/72/248, 24 December 2017, operative para. 10, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F72%2F248&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁸⁸ United Nations, "Secretary-General Appoints Christine Schraner Burgener of Switzerland as Special Envoy on Myanmar," UN Doc. SG/A/1802-BIO/5081, 26 April 2018, <https://press.un.org/en/2018/sga1802.doc.htm>.

¹⁸⁹ United Nations, "Secretary-General Appoints Noeleen Heyzer of Singapore Special Envoy on Myanmar," UN Doc. SG/A/2070, 25 October 2021, <https://press.un.org/en/2021/sga2070.doc.htm>.

¹⁹⁰ UN General Assembly Resolution 75/287 (18 June 2021).

¹⁹¹ Situation of human rights of Rohingya Muslims and other minorities in Myanmar, Human Rights Council Resolution 76/180, UN Doc. A/RES/76/180, 16 December 2021, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F76%2F180&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁹² UN General Assembly Resolution 77/227 (2022).

Daw Aung San Suu Kyi was denied by the military. The visit came just four weeks after the junta had summarily executed four prominent political activists, including a former parliamentarian.¹⁹³ A transcript of the meeting has not been made public, but a note to correspondents issued by the Special Envoy following the visit reports that she conveyed a series of concerns to Min Aung Hlaing from the Secretary-General about the ongoing humanitarian, security, economic and political crises in Myanmar, as well as an appeal from the Secretary-General to impose a moratorium on all future executions.¹⁹⁴ The Special Envoy reportedly emphasised the need for de-escalation of violence and unfettered humanitarian access to all those in need. She also conveyed a specific request from the Australian Government for the release of Australian economist Sean Turnell, who had been an economic adviser to the State Counsellor until his arrest as soon as the coup began.¹⁹⁵

The Special Envoy's meeting with Min Aung Hlaing was widely condemned by civil society in Myanmar and internationally for having conferred legitimacy on the junta without any tangible outcome for the Myanmar people. 864 civil society organisations issued a statement the following week calling on the General Assembly to withdraw the mandate of the Special Envoy, and for the Secretary-General to show serious commitment to resolving the crises in Myanmar himself by assuming a personal role and taking decisive action.¹⁹⁶ The Special Envoy had sought to avoid the meeting conferring legitimacy by explicitly stating as such in the note to correspondents. However, the note simultaneously referred to Min Aung Hlaing as "Chairman of the State Administration Council", contradicting this claim. Photos of the meeting were published in junta-controlled media and on TV.¹⁹⁷

Following the Special Envoy's visit to Naypyitaw, SAC-M called for the Special Envoy to ensure she held constructive and public meetings with the NUG, having fulfilled the absolute minimum requirement of her mandate by meeting with the junta in Myanmar.¹⁹⁸ The Special Envoy had only engaged with the NUG privately prior to that, and continued to do so until the spokesperson of the Secretary-General announced on 1 June 2023 that Noeleen Heyzer would be stepping down from the role that same

¹⁹³ SAC-M, "UN And ASEAN Must Respond To Junta's Summary Executions," 25 July 2022, <https://specialadvisorycouncil.org/2022/07/un-and-asean-must-respond-to-juntas-summary-executions/>.

¹⁹⁴ United Nations, "Note to Correspondents: Statement by the Secretary-General's Special Envoy on Myanmar, Noeleen Heyzer," 17 August 2022, <https://www.un.org/sg/en/content/sg/note-correspondents/2022-08-17/note-correspondents-statement-the-secretary-general%E2%80%99s-special-envoy-myanmar-noeleen-heyzer>.

¹⁹⁵ United Nations, "Note to Correspondents: Statement by the Secretary-General's Special Envoy on Myanmar, Noeleen Heyzer," 17 August 2022.

¹⁹⁶ Progressive Voice et al., "UN General Assembly: Withdraw the mandate of the UN Special Envoy," 22 August 2022, <https://progressivevoicemyanmar.org/2022/08/22/un-general-assembly-withdraw-the-mandate-of-the-un-special-envoy/>.

¹⁹⁷ Yong, Y., "UN Special Envoy on Myanmar meets Junta leader; calls for release of detainees - The World," ABC News (Australia), News report, 2.24, 18 August 2022, <https://www.youtube.com/watch?v=4PXqmmKfd1g&feature=youtu.be>.

¹⁹⁸ SAC-M, "United Nations Envoy Can Now Meet with Genuine Stakeholders In Myanmar's Democratic Future," 19 August 2022, <https://specialadvisorycouncil.org/2022/08/united-nations-special-envoy-can-now-meet-with-genuine-stakeholders-in-myanmars-democratic-future/>.

month. Two days later, the Special Envoy met in person with NUG Foreign Minister, Daw Zin Mar Aung.¹⁹⁹

Before her resignation, the Special Envoy undertook official visits to Beijing and New Delhi to promote greater regional unity in response to the crisis and called for the establishment of an Inclusive Humanitarian Forum (IHF).²⁰⁰ In remarks to the General Assembly in March 2023, the Special Envoy explained that the Forum could comprise a core group of UN member States, notably Myanmar's neighbouring countries and other regional actors, to engage inclusively in seeking a comprehensive assessment of ground realities and identify ways to overcome obstacles for humanitarian actors to more effectively reach those in need.²⁰¹ She added that her work on the IHF to date had already proven to be an important vehicle driving constructive discussions and building greater solidarity and coherence between local actors.²⁰² The initiative was met with resistance, however. The Special Envoy's subsequent resignation underlines the lack of a comprehensive and coherent system-wide UN strategy on Myanmar.



Former UN Special Envoy to Myanmar, Noeleen Heyzer, with the junta leader, Senior General Min Aung Hlaing, in Naypyitaw in August 2022.

Former UN Special Envoy to Myanmar, Noeleen Heyzer, with NUG Foreign Minister, H.E. Zin Mar Aung, on 2 June 2023.



Image: The Irrawaddy

¹⁹⁹ United Nations, "Remarks by Ms. Noeleen Heyzer, Special Envoy of the Secretary-General on Myanmar General Assembly, 16 March 2023," 16 March 2023, <https://reliefweb.int/report/myanmar/remarks-ms-noeleen-heyzer-special-envoy-secretary-general-myanmar-general-assembly-16-march-2023#:~:text=Myanmar's%20most%20vulnerable%2C%20including%20Rohingya,urgent%20action%20is%20not%20taken>.

²⁰⁰ United Nations, "Remarks by Ms. Noeleen Heyzer, Special Envoy of the Secretary-General on Myanmar General Assembly, 16 March 2023," 16 March 2023, <https://reliefweb.int/report/myanmar/remarks-ms-noeleen-heyzer-special-envoy-secretary-general-myanmar-general-assembly-16-march-2023#:~:text=Myanmar's%20most%20vulnerable%2C%20including%20Rohingya,urgent%20action%20is%20not%20taken>.

²⁰¹ *Ibid.*

²⁰² *Ibid.*

The Office of the High Commissioner for Human Rights

The High Commissioner for Human Rights is part of the UN Secretariat and is the principal human rights official of the United Nations. The High Commissioner is accountable to the Secretary-General and is responsible for all the activities of the Office of the High Commissioner for Human Rights (OHCHR).²⁰³ Through OHCHR, the High Commissioner has released six reports on the human rights situation in Myanmar since the coup began. Topics covered in these reports include the overall human rights situation and alleged violations documented by OHCHR since 1 February 2021,²⁰⁴ an assessment of relevant actions taken by various actors following the release of the FFM's report on the economic interests of the Myanmar military,²⁰⁵ and the human rights impact of the denial of humanitarian assistance.²⁰⁶ Continuing monitoring, documentation and public reporting by OHCHR has ensured that detailed information on human rights violations in Myanmar, that has been verified to UN standards, continues to be brought to the attention of UN member States, especially during Human Rights Council sessions.

OHCHR is part of the UNCT Myanmar, but its Myanmar office is in Bangkok. Requests have been made for years in successive Human Rights Council resolutions for an OHCHR office in Myanmar to be established, including since the coup began.²⁰⁷ Prior to the coup, OHCHR had the opportunity to establish a presence in Myanmar, but the then Myanmar Government would only agree to it under a restricted mandate that would limit activities to "technical assistance". The former High Commissioner, Zeid Ra'ad Al Hussein, refused to accept these conditions set by the then Government. OHCHR has continued its work without a presence in-country. It is therefore an exception to the approach taken by the rest of the UNCT that have prioritised a presence in Myanmar over the impact of their work. This exception has resulted, however, in the effective exclusion of OHCHR from the UNCT as a result of some of the in-country UN entities opposing its investigation and reporting mandates.

²⁰³ United Nations, The role of the High Commissioner for Human Rights, <https://www.ohchr.org/en/about-us/high-commissioner>.

²⁰⁴ Report of the United Nations High Commissioner for Human Rights, "Situation of human rights in Myanmar," UN Doc. A/HRC/48/67, 16 September 2021, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F48%2F67&Language=E&DeviceType=Desktop&LangRequested=False>, for the overall human rights situation in Myanmar, focusing in particular on accountability regarding alleged violations of international human rights and humanitarian law, as well as rule of law and security sector reform since 1 February 2021; and Report of the United Nations High Commissioner for Human Rights, "Situation of human rights in Myanmar", UN Doc. A/HRC/52/21, 3 March 2023, <https://reliefweb.int/report/myanmar/situation-human-rights-myanmar-1-february-2022-report-united-nations-high-commissioner-human-rights-ahrc5221-advance-unedited-version>, for human rights concerns documented by the Office of the United Nations High Commissioner for Human Rights (OHCHR) between 1 February 2022 and 31 January 2023; and Report of the United Nations High Commissioner for Human Rights, "Situation of human rights in Myanmar since 1 February 2021", UN Doc. A/HRC/49/72, 25 February 2022, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F49%2F72&Language=E&DeviceType=Desktop&LangRequested=False>, for trends and patterns of violations and significant regressions in human rights that have occurred in Myanmar since 1 February 2021.

²⁰⁵ Report of the Office of the United Nations High Commissioner for Human Right, "Progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar," UN Doc. A/HRC/51/41, 21 September 2022, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F51%2F41&Language=E&DeviceType=Desktop&LangRequested=False>, for an assessment of actions taken by various actors following the release in 2019 the independent international fact-finding mission on Myanmar of a conference room paper on the economic interests of the Myanmar military.

²⁰⁶ Report of the United Nations High Commissioner for Human Rights, "Situation of human rights in Myanmar since 1 February 2021," UN Doc. A/HRC/53/52, 28 June 2023, for human rights impact of denial of humanitarian assistance.

²⁰⁷ Situation of human rights in Myanmar, Human Rights Council Resolution 52/31, UN Doc. A/HRC/RES/52/31, 4 April 2023, operative para. 48, <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/HRC/RES/52/31&Lang=E>.

No Priority, No Strategy, No Results

The UN Secretariat, through the Secretary-General and his Special Envoy, has achieved little in the way of results for protecting the Myanmar people, alleviating the humanitarian suffering and bringing the crisis to an end. The Secretary-General has not responded in a way that is proportionate to the gravity of the crisis in Myanmar. He has not used the considerable powers of his office for personal intervention to seek to resolve the crisis in accordance with international law or for public advocacy to speak for the Myanmar people, or for promoting stronger action by UN member States, either against the military or in support of the NUG and the democratic movement. Key actors in the international community, notably Myanmar's neighbouring States, have not been mobilised against the coup as the Secretary-General promised.

When he has spoken publicly, the Secretary-General has demonstrated a lack of understanding of the situation in Myanmar and has made calls that undermine the democratic will and aspirations of the Myanmar people, ASEAN centrality and coherence across the UN system. The Secretary-General ignored the continuing failure of UN engagement in Myanmar when reporting on follow-up action to the Rosenthal Report, rather than showing leadership and championing a change of course to be taken by the UN as a whole and by individual UN entities. Without the personal involvement and leadership of the Secretary-General, the Special Envoy on Myanmar was unable to make progress during her 18-month tenure. Her resignation highlights and compounded the failure of the Secretariat to develop a unifying, comprehensive and coherent UN system-wide strategy on Myanmar, a failure that was previously identified in the Rosenthal Report.

The Secretary-General has failed to lead the development of a unifying, comprehensive and coherent UN system-wide strategy on Myanmar, a failure that was previously identified in the Rosenthal Report.



Image: Peerapon Boonyakiat/SOPA Images/LightRocket via Getty Images

4. Conclusion and Recommendations

The UN System has failed Myanmar before and it is doing so again. UN member States and their inter-governmental institutions are failing to act, the UNCT is pursuing the same failed approach of appeasing the military despite growing risks and ever-fewer results, and the Secretary-General has neglected his responsibilities to the Myanmar people as head of the UN Secretariat.

UN member States did not act to protect the Rohingya from atrocities in 2016 and 2017 and have failed since to ensure justice for them, emboldening Min Aung Hlaing and the leaders of the military. UN member States are still failing now to take decisive and collective action to protect millions of people across Myanmar from the same tactics being deployed against them by the same Generals. Action from the Security Council is needed to enforce compliance with Resolution 2669, including a comprehensive arms embargo, targeted financial sanctions and referral of the situation in Myanmar to the ICC. These fall within the scope of action that can be taken under the principle of R2P that was called for by peaceful demonstrators in Myanmar immediately after the coup began. Rather than act decisively then, the Security Council allowed the crisis to grow, such that it is now a threat to global peace and security, further invoking the responsibility of the Council to act. The Security Council has emphasised the central role of ASEAN in responding to the crisis. But ASEAN too has failed to achieve any tangible outcomes through its Five-Point Consensus. ASEAN has no mechanism to enforce its decisions – concrete measures imposed by the Security Council to enforce its own resolution are needed to enable ASEAN to work at last towards facilitating a peaceful solution.

If the Security Council continues to fail in its duty, then the General Assembly and Human Rights Council must find ways to ensure that there are growing consequences for the junta's intransigence and to increase support for the Myanmar people. The General Assembly and Human Rights Council must continue to withhold recognition to the junta, grant full recognition to the NUG, strengthen their resolutions, particularly in relation to advancing accountability, arms embargos, targeted sanctions and humanitarian access, and call on the Secretary-General to lead the UN's comprehensive, integrated response.

The UNCT bent over backwards, in the decade before the coup began, to build a relationship with the military and civilian authorities in Myanmar, even as Rohingya villages burned. Those efforts (and dollars) were spent in vain, as the junta has uncompromisingly destroyed every development gain achieved during those years. Yet, UN entities continue to engage and cooperate with the junta on its terms in return for access, despite this being inconsistent with the expressed position of UN member States, causing incoherence across the UN system. The risks involved in this approach are growing as the junta's campaign of terror intensifies. Meanwhile, the benefits to the Myanmar people are diminishing, as the UNCT is increasingly constrained and acting in conflict with the aims and efforts of the democratic resistance. A new approach is long overdue – one that enables the UNCT to act in a neutral, impartial and independent manner to benefit as many people as possible. This will mean engaging and cooperating fairly and transparently with the NUG, EROs and resistance actors, not just the junta. This can only happen safely once the basis of the UNCT's relationship with the junta is redefined so that the UNCT no longer treats the junta as the de facto government. UN resolutions passed since the attempted coup provide the foundation for this approach.

The Secretary-General has not demonstrated leadership on Myanmar since the coup began. Instead, his efforts have been delegated to the Special Envoy on Myanmar. This response is not proportionate to the gravity of the crisis, which is beyond the mandate of a Special Envoy alone. A unifying, comprehensive and coherent UN system-wide strategy developed by the Secretariat was absent during the period of Rosenthal's inquiry and remains lacking now. Rosenthal further recommended that a senior official within the UN be designated as responsible for the implementation and calibration of such a strategy. This too has not been implemented. The Secretary-General and the Secretariat have a critical role to play in leading the UNCT to implement a new approach, but first a comprehensive strategy and clear lines of responsibility to monitor and evaluate implementation and ensure accountability for UN actions must be established.

Following his recent visit to Myanmar, UN Under Secretary-General Martin Griffiths said that the people of Myanmar expect more and better from the international community. They are right to. The UN's cycles of failure in Myanmar must come to an end.

Recommendations are provided below:

To the Security Council:

- ◇ Adopt a resolution on Myanmar under Chapter 7 of the UN Charter, in light of the junta's non-compliance with Resolution 2669. The Chapter 7 resolution should:
 - impose a comprehensive arms embargo on Myanmar with a mechanism to monitor and enforce it;
 - impose targeted financial sanctions against senior military officials and all military-owned companies and their subsidiaries;
 - refer the situation in Myanmar to the International Criminal Court;
 - call for delivery of humanitarian relief through the most effective means and all available channels.

To the General Assembly:

- ◇ Accept the credentials of Ambassador U Kyaw Moe Tun as representative of Myanmar to the UN for the 78th Session of the General Assembly.
- ◇ Adopt an annual resolution on the situation in Myanmar in addition to the resolution on the situation of Rohingya and other minorities or, as a lesser alternative, expand the annual resolution on the situation of Rohingya and other minorities to include the situation in Myanmar in its entirety.
- ◇ Require an annual report from the Secretary-General or designated senior UN official on progress in implementing, in relation to Myanmar specifically, the recommendations made in the Rosenthal Report.
- ◇ Consider ways for the General Assembly to establish a Special Court to try international crimes committed in Myanmar.

To the Human Rights Council:

- ◇ Request the Secretary-General to report on progress in implementing, for Myanmar specifically, the recommendations made in the Rosenthal Report.
- ◇ Clearly oppose repatriation of Rohingya refugees in Bangladesh to Myanmar until conditions are deemed conducive for voluntary, safe, dignified and sustainable returns.
- ◇ Support the work of the OHCHR Myanmar section and call for its placement inside Myanmar with a full mandate.
- ◇ Consider expanding the mandate of the IIMM to include the capacity to commence prosecutions.

To the Secretariat and the Secretary-General:

- ◇ Use Good Offices to engage personally on Myanmar and:
 - Convene a closed-door discussion on the UN response to Myanmar to assess the UN's performance in meeting its commitment to democracy, peace, human rights and the rule of law and identify fresh approaches and entry points including red lines on engagement with Myanmar actors to ensure respect for UN principles and international norms. A select group of invitees could include:
 - » UN entity heads or high-level UN officials engaged on Myanmar;
 - » current and former UN experts and mandate-holders on Myanmar;
 - » current and former heads of the UN Country Team in Myanmar;
 - » current and former high-level UN representatives with transferrable experience from other countries and regions;
 - » international experts, scholars and specialists on Myanmar;
 - » key civil society representatives and former diplomats with Myanmar expertise.
 - Subsequently develop a unifying, comprehensive and coherent system-wide UN strategy on Myanmar;
 - Designate a senior official within the UN responsible for the implementation and calibration of different components of the system-wide strategy including monitoring implementation of Security Council, General Assembly and Human Rights Council resolutions and ensuring accountability for UN actions.
- ◇ Commission an annual report on progress in implementing, in relation to Myanmar specifically, the recommendations made in the Rosenthal Report.
- ◇ Appoint a substantive Resident Coordinator for the UNCT Myanmar.
- ◇ Support UN entities in finding the most effective means of delivering humanitarian relief through all available channels, including by using Good Offices to negotiate with neighbouring States for cross-border UN access if necessary.

To the UN Country Team:

- ◇ Develop and publish new principles of engagement that reflect the legal and factual situation in Myanmar and facilitate UN humanity, neutrality, impartiality and independence.
 - accurately designating the junta as just one of many de facto entities;
 - accurately reflecting the existence of many de facto entities and their role in local governance and service provision.
- ◇ Publish the UNCT's current Human Rights Strategy.
- ◇ Ensure that the UNCT meets its duty of care to national UN personnel (staff, contractors, consultants, JPOs, UNVs and interns) including by:
 - applying due diligence and risks assessments to all UN programmes;
 - supporting physical and mental health and wellbeing;
 - providing personal, work-related and digital security training;
 - clarifying the steps that the UNCT/UN entities will take in cases where personnel are subject to threats, intimidation, arrest, detention or physical harm.
- ◇ Ensure that the UNCT meets its duty of care to implementing partners including by:
 - conducting risks assessments and ensuring a "do no harm" approach to programmes
 - providing security awareness training and ensuring digital security in all communications;
 - clarifying the types of assistance that will be provided to implementing partner personnel subject to threats, intimidation, arrest, detention or physical harm.
- ◇ Avoid opportunities for the junta to build its legitimacy on the basis of engagement with the UNCT, including formal meetings, photo opportunities, exchanges of gifts and so on.
- ◇ Publish Memorandums of Understanding, Letters of Agreement and other arrangements of concern to the Myanmar public, such as tax, rent and procurements, made between UN entities and the junta and UN entities and the NUG.
- ◇ Immediately end support for junta schemes to repatriate Rohingya refugees from Bangladesh until conditions are deemed conducive for voluntary, safe, dignified and sustainable returns.
- ◇ On the basis of new principles of engagement, work with all entities that can facilitate the delivery of aid to find the most effective ways of getting humanitarian relief to those most in need through all available channels, including by:
 - Coordinating directly with the NUG, EROs and other resistance authorities on access to resistance territory;
 - Supporting civil society and scaling-up the existing informal cross-border response.
- ◇ On the basis of new principles of engagement, extend development assistance and technical support to NUG Ministries, ERO governance departments and community-led administrative bodies in resistance areas.

The Special Advisory Council for Myanmar is a group of independent international experts, who came together in response to the military's attempted coup of February 2021 in Myanmar, to support the peoples of Myanmar in their fight for human rights, peace, democracy, justice and accountability. For information about SAC-M and details of our work, please visit - <https://specialadvisorycouncil.org/>

Appendix A: UN Entities in the UN Myanmar Country Team

◆ Food and Agriculture Organisation (FAO)

FAO is a specialised agency of the United Nations working to defeat hunger and improve nutrition and food security.

◆ International Labour Organisation (ILO)

ILO is a United Nations agency whose mandate is to advance social and economic justice by setting international labour standards.

◆ International Organization for Migration (IOM)

IOM is a United Nations agency that provides services and advice concerning migration to governments and migrants, including internally displaced persons, refugees, and migrant workers.

◆ Office for the Coordination of Humanitarian Affairs (OCHA)

OCHA is a United Nations body established in December 1991 by the General Assembly to strengthen the international response to complex emergencies and natural disasters.

◆ Office of the High Commissioner for Human Rights (OHCHR)

OHCHR is a United Nations entity tasked with the promotion and protection of the full range of human rights and freedoms set out in the Universal Declaration of Human Rights.

◆ UN-Habitat

The United Nations Human Settlements Programme, also known as UN-Habitat, is the United Nations programme for human settlements and sustainable urban development.

◆ UN Women

The United Nations Entity for Gender Equality and the Empowerment of Women, also known as UN Women, is a United Nations entity working for gender equality and the empowerment of women.

◆ UNAIDS

The Joint United Nations Programme on HIV and AIDS, also known as UNAIDS, is a United Nations entity working for accelerated, comprehensive and coordinated global action on the HIV/AIDS pandemic.

◆ UN Capital Development Fund (UNCDF)

UNCDF is the United Nations entity working to provide public and private finance work for the poor in the world's 46 least developed countries.

◇ **UN Development Programme (UNDP)**

UNDP is a United Nations agency tasked with helping countries eliminate poverty and achieve sustainable economic growth and human development.

◇ **The United Nations Educational, Scientific and Cultural Organization (UNESCO)**

UNESCO is a specialised agency of the United Nations aimed at promoting world peace and security through international cooperation in education, arts, sciences and culture.

◇ **United Nations Population Fund (UNFPA)**

UNFPA is a United Nations agency aimed at improving reproductive and maternal health worldwide.

◇ **United Nations High Commissioner for Refugees (UNHCR)**

UNHCR is a United Nations agency mandated to aid and protect refugees, forcibly displaced communities, and stateless people, and to assist in their voluntary repatriation, local integration or resettlement to a third country.

◇ **United Nations Information Centres (UNICs)**

UNICs, the field offices of the Department of Global Communications, are the principal sources of information about the United Nations system in the countries where they are located.

◇ **United Nations International Children's Emergency Fund (UNICEF)**

UNICEF is an agency of the United Nations responsible for providing humanitarian and developmental aid to children worldwide.

◇ **United Nations Office on Drugs and Crime (UNODC)**

UNODC has a mandate to assist United Nations member states to combat transnational crime, including corruption, human trafficking and people smuggling, drug-use prevention and treatment, drug trafficking and terrorism.

◇ **United Nations Office for Project Services (UNOPS)**

UNOPS is a United Nations agency dedicated to implementing infrastructure and procurement projects for the United Nations System, international financial institutions, governments and other partners around the world.

◇ **United Nations Volunteers (UNV)**

UNV is the United Nations organization that promotes volunteerism to support peace and development worldwide.

◊ **World Food Programme (WFP)**

WFP is an international organisation within the United Nations that provides food assistance worldwide.

◊ **World Health Organisation (WHO)**

WHO is a specialised agency of the United Nations responsible for international public health.

Appendix B: Meetings Between the Junta and Representatives of UN Entities

Date	UN entities	Junta personnel	Location	Meeting description	Source
21 September 2023	Mr Sanjay Mathur, Regional Director of UNOPS, and Ms Sara Austin Netzer, Country Director a.i. of UNOPS Myanmar	U Than Swe, junta 'deputy prime minister'	Naypyitaw	Both parties discussed existing and further cooperation between the junta and UNOPS, reported junta-controlled media.	"DPM & MoFA Union Minister receives UNOPS Asia Regional Director." Global New Light of Myanmar, 22 September 2023.
21 September 2023	Mr Sanjay Mathur, Asia Regional Director for UNOPS, and delegation	Junta 'minister' for investment and foreign economic relations Dr Kan Zaw	Naypyitaw	Junta-controlled media reported both parties discussed ongoing cooperation and exchanged views on future cooperation between the junta and UNOPS.	"MIFER Union Minister receives UNOPS Asia Regional Director." (Junta) Ministry of Information," 22 September 2023.
6 September 2023	UNHCR's Myanmar representative Ms Noriko Takagi	Junta 'minister' for social welfare Dr Soe Win	Naypyitaw	Both parties reportedly discussed the UNHCR's humanitarian and protection efforts, and the MoU between the junta ministry and UNHCR.	"UNHCR Representative calls on MoSWRR Union Minister." Global New Light of Myanmar, 7 September 2023.
5 September 2023	Mr Sajjad Mohammad Sajid, Head of UNOCHA in Myanmar, and Mr Ramanathan Balakrishnan, UN Resident and Humanitarian Coordinator a.i.	U Than Swe, junta 'deputy prime minister'	Naypyitaw	Junta-controlled media reported both parties discussed ways and means of further cooperation between the junta and the United Nations and its related agencies.	"DPM MoFA Union Minister separately receives Head of UNOCHA in Myanmar, Ambassador of Bangladesh." Global New Light of Myanmar, 6 September 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
4 September 2023	Mr Sajjad Mohammad Sajid , Head of UNOCHA in Myanmar	Junta 'minister' for social welfare Dr Soe Win	Naypyitaw	During the meeting, both parties discussed the renewal of the LoA between the junta department and UNOCHA, as well as issues related to entry visas and domestic travel, reported junta-controlled media.	"DDM, UNOCHA emphasise cooperation in data on humanitarian aid", Global New Light of Myanmar, 5 September 2023.
29 August 2023	Mr Dragan Aleksoski, Chief of Mission of IOM Myanmar	Junta 'minister' for health Dr Thet Khaing Win	Naypyitaw	Discussions included activities related to nutrition development and the renewal of the MoU between the junta ministry and IOM.	"Health Minister meets IOM Head to discuss healthcare collaboration", Global New Light of Myanmar, 30 August 2023.
29 August 2023	Mr Dragan Aleksoski, Chief of Mission of IOM Myanmar	Junta 'minister' for social welfare Dr Soe Win	Naypyitaw	Discussions included the status of signing an MoU between the junta Ministry and IOM.	"MoSWRR Union Minister receives IOM Chief", Global New Light of Myanmar, 30 August 2023.
23 August 2023	Mr Dragan Aleksoski, Chief of Mission of IOM Myanmar	U Myint Naung, junta 'minister' for labour	Naypyitaw	During the "courtesy call", both parties discussed ongoing processes under the MoU between the junta-controlled Department of Labour and IOM.	"MoL Union Minister receives IOM Myanmar Chief," Global New Light of Myanmar, 24 August 2023
22 August 2023	Mr Dragan Aleksoski, Chief of Mission of IOM Myanmar, and Mr Euan McDougall, Programme Manager of IOM Myanmar	U Than Swe, junta 'deputy prime minister' and 'minister' for foreign affairs, and junta officials	Naypyitaw	During the "courtesy call", both parties shared their views on support of the IOM to the people of Myanmar in the field of migration and the cooperation between both parties, reported junta-controlled media.	"DPM MoFA Union Minister receives IOM Myanmar Chief", Global New Light of Myanmar, 23 August 2023

Date	UN entities	Junta personnel	Location	Meeting description	Source
16 August 2023	Mr Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and delegation	Officials from Rakhine State junta administration	Sittwe, Rakhine State	Discussed the provision of humanitarian assistance to cyclone victims, stability in the state, and pilot projects for repatriation of Muslim refugees in Bangladesh, said Rakhine State junta spokesman U Hla Thein, who declined to provide details.	"UN humanitarian chief visits Sittwe to observe rehabilitation efforts." Development Media Group, 18 August 2023
15 August 2023	Mr Martin Griffiths, Under-Secretary-General for UN Humanitarian Affairs and Emergency Relief Coordinator, and delegation	Junta leader Min Aung Hlaing	Credentials Hall of the junta leader's office, Naypyitaw	Junta-controlled media reported that Min Aung Hlaing and Mr Griffiths discussed the responsibilities being taken by the junta under the 2008 Constitution for "occurrences of voting fraud" in the 2020 multiparty democratic general elections, the endeavours of the junta to continue strengthening the multiparty democratic system the people aspire to, and misinformation on the situation in Myanmar in the international community.	"Global community should seek accurate information on Myanmar's situation." Global New Light of Myanmar, 16 August 2023.
15 August 2023	Mr Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	Junta 'minister' for social welfare, relief and resettlement Dr Soe Win	Naypyitaw	Both sides discussed the forthcoming renewal of the LoA between the Ministry and UNOCHA, internal visa concerns faced by OCHA personnel and the implications of the expiration of the MoU with pertinent ministries.	"MoSWRR Union Minister hosts UN Humanitarian Chief; Discussions span relief efforts, cooperation." Global New Light of Myanmar, 16 August 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
15 August 2023	Mr Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	U Ko Ko Hlaing, junta 'minister' for union government office 2	Naypyitaw	Discussed ways to enhance coordination between the junta and the UN in post-Mocha rehabilitation work.	"Govt Office Union Minister receives UN Humanitarian Chief," Global New Light of Myanmar, 16 August 2023.
15 August 2023	Mr Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	U Than Swe, junta 'deputy prime minister' and 'minister' for foreign affairs	Naypyitaw	Junta-controlled media reported the pair exchanged views on cooperation between Myanmar and the UN and facilitation for the provision of humanitarian assistance to the needy population.	"DPM MoFA Union Minister receives UN Humanitarian Chief," Global New Light of Myanmar, 16 August 2023.
1 August 2023	Mr Ramanathan Balakrishnan, UNFPA Resident Representative to Myanmar	Junta-controlled Ministry of Investment and Foreign Economic Relations (MIFER) and junta health 'minister', Dr Thet Khaing Win	N/A	Following the 25 July meeting between Mr Balakrishnan and junta 'minister' Dr Thet Khaing Win, it was reported in junta-controlled media that UNFPA and MIFER will sign a letter of agreement on cooperation in public health care development projects. This will include provision of medicine and medical equipment for reproductive health, and collaborating on maternal and reproductive health activities in areas affected by Cyclone Mocha. Of note, the article also reports cooperation between UNFPA and relevant junta ministries in census taking.	"MIFER, UNFPA plan to cooperate in public healthcare development," Global New Light of Myanmar, 1 August 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
28 July 2023	Ms Danielle Parry, UNOCHA Head of Office a.i., and delegation	Junta 'minister' Dr Thet Thet Khine of the junta-controlled Ministry of Social Welfare, Relief and Resettlement	Naypyitaw	Junta-controlled media reported that at the meeting both sides discussed the signing of a new letter of agreement between the ministry and UNOCHA, and the serving duties of the UNOCHA Head in Myanmar, among other issues.	"MoSWRR UM receives UNOCHA interim official," Global New Light of Myanmar, 29 July 2023.
25 July 2023	Delegation led by Mr Ramanathan Balakrishnan, Resident Representative of UNFPA in Myanmar	Junta health 'minister', Dr Thet Khaing Win	Naypyitaw	Discussed signing a letter of agreement between the junta-controlled Ministry of Investment and Foreign Economic Relations and the United Nations Fund for Population Activities.	"MoH Union Minister receives UNFPA Resident Representative," Global New Light of Myanmar, 26 July 2023.
17 July 2023	Ms Noriko Takagi, Resident Representative of UNHCR, and party	Junta 'minister' for immigration and population, U Myint Kyaing	Naypyitaw	Discussed issues including the signing of a new MoU between the junta-controlled MoIP and UNHCR to replace the expired MoU for the repatriation of displaced people from Rakhine State, negotiation for amendments to the new MoU, and awareness of Myanmar's efforts to repatriate displaced persons from Rakhine State.	"MoIP UM receives UNHCR resident representative," Global New Light of Myanmar, 18 July 2023.
14 July 2023	Mr Ramanathan Balakrishnan, Resident Representative of UNFPA in Myanmar, and delegation	Junta 'minister' for immigration and population, U Myint Kyaing	Naypyitaw	Discussed conditions of cooperation between the junta ministry and UNFPA, technological assistance and provision of materials related to population data collection which is being carried out by the junta ministry.	"MYANMAR-UNFPA COOPERATION :MOIP UNION MINISTER RECEIVES RESIDENT REPRESENTATIVE," MITV, 14 July 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
7 July 2023	Mr Ramanathan Balakrishnan, UN Resident Coordinator and Humanitarian Coordinator a.i., and Ms Danielle Parry, UNOCHA's Head of Office a.i.	U Ko Ko Hlaing, junta 'minister' for international cooperation	Naypyitaw	Discussed cooperation and collaboration over provision of humanitarian assistance to the populations affected by Cyclone Mocha in Myanmar.	"MoIC Union Minister receives UN Resident Coordinator and Humanitarian Coordinator ai, and OCHA Head of Office ai." Global New Light of Myanmar, 8 July 2023.
6 July 2023	Mr Ramanathan Balakrishnan, UN Resident and Humanitarian Coordinator a.i.	U Than Swe, junta 'minister' for foreign affairs	Junta-run ministry of Foreign Affairs, Yangon	Discussed cooperation over provision of humanitarian assistance to populations affected by Cyclone Mocha.	"MoFA Union Minister receives foreign heads of missions, UN representative." Global New Light of Myanmar, 7 July 2023.
4 July 2023	Ms Danielle Parry, UNOCHA Head of Office a.i.	Junta 'minister' for social welfare, relief and resettlement, Dr Thet Thet Khine	Naypyitaw	Discussed providing humanitarian aid to those affected by Cyclone Mocha in Rakhine State, OCHA staff entry visas and domestic traveling in Myanmar, and signing renewal of LoA between the junta-run MoSWRR and OCHA.	"MoSWRR Union Minister receives UNOCHA Head of Office ad interim," Global New Light of Myanmar, 5 July 2023.
27 June 2023	Ms Sarah Lou Ysmael Arriola, IOM Regional Director for Asia and the Pacific	Junta 'minister' for social welfare, relief and resettlement, Dr Thet Thet Khine	Naypyitaw	Pair exchanged views on the signing of new MoU, the junta's preparations for Cyclone Mocha, and the repatriation of "illegal migrants" and victims of human trafficking and their reintegration into the community.	"COOPERATION WITH IOM: MSWRR UNION MINISTER RECEIVES REGIONAL DIRECTOR," MITV, 28 June 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
27 June 2023	Ms Sarah Lou Ysmael Arriola, IOM Regional Director for Asia and the Pacific; Mr Dragan Aleksoski, IOM Chief of Mission for Myanmar	U Ko Ko Hlaing, junta 'minister' for international cooperation; and Mr Chaoqian Xiong, junta's regional migration policy support officer	Naypyitaw	"Courtesy call" in which both sides shared their views on matters pertaining to the cooperation between the junta and IOM and continued work of IOM in Myanmar.	"Union Minister for International Cooperation receives IOM Regional Director for Asia and the Pacific." Global New Light of Myanmar, 28 June 2023.
26 June 2023	Ms Sarah Lou Ysmael Arriola, IOM Regional Director for Asia and the Pacific; Mr Dragan Aleksoski, IOM Chief of Mission for Myanmar	U Than Swe, junta 'minister' for foreign affairs; and Mr Chaoqian Xiong, junta's regional migration policy support officer	Naypyitaw	"Courtesy" call, in which both sides discussed the support of IOM to the people of Myanmar in the field of migration, and updates on progress of IOM's current work.	"Union Minister for Foreign Affairs receives IOM Regional Director for Asia and the Pacific." Global New Light of Myanmar, 27 June 2023.
26 June 2023	Ms Sarah Lou Ysmael Arriola, IOM Regional Director for Asia and the Pacific; Mr Dragan Aleksoski, IOM Chief of Mission for Myanmar	Junta 'minister' for labor, Dr Pwint San; junta 'deputy minister', U Win Shein; the junta 'permanent secretary'; and the junta 'director-general'	Naypyitaw	Discussed matters including negotiations over the signing of a new MoU between IOM and the junta-controlled Ministry of Labour, points to be included in the MoU and matters on continued cooperation between both parties.	"Union Minister for Labour receives IOM Asia-Pacific Regional Director." Global New Light of Myanmar, 27 June 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
15 June 2023	Mr Ramanathan Balakrishnan, Acting Resident Coordinator and Acting Humanitarian Coordinator a.i.; Ms Kyoko Ono, Deputy Head of OCHA Office; Daw Su Su Thatun, Senior Advisor to the RC/HC; Mr Riccardo Maia, UN Area Coordinator for Rakhine State; Mr Tom Otunga, Head of OCHA Rakhine Sub-Office; and U Kyaw Naing Win, Humanitarian Affairs Specialist of OCHA	Junta 'ministers' Lt-Gen Tun Tun Naung, U Ko Ko Hlaing, and Dr Thet Thet Khine	Rakhine State junta administration office in Sittwe, Rakhine State	Discussed ongoing relief and rehabilitation efforts following Cyclone Mocha.	"Union Ministers meet UN Acting Resident Coordinator, Acting Humanitarian Coordinator." Global New Light of Myanmar, 16 June 2023.
31 May 2023	Ms Danielle Parry, UN Humanitarian Coordinator a.i. and OCHA Head of Office a.i.	U Ko Ko Hlaing, junta 'minister' for international cooperation	Naypyitaw	Discussed matters of cooperation for provision of humanitarian assistance to populations affected by Cyclone Mocha.	"MoI/C Union Minister receives UN Humanitarian Coordinator (a.i.) and OCHA Head of Office (a.i.)." Global New Light of Myanmar, 1 June 2023.
26 May 2023	Acting Coordinator of UNRCD and team	Junta 'deputy prime minister' and Tun Tun Naung	Rakhine State junta administrators office, Rakhine State	Discussed cooperation and assistance of the UN regarding Cyclone Mocha.	"Kayin BGF, Myinegyingyu Special Region families donate cash for storm victims of Rakhine State." Global New Light of Myanmar, 27 May 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
26 May 2023	Ms Noriko Takagi, Representative of UNHCR	Junta ‘minister’ for social welfare relief and resettlement, Dr Thet Thet Khine; junta’s permanent secretary, Dr Ko Ko Naing; the junta’s director-general; and officials from the junta-controlled Department of Social Welfare	Naypyitaw	Exchanged views on issues including the status of the UNHCR Resident Representative, relief items for storm-hit people in Sittwe, the signing of an MoU between both parties, the status of recovery efforts and transport of relief goods by junta aircraft and naval vessels to Rakhine State.	“MoSWRR Union Minister meets UNHCR Resident Representative.” Global New Light of Myanmar, 27 May 2023.
25 May 2023	UNICEF Deputy Resident Representative to Myanmar Ms Alessandra Dentice and a delegation of regional health and nutrition experts	Junta ‘minister’ for health, Dr Thet Khaing Win; junta’s ‘deputy minister’; the ‘director-general’ of the Public Health Department; the ‘deputy permanent secretary’; and junta officials	Naypyitaw	Discussed matters relating to UNICEF’s cooperation in Mocha-hit areas, and strengthening healthcare cooperation between the junta-controlled Ministry of Health and UNICEF.	“UNICEF Deputy Resident Representative to Myanmar calls on Union Health Minister.” Global New Light of Myanmar, 26 May 2023.
18 May 2023	Ms Noriko Takagi, Representative of UNHCR	Junta ‘minister’ for immigration and population, U Myint Kyaing, ‘deputy minister’, U Htay Hlaing, and officials	Naypyitaw	Discussion of extension tripartite MoU with UNHCR-UNDP and junta. Of note, junta-controlled media reported “this will enable continued cooperation of the repatriation of people who left their homes in Rakhine State”.	“MoIP Union Minister receives UNHCR Resident Representative to Myanmar.” (Junta) Ministry of Information, 19 May 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
17 May 2023	Mr Stephen Anderson, Country Director and Resident Representative of WFP in Myanmar	U Than Swe, junta 'minister' for foreign affairs	Naypyitaw	Mr Anderson briefed the junta minister on the updates of the signing of the new LoU regarding the Country Strategic Programme (2023) as well as the WFP operations in Myanmar and Cyclone Mocha relief efforts.	"MoFA Union Minister receives WFP Country Director and Resident Representative in Myanmar." Global New Light of Myanmar, 18 May 2023.
16 May 2023	Ms Noriko Takagi, Representative UNHCR	U Than Swe, junta 'minister' for foreign affairs and senior junta ministry officials	Naypyitaw	Takagi paid a "courtesy call" and presented her credentials to U Than Swe.	"Union Ministers Receive UNHCR Representative to Myanmar." (Junta) Ministry of Defence, 22 May 2023.
16 May 2023	Ms Noriko Takagi, Representative UNHCR	Junta 'minister' for international cooperation, U Ko Ko Hlaing	Naypyitaw	Discussed matters relating to the willingness of UN agencies to support and assist populations affected by Cyclone Mocha as well as the repatriation and resettlement of displaced persons from Rakhine.	"MoI/C Union Minister receives UNHCR Representative to Myanmar." (Junta) Ministry of Information, 17 May 2023.
5 April 2023	Mr Ramanathan Balakrishnan, Country Representative, UNFPA	Dr Kan Zaw, junta 'minister' for investment and foreign economic relations, junta officials from the Ministry of Investment and Foreign Economic Relations	Naypyitaw	Shared views on on-going UNFPA activities in Myanmar, and discussed UNFPA's future programme.	"Union Minister for Investment and Foreign Economic Relations receives Mr Ramanathan Balakrishnan, Country Representative of United Nations Population Fund." Global New Light of Myanmar, 6 April 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
29-31 March 2023	IOM Chief of Mission Mr Dragan Aleksoski	Junta-controlled UMFCCI 'general secretary' Daw Khaing Khaing Nwe, junta officials of Mon and Kayin State Chambers	N/A	Discussed the situation of migrant workers at the Thai-Myanmar border and cooperation in migrant worker issues.	"Connection created with migrant workers returning from Thai-Myanmar border with jobs." Global New Light of Myanmar, 3 April 2023.
15 March 2023	The United Nations refugee agency (UNHCR)	Officials from Myanmar's junta	From Myanmar to Bangladesh	UNHCR helped junta officials travel to Bangladesh for talks with Rohingya refugees as part of the junta's repatriation plan.	"UN Says Helped Myanmar Junta Officials Travel To Bangladesh For Rohingya Return Talks." AFP, 18 March 2023.
24 February 2023	Ms Sara Austin Netzer, Country Director, UNOPS Myanmar, and delegation	Junta 'minister' U Ming Naung of the Ministry of Agriculture, Livestock and Irrigation; junta 'deputy minister' Dr Tin Htut; and officials from relevant junta departments	N/A	Discussed the junta ministry's help and support in development activities being carried out in Myanmar by Livelihood and Food Security Fund (LIFT) and future work programmes.	"MoALI Union Minister receives Country Director of UNOPS Myanmar," Global New Light of Myanmar, 25 February 2023.
21 February 2023	Ms Debora Comini, Regional Director of UNICEF East Asia and Pacific Regional Office	Junta 'minister' for investment and foreign economic relations, Dr Kan Zaw; officials from the the junta-controlled Ministry of Investment and Foreign Economic Relations	Naypyitaw	Discussed UNICEF's current programmes in Myanmar and plans for further cooperation between the junta and UNICEF.	"MIFER Union Minister receives Regional Director of UNICEF East Asia and Pacific Regional Office (EAPRO)," Global New Light of Myanmar, 22 February 2023.

Date	UN entities	Junta personnel	Location	Meeting description	Source
10 February 2023	Delegation led by Mr Rangaiyan Gurumurthy, Country Director of UNAIDS	Junta 'minister' for health, Dr Thet Khaing Win; junta 'deputy minister', the director-general, the deputy permanent secretary and officials from the junta-controlled Ministry of Health were also in attendance	Naypyitaw	Director acknowledged and praised for measures taken to ensure no shortage of ART drugs for HIV/AIDS patients. Director also discussed continuing support to the junta ministry's anti-AIDS activities and providing more technical assistance.	"Union Health Minister receives UNAIDS Country Director," Global New Light of Myanmar, 11 February 2023.
9 February 2023	Dr Rangaiyan Gurumurthy, Country Director of UNAIDS	U Than Swe, junta 'minister' for foreign affairs	Junta Ministry of Foreign Affairs, Naypyitaw	Presenting credentials.	"Country Director of UNAIDS Myanmar presents his Credentials to MoFA Union Minister," Global New Light of Myanmar, 10 February 2023.
19 January 2023	Mr David McLachlan-Karr, Regional Director for Asia-Pacific, UNDCO	Junta 'minister' Dr Kan Zaw of the Ministry of Investment and Foreign Economic Relations; and junta officials of the Ministry of Investment and Foreign Economic Relations were also present	The junta ministry, Naypyitaw	Shared views on matters relating to the existing cooperation between the junta and the UN and discussed the continuous implementation of current Country Programmes of UN Agencies.	"MIFER Union Minister receives UNDCO Asia-Pacific Regional Director," Global New Light of Myanmar, 20 January 2023.
20 December 2022	Mr Dragan Aleksoski, Chief of Mission, IOM Myanmar	Junta 'minister' U Ko Ko Hlaing of the Ministry of International Cooperation, and senior junta ministry officials	Naypyitaw	A "courtesy meeting" which included discussions over IOM's support to the people of Myanmar in the field of migration and updates on progress of IOM programmes in Myanmar.	"MoIC Union Minister receives Chief of Mission of IOM Myanmar," (junta) Ministry of Information, 21 December 2022.

Date	UN entities	Junta personnel	Location	Meeting description	Source
16 December 2022	Mr Sanjay Mathur, Regional Director, UNOPS, and Ms. Sara Austin, Country Director a.i. of UNOPS Myanmar	Junta 'minister' U Ko Ko Hlaing of the Ministry of International Cooperation and senior junta ministry officials	Naypyitaw	Discussed existing and future cooperation between the junta and UNOPS.	"RECEIVING DELEGATION: MOIC UNION MINISTER RECEIVED UNOPS REGIONAL DIRECTOR," MiTV, 16 December 2022
15 December 2022	Mr Sanjay Mathur, Regional Director, UNOPS	Junta 'minister' Dr Thet Khaing Win of the junta-controlled Ministry of Health, the deputy minister, the director-general and junta officials	Naypyitaw	Discussed matters relating to increased cooperation between the junta-controlled Ministry of Health and UNOPS.	"MoH Union Minister receives Regional Director of UNOPS," Global New Light of Myanmar, 16 December 2022.
15 December 2022	Mr Sanjay Mathur, Regional Director, UNOPS, and Ms. Sara Austin, Country Director a.i. of UNOPS Myanmar	Former junta foreign 'minister' U Wunna Maung Lwin and senior junta ministry officials	Naypyitaw	Discussed matters relating to existing and future cooperation between the junta and UNOPS.	"RECEIVING REGIONAL DIRECTOR: MOFA UNION MINISTER RECEIVED UNOPS REGIONAL DIRECTOR," MiTV, 15 December 2022.
9 December 2022	Mr Ramanathan Balakrishnan, acting UN Resident Coordinator and Humanitarian Coordinator a.i. to Myanmar, and party	Junta 'minister' for Investment and Foreign Economic Relations, Dr Kan Zaw, and junta ministry officials	Naypyitaw	Exchanged views on cooperation between relevant junta ministries and UN agencies and residency matters of foreign employees from UN agencies.	"MIFER Union Minister receives acting UN Resident Coordinator/ Humanitarian Coordinator to Myanmar," Global New Light of Myanmar, 10 December 2022.
8 December 2022	Mr Ramanathan Balakrishnan, acting UN Resident Coordinator and Humanitarian Coordinator a.i. to Myanmar and party	Junta 'minister' for immigration and population, U Myint Kyaing, 'deputy ministers' U Htay Hlaing and Dr Myo Thant, and junta officials were also present at the meeting	Naypyitaw	Both parties discussed and exchanged views concerning friendly cooperation between the junta and UN agencies.	"MoIP Union Minister receives acting UN Resident Coordinator and Humanitarian Coordinator for Myanmar," Global New Light of Myanmar, 9 December 2022.

Date	UN entities	Junta personnel	Location	Meeting description	Source
23 November 2022	Dr Thushara Fernando, recently appointed as WHO Resident Representative to Myanmar	Junta 'minister' Dr Thet Khaing Win of the junta-controlled Ministry of Health, and junta officials participated	Naypyitaw	Discussed matters relating to the continued execution of WHO's healthcare work in cooperation with the junta.	"MoH Union Minister receives delegation led by WHO Resident Representative to Myanmar," Global New Light of Myanmar, 24 November 2022.
23 November 2022	Dr Thushara Fernando, recently appointed as WHO Resident Representative to Myanmar	Former junta foreign affairs 'minister', U Wunna Maung Lwin, and senior junta ministry officials	Naypyitaw	Presenting credentials.	"WHO Representative to Myanmar presents his Credentials to Union Minister for Foreign Affairs," Global New Light of Myanmar, 24 November 2022.
19 September 2022	The Director of UNHCR, Asia Pacific Office, Indrika Ratwatte	Junta 'minister' for border affairs, Tun Tun Naung	Naypyitaw	Discussed matters related to development in border areas, including "preparations being done to re-admit and resettle displaced persons from Rakhine State and plans to be implemented in the future from the National-level committee on resettlement and closure of temporary camps".	"MoBA Union Minister meets UNHCR's Director of Asia-Pacific Regional Bureau," (junta) Ministry of Information, 20 September 2022.
9 September 2022	Mr Dragan Aleksoski, Chief of Mission, IOM Myanmar	Former junta 'minister' for foreign affairs, Wunna Maung Lwin	Naypyitaw	"Courtesy call" in which the chief of mission also presented accreditation to Wunna Maung Lwin.	"IOM Chief of Mission for Myanmar presents his Accreditation Letter to Union Minister for Foreign Affairs," Global New Light of Myanmar, 10 September 2022.

Date	UN entities	Junta personnel	Location	Meeting description	Source
9 September 2022	Mr Dragan Aleksoski, Chief of Mission, IOM Myanmar	Dr Thet Thet Khine of the junta-controlled Ministry of Social Welfare, Relief and Resettlement; 'deputy minister' U Aung Tun Khine; the permanent secretary; and junta ministry officials	Naypyitaw	Discussed cooperation efforts and the progress of negotiations over the signing of an MOU with the junta-controlled Department of Disaster Management.	"MoSWRR Union Minister meets IOM Chief of Mission." Global New Light of Myanmar, 10 September 2022.
31 August 2022	Mr David Carden, Head of the UNOCHA office and officials	Junta 'minister' Dr Thet Thet Khine; the deputy minister; the permanent secretary; and the director-general of the junta-controlled Ministry of Social Welfare, Relief and Resettlement	Naypyitaw	UNOCHA signed an LoA with the Disaster Management Department under the junta-controlled Ministry of Social Welfare, Relief and Resettlement.	"Disaster Management Department and UNOCHA sign Letter of Agreement." Global New Light of Myanmar, 1 September 2022.
30 August 2022	Representative of FAO of the United Nations to Myanmar, Dr Yuka Makino	U Wunna Maung Lwin, former junta 'minister' for foreign affairs, and senior junta ministry officials	Naypyitaw	Presenting credentials.	"FAO Representative to Myanmar presents her Credentials to Union Minister for Foreign Affairs." Global New Light of Myanmar, 31 August 2022.
16 June 2022	Representative UNICEF Myanmar, Mr Marcoluigi Corsi	U Wunna Maung Lwin, former junta 'minister' for foreign affairs	Naypyitaw	Presenting credentials and "courtesy call".	"PRESENTING CREDENTIALS: UNICEF REP. PRESENTED HIS CREDENTIALS TO FM." MiTV, 17 June 2022.

UN International Conferences and Meetings Attended by Junta Representatives As Representatives of Myanmar

Date	UN entities	Junta personnel	Location	Meeting description	Source
20 September 2023	International Charity Luncheon organized by the United Nations Women's Guild of Vienna	Min Thein, Junta-appointed Permanent Representative of Myanmar to the United Nations (Vienna)	Vienna, Austria	Junta appointee Min Thein attends the UNWG Charity International Luncheon.	"Myanmar participates in UNWG Charity International Luncheon," Global New Light of Myanmar, 23 September 2023.
12 -15 June 2023	Conference hosted by the United Nations	Dr Htay Aung, 'chairman' of the junta-controlled Myanmar Anti-Corruption Commission (virtually); U Than Soe; U Maung Maung Tint; U Win Ti; and Dr Tun Tun Oo; and two representatives led by junta appointed 'ambassador' U Min Thein, based in Vienna, attended the meeting in person	Vienna, Austria / attended virtually	14th United Nations Anti-Corruption Convention Review Working Group Meeting.	"Myanmar delegation participates in UN Meetings on Anti-Corruption," (junta) Ministry of Information, 17 June 2023.
10 December 2022	Representatives from the United Nations agencies: IMF, UNDP, and anti-money laundering bodies/commissions	Three Myanmar junta representatives led by the junta-appointed 'Charge' de Affaires of the Embassy of Myanmar in Washington', U Thet Win, on behalf of the junta-controlled Myanmar Anti-Corruption Commission	Washington DC, USA	International Anti-Corruption Conference 2022.	"Myanmar delegation attends International Anti-Corruption Conference," Global New Light of Myanmar, 16 December 2022.
28 November 2022	IACA conference run by ACC (UNDP and UNODC supported)	Myanmar junta delegation led by Vienna-based junta-appointed 'Permanent Representative' to the United Nations Myanmar Ambassador U Min Thein	Vienna, Austria	Annual Conference of International Anti-Corruption Academy (IACA) held in Vienna of Austria on behalf of the Anti-Corruption Commission (ACC).	"Myanmar delegation attends 11th Annual Conference of International Anti-Corruption Academy (IACA) in Austria," Global New Light of Myanmar, 1 December 2022.

Date	UN entities	Junta personnel	Location	Meeting description	Source
8 November 2022	Global Town Hall 2022 meeting “Sustaining Peace and Development in a Divided World”, hosted by the Foreign Policy Community of Indonesia (FPCI) attended by leading public figures such as former UN Secretary General Ban Ki Moon, as well as UN officials.	NUG Foreign Minister Daw Zin Mar Aung and NUG Deputy Foreign Minister U Moe Zaw Oo	Attended virtually	Pre-recorded opening remarks by NUG Foreign Minister Daw Zin Mar Aung were not aired and NUG Deputy Foreign Minister U Moe Zaw Oo was barred from participating as a panelist in the town-hall meeting after a complaint by a high-level UN official. Reportedly the high level UN official urged the event organizer to drop the NUG representatives from the meeting because the world body was afraid of appearing to take sides by inviting them.	“Myanmar Shadow Govt Barred From Global Town Hall Meeting After UN Objects.” The Irrawaddy, 8 November 2022.
17 November 2021	United Nations Development Programme (UNDP)	Junta’s former ‘minister’ for foreign affairs, Wunna Maung Lwin, the junta’s ‘deputy minister’ for foreign affairs, ‘ambassador’ of Myanmar in Laos and senior junta members from the Ministry of Foreign Affairs were also present at the meeting.	Laos/ attended virtually	The Government of Laos invited the Wunna Maung Lwin to participate in the opening session of its 13th High-Level Roundtable Meeting with partners for sustainable development in Laos. The meeting was organised in collaboration with UNDP.	“MoFA Union Minister participates in opening session of 13th High-Level Roundtable Meeting co-organized by Government of Lao PDR, UNDP” Global New Light of Myanmar, 18 November 2021.

Date	UN entities	Junta personnel	Location	Meeting description	Source
26-27 October 2021	United Nations World Tourism Organization (UNWTO)	Junta 'minister' for hotels and tourism, Dr Htay Aung, participated via teleconference in the Future of World Tourism Summit-Ministerial Debate which was held in Barcelona and online.	Barcelona, Spain / attended virtually	Dr Htay Aung spoke on behalf of Myanmar at the event which was jointly organised by the UNWTO, the Advanced Leadership Foundation (ALF), and several other Spanish and Catalan organisations.	"MoHT Union Minister joins Future of Tourism World Summit-Ministerial Debate online," (junta) Ministry of Hotels and Tourism , 27 October 2021.
October 12 2021	UN Convention on Biological Diversity (COP15)	Junta 'minister' for natural resources and environmental conservation, Khin Maung Yi, and associates attended the first part of the fifteenth meeting of the Conference of the Parties to the UN Convention on Biological Diversity (COP15)	Kunming, China / attended virtually	Khin Maung Yi spoke on behalf of Myanmar about environmental matters in the country in front of ministers and representatives from the UN Biodiversity Conference member countries, heads of UN agencies, and representatives from international organisations.	"15th Ministerial Meeting for United Nations Biodiversity Conference held," Global New Light of Myanmar, 14 October 2021.
October 5 2021	United Nations Educational, Scientific and Cultural Organization (UNESCO)	UNESCO has allowed the Myanmar military junta's 'secretary-general' of the National Commission for Myanmar, Dr Kyi Shwin, to remain on its executive board following the junta's attempted coup	Naypyitaw	Dr Kyi Shwin participated in the Myanmar military junta's World Teachers Day event in Naypyidaw on October 5, 2021, where he read out a joint message from the leaders of five UN agencies in Myanmar.	"MoE celebrates 2021 World Teachers' Day in Nay Pyi Taw," Global New Light of Myanmar, 6 October 2021.
12-16 April 2021	UNODC 64th session of the Commission on Narcotic Drugs	Junta police chief and 'deputy minister' for home affairs, Than Hlaing, represented Myanmar at the UNODC 64th session of the Commission on Narcotic Drugs	Vienna, Austria / attended virtually	Conference opened with a speech from UN Secretary-General, António Guterres and was attended by a wide range of UN Member and Observer States and intergovernmental organisations. The conference was held in a hybrid in-person and online format, and Than Hlaing attended via video.	"Deputy Minister Lt-Gen Than Hlaing attends 64th narcotics commission meeting," Global New Light of Myanmar, 14 April 2021.