



Myanmar Position Paper

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I. Background Information on Myanmar

Myanmar is a country located in Southeast Asia which received its independence from England on 4 January 1948 with the declaration of the Japanese as a sovereign state named “Burma” after World War 2. It heavily relies on agriculture and fishery as sources of national income, composing approximately half of its GDP per capita. Myanmar was initially ruled by a military junta in 1962 when Ne Win suspended the 1947 constitution to make Burma a socialist state. After Ne Win retired as president of the government, the military took action, and the constitutional government was replaced by the State Law and Order Restoration Council (SLORC), which then became the State Peace and Development Council (SPDC). However, military rule was dissolved after the 2010 elections for the new parliament. The Assembly of the Union, a bicameral parliament, is currently in rule, including the House of Nationalities and House of Representatives.

Military and governmental intersections and military administration of the SLORC in the 1990s and the SLORC not recognizing the National League for Democracy despite their victory in the 1990 elections brought about international conflicts regarding Burma. The United States imposed economic sanctions against Burma while the United Nations and the European Union condemned the trade and human rights violations. Nevertheless, at the start of the 21st century, Myanmar was one of the most prominent states in Asia regarding its economic and strategic stance, causing Chinese admiration and support towards the state. “The migration of more than one million Chinese into Myanmar, massive Chinese support for the SLORC (and, later, the SPDC) in the form of military equipment and assistance in infrastructure development, and the ability of the Chinese to open trade through Myanmar to the Bay of Bengal concerned the Indian government” (*Britannica Encyclopedia*). Myanmar later became a member of the Association of Southeast Asian Nations (ASEAN).

II. Past Achievements and Attempts of Country/Organization on the Issues

A. The question of the Durand Line:

- Since the question of the Durand Line is one between Pakistan and Afghanistan, Myanmar does not have a direct connection with the issue. Therefore, there isn't an achievement yet.

B. Tackling maritime security threats in the Bay of Bengal:



- Although the maritime security of Myanmar creates concerns because of piracy and sea robbery cases, the boundary issues regarding Myanmar and Bangladesh have been settled with the ITLOS decision. The countries decided to appoint an international organization as they realized the uncertainty of their maritime boundary and that the undefined status of their continental shelf started detracting investors and energy companies. The end decision set the boundary to be a line equidistant from several base points of the state's coastline, close to the proposals made by both of the states.
- After the economic sanctions have been lifted, Myanmar accepted several international companies to its seabed and awarded them with offshore blocks. It has also initiated submarine warfare training with the Pakistani Navy in Karachi in 2013, although its expansion plans still lack eight frigates and two submarines.
- IONS (led by the Indian Navy) discuss the challenges regarding the Bay of Bengal and hosts MILAN, which gathers the littoral navies of the Bay of Bengal under the name of 'biennial naval exercise'. Therefore, patrolling forces have been sent by India to several states including Myanmar to cover the waters of the bay.
- Myanmar Maritime Domain Awareness (MMDA) has been established by the Coast Guard and the Border Guard Police of Myanmar to increase awareness of naval activity within the region.
- Maritime Domain Awareness (MDA) has signed the White Shipping, which is an agreement to increase information exchange regarding commercial shipping. The agreement has been signed between India and Myanmar as well, and discussions have been continuing on the provision of radar and sonar equipment, enhancing Myanmar's surveillance competence.
- A regional organization called The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) has been established through the Bangkok Declaration, including seven nations, including Myanmar, in order to conceive unity between littoral states and concerned others. The organization has constituted a platform of cooperation for SAARC and ASEAN states and maintained its average of %6.5 economic growth in the last five years.

C. Curbing state-sponsored terrorism in Southern Asia:

- The Counter-Terrorism Law of Myanmar adopted on 4 June 2014 defines an act of terrorism as “ an act or omission to act any of the following offenses with the intent to commit an act of terrorism” and granting this law with “jurisdiction upon the persons who commit, attempt to commit, abet or, instigate or participate as accomplices the following acts of terrorism:...” (The Counter-Terrorism Law, 2014) interpreted by the Anti-Terrorism Central Committee of the Myanmar government. This law also declares the Arakan Army and the Arakan Rohingya Salvation Army to be terrorist groups.
- Myanmar has taken a prominent part and signed the Convention on Counter-Terrorism, being a member of the ASEAN.



- Myanmar has joined the UNODC Border Liaison Office Network, to pass information and take part in mutual actions among other concerned nations, fighting international terrorism in unison.
- Myanmar has initiated and signed the Memorandum of Understanding on Security Dialogue and Cooperation as well as the Memorandum of Understanding on Establishment of Border Liaison Office with Bangladesh in 2017.

III. Objectives, Aims and Possible Solutions Proposed by Country/Organization on the Issues

A. The question of the Durand Line:

- Although Myanmar currently doesn't have an objective nor an aim on the issue, it can propose their counsel on possible solutions.
- The issue of the Durand Line could initially be brought to the notice of the UN International Boundary Information System (UNIBIS), in order to examine the current situation of the dispute and the historical and legal grounds of the claims that are made by both of the states.
- UNIBIS could arrange a meeting between the two parties of Pakistan and Afghanistan in order to resolve issues regarding the safety and security of the current shape of the border, in order to eliminate violent and terrorist activities around the area for the time being, until the borders are legally set. INTERPOL could also take part according to the will of both parties.
- In this meeting, the Durand Line Agreement could also be renewed according to the policies of both nations, including the UN Working Group of Minorities of the OHCHR in order to seek the rights of the Pashtun people as well.
- The Security Council could also be called into action, as they did in the case of persecution of minorities in Iraq, and prepare a similar declaration after specific research on reports examining the actions of Pakistan towards Pashtun people, focusing on the Babbra Massacre. Whether or not the actions of the Pakistani government are related to Taliban or Al-Qaeda could also be investigated, referring to resolve accusations made by third party nations.
- The International Organization of Migration could help willing Pashtun people and the stranded Afghans around the Durand Line to cross to Afghanistan after holding meetings with the Pakistani government to find a middle ground protecting the rights of all.

B. Tackling maritime security threats in the Bay of Bengal:

- The political reforms increasing civilian voice within the government have helped Myanmar regarding issues of Naypyidaw. This led to the new policy of Myanmar, aiming to embark on modest naval modernization and 'develop a blue-water capability', starting with the increase of frigates and corvettes within its possession, and continuing with its first Offshore Patrol Vessel (OPV) in 2017.



- The MARCOS, being an experienced and equipped establishment on the issues of maritime security and specifically amphibious operations, the Indian unit could be set as an example to many other littoral states. With MARCOS showing the lead, training activities and sessions would improve the knowledge and capabilities of all littoral states and set a unified front of region-wide security as it is also an organization that tackles the same issues yet has been accomplished and verified in its standards.
- Encouraging BIMSTEC in establishing an intelligence framework between governments of the littoral states could also increase the communication and therefore security opportunities of the states. The framework would have to be properly encrypted to ensure digital security as well. However, the appropriate use of the intelligence could simultaneously inform other states of suspicious activity and also seek acquaintance under cases of unauthorized shipments, illegal fishing, and migration.
- Appointing a cross-governmental navy force between the littoral states could also be a solution for the several maritime threats of occurrence in the region, mainly being drug trafficking and smuggling, piracy, terrorism, illegal fishing, and other refugee crisis. This way, an area as big as the Bay of Bengal could be secured with simultaneous and systematic action. The unified navy force would also have to be limited in the authority regarding land-action in a state, in order to protect the sovereignty of the states and trans-national trust.
- The touristic regions and activities should be secured within the bay through the adoption of specialized policies and action plans. National police forces or a new national organization could best be appointed to first-handily deal with the issue of touristic attractions and destinations. The involved party could also receive guidance from an international organization on the issue, such as The Tourism Security Programme of OAS-CICTE with similar past accomplishments on the issue of maritime security.

C. Curbing state-sponsored terrorism in Southern Asia:

- Myanmar has stated that: “We, therefore, remain committed to the United Nations Global Counter-Terrorism Strategy (GCTS) which provides a framework for international cooperation to fight international through concerted efforts. Myanmar is also committed to fulfilling its obligations under the UN Charter to lend its support in the implementation of GCTS. We welcome the “Virtual Counter-Terrorism Week” initiated by the United Nations Office of Counter-Terrorism (UNOCT) with the theme of “Strategic and Practical Challenges of Countering Terrorism in a Global Pandemic Environment” convened on 6 to 10 July this year.” in a speech submitted in the United Nations on 8 October 2020.
- Myanmar has the Central Control Bodies and the Financial Intelligence Unit (FIU) overseeing the issue nationally.



- Myanmar is working on its counter-terrorism and money laundering laws by cooperating with the Office of the United Nations Counter-Terrorism Committee Executive Directorate (CTED) and objectifies UNSC resolutions 1373 (2001) and 1624 (2005).
- A possible solution on the matter could be authorizing FATF to cooperate with UN Security Council in order to seize transparent national action regarding money transactions and financing assets. FATF could organize an international action plan in accordance with any organization that has previously collected data on terrorism within a nation, such as Transparency International. FATF could therefore also submit an issue to the UNSC when an inconsistency has been detected in a nation's financial transactions, and ultimately re-enforce its approach with sanctions if the country is found guilty through the UNSC.
- Appointing the ICC and the Office of Counter-Terrorism to cooperate on evaluating the submitted definitions of "terrorism" for every state and especially examine the actions of states that have been previously accused of state-sponsored terrorism. If the state's submitted definition of terrorism is found vague or open to further violence, the state can be asked to revise its definition. However, if the definition is clearly stated and yet the state's previous actions are examined to be terrorism according to its own definition, the state can be persecuted in the ICC.



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