



APLMUN UNHRC BACKGROUND GUIDE





Letter from the executive board

Dear Delegates,

It is a great honour and privilege to welcome you to APL Model United Nations' second online simulation of the United Nations Human Rights Council. As the Executive Board, we look forward to chairing you and guiding you through this conference which we hope will be full of fruitful debate. Our goal for this conference is to foster a formal, yet friendly, environment to debate some important issues that currently challenge the international community. We hope you can leave this committee with more knowledge, confidence and good memories that you will carry with you forward in your future MUNs. We understand that since this Human Rights Council will be simulated on an online platform there are certain obstacles that are to be expected in terms of creating an effective debating environment. As the Executive Board, we will strive to do our best in addressing these aspects along with whatever concerns you may have so as to provide you with a memorable experience.

This study guide has been provided to equip you with the basic knowledge that you may find yourself requiring whilst beginning your preparation process. That being said, please note that this guide is to only serve as a starting point to your research and as the Executive Board we expect you to delve far deeper into the aspects of this agenda than what the contents of this guide entail. Our duty as the Executive Board is to guide you and help you throughout the conference so we encourage you to ask questions that you may have without a shred of hesitation.

A conscious effort has been made by the Executive Board to ensure that this guide is as restrained as possible whilst still providing the necessary framework required so as to not deprive you of the opportunity of going about your own research based in whichever manner suits you as an individual based on your own unique perspectives. We understand that as this is an online simulation we have no control over the usage of the internet by delegates, nevertheless we encourage that you prepare for this MUN the same way you would prepare for any other as your preparation before the actual conference will definitely reflect on your performance in committee. Please remember that one of the top priorities in the committee is upholding your country's foreign policy above all else.

The aim of this simulation is that every delegate walks away with more knowledge and experience. Your experience will not only shape the way you debate in future MUNs but also shape the way you approach a variety of challenges in your life. We, as the Executive Board, will try our best to foster that healthy environment for growth and experience. For any further queries, don't hesitate to contact us directly.

- The Executive Board UNHRC



What is the UNHRC?

The Human Rights Council, also known as UNHRC, is an intergovernmental body of the UN. Its main function is to promote, protect and maintain human rights around the globe. The UNHRC shoulders the responsibility of discussing and investigating issues involving human rights. The council also oversees each member state's human rights records in a process known as the universal periodic review. The UNHRC has 47 member nations, elected by the United Nations General Assembly (UNGA), for a three year period. The seats are allocated according to the United Nations regional groups, allocating 13 seats for African nations, 13 seats for Asian nations, 6 for Eastern Europe, 8 for Latin America and the Caribbean and 7 for Western Europe and other groups. However, the UNGA can suspend the rights and concessions of any member nation on the grounds of incessant violation and exploitation of human rights. Located in Geneva, Switzerland, the UNHRC was initiated on March 15th, 2006, by the UNGA. It was built to replace its predecessor, the United Nations Commission on Human Rights (UNCHR), which was poorly functioning at the time. The UNHRC annually holds 3 regular sessions. However, in light of major violations of human rights and emergencies, at any time, the UNHRC can decide to hold a special session. In this simulation, the UNHRC acts as a consultative body that will provide solutions for the agenda items. The member nations will ultimately work on a resolution comprising all the discussed solutions.



Mandate of the UNHRC

- (a) Promote human rights education and learning as well as advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of Member States concerned;
- (b) Serve as a forum for dialogue on thematic issues on all human rights;
- (c) Make recommendations to the General Assembly for the further development of international law in the field of human rights;
- (d) Promote the full implementation of human rights obligations undertaken by States and follow-up to the goals and commitments related to the promotion and protection of human rights emanating from United Nations conferences and summits;
- (e) Undertake a Universal Periodic Review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session;
- (f) Contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies;
- (g) Assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the General Assembly in its resolution 48/141 of 20 December 1993;
- (h) Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society;
- (i) Make recommendations with regard to the promotion and protection of human rights;
- (j) Submit an annual report to the General Assembly.



What is an Emergency Special Session of the UNHRC?

As delegates must have noticed, this agenda happens to be very specifically tied to a crisis that has just occurred. This is because the agenda in question was called during an **Emergency Special Session of the UNHRC**.

Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council ***“shall hold special sessions, when needed, at the request of a member of the Council with the support of one-third of the membership of the Council”***.

In the case of our agenda on the 18th of August 2021, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office at Geneva addressed to the President of the Human Rights Council requested the convening of a special session of the Council on 21st August 2021 to address the situation of human rights in Myanmar since the coup took place on February 1st 2021.

As more than one-third of the membership of the Council supported the above-mentioned request, the President of the Council decided to convene a special session of the Council on 21st August 2021.

Overview of the current crisis in Myanmar

On Monday morning, February 1st 2021, the Burmese military seized power in a coup. This was orchestrated ahead of an organised meeting with the recently elected parliament. Previously, in the 2020 elections, Aung San Suu Kyi, leader of the National League for Democracy (NLD), had won by an overwhelming majority, deeming her the state counsellor of the southeast Asian nation. Working for Win Myint, the 10th President of Myanmar at the time, she was constantly considered the upholding leader of the country. The armed forces were backing the opposition, who had demanded a rerun of votes, claiming fraud. According to reports from Myanmar, both Suu Kyi and President Win Myint had been detained by the military. Later in the day, the military announced a one-year state of emergency, in a nationwide broadcast. Amidst amplified civilian-military tensions, followed by the secretary-general of the United Nations's persistent statements of concern Myanmar's military, the Tatmadaw, stated that it would protect and abide by the constitution. As of now, the military commander-in-chief, Min Aung Hlaing, has assumed power. Previously, he has received several sanctions and condemnations from various nations for allegedly organising the military's attacks on ethnic minorities. In his original statements, Min Aung Hlaing stated that the military was on the side of the people and would form a "true and disciplined democracy". He further stated that the military would hold a "free and fair" election once the state of emergency is over. The military responded to this by imposing restrictions, such as curfews and limited gatherings. Seeing no change in the protests, the armed forces used violence to try to disperse protesters.



Timeline of events

January 4th, 1948: Then known as 'Burma', Myanmar gains independence from their British colonial rule. Yet post-independence Burma was wrought with multiple insurgencies and internal conflict. This came about through the efforts of Aung San and other notable individuals.

1962: Military leader Ne Win stages a coup and rules the country through a junta for many years.

1987: Burma is classified as Least Developed Country status by the UN.

1988: Pro-democracy protests erupt. Security forces kill hundreds of protestors. Aung San's daughter, Aung San Suu Kyi, returns to her home country.

1989: 'Burma' is renamed Myanmar.

July 1989: An increasingly outspoken critic of the junta, Ms Suu Kyi is put under house arrest.

May 27th, 1990: The National League for Democracy (NLD), founded by Ms Suu Kyi, wins a landslide victory in elections, but the military refuses to hand over power.

October 1991: Aung San Suu Kyi wins a Nobel Peace Prize.

August 2003: The military-led government proposes a seven-step "roadmap to democracy", which it claimed it was in the process of implementing. There is no timetable associated with the government's plan, or any conditionality or independent mechanism for verifying that it is moving forward. For these reasons, most Western governments and Myanmar's neighbors have been skeptical and critical of the roadmap.

February 17th 2005: The government reconvened the National Convention, for the first time since 1993, in an attempt to rewrite the Constitution. However, major pro-democracy organizations and parties, including the National League for Democracy, were barred from participating, the military allowing only selected smaller parties.

August 15th 2007: Protests break out mainly because of the unannounced decision of the ruling junta, the State Peace and Development Council, to remove fuel subsidies, which caused the price of diesel and petrol to suddenly rise as much as 100%, and the price of compressed natural gas for buses to increase fivefold in less than a week.

May 3rd 2008: Cyclone Nargis devastates the country

November 7th 2010: A pro-junta party wins Myanmar's first elections in 20 years, a vote that was boycotted as unfair and rigged in its favour.

November 13th 2010: Aung San Suu Kyi is released from her house arrest

September 5th 2011: The Myanmar National Human Rights Commission was formed under Notification No. 34/2011 with 15 commissioners. This was the start of the democratic reforms that the military-led government implemented.

2012: Aung San Suu Kyi wins a by-election and takes her seat in parliament, holding public office for the first time.



November 8th 2015: The NLD wins a sweeping victory in general elections, the first to be openly held since 1990. The military retains significant power under a constitution that also bars Ms Suu Kyi from the presidency, but the position of *state counsellor* is created for her to lead the government.

August 25th 2017: Insurgents attack military outposts in the western state of Rakhine, killing dozens. The military responds with a massive crackdown on the Rohingya Muslim population, who begin fleeing by the hundreds of thousands into Bangladesh.

March 23rd 2020: Myanmar confirms its first and second covid 19 case

January 2021: Myanmar became one of the first countries in Southeast Asia to begin its vaccination programme which collapsed after the coup in February.

November 8th 2020: Myanmar holds elections, with the NLD capturing an outright majority in parliament.

February 1st 2021: The military detains Aung San Suu Kyi, President Win Myint and other senior figures from the ruling National League for Democracy (NLD) in an early morning raid, hours before Myanmar's new parliament was set to meet for its first session. The military, known locally as the Tatmadaw, declares a state of emergency for a year and says it took action because of alleged fraud in the November election that the NLD won in a landslide. It hands over all executive, legislative and judicial powers to Senior General Min Aung Hlaing.

February 8th 2021: Military imposes a curfew in Yangon, Mandalay and other townships, and bans gatherings of more than five people in a bid to stamp out growing protests.

Min Aung Hlaing makes his first televised address to the nation and promises to hold new elections in a year and hand power to the winners

February 11 2021: The US imposes sanctions on Myanmar's acting president and several other military officers and warns the generals there could be more economic punishment to come.

February 16th 2021: Military denies its removal of Aung San Suu Kyi's elected government was a coup, as police file a second charge against the de facto leader, accusing her of violating the country's Natural Disaster Law.

February 18 2021: The UK and Canada impose sanctions on Myanmar's generals while Japan says it agrees with the US, India and Australia that democracy must be restored quickly.

February 20th 2021: Security forces open fire on striking workers and other protesters at a Mandalay shipyard, killing at least two people and wounding 20 more.

Singapore condemns the killings as "inexcusable" and the UK threatens "further action".

February 22th 2021: The US sanctions two more generals involved in the takeover, as the EU also announces sanctions on the military.

March 2nd 2021: ASEAN foreign ministers hold talks with Myanmar's military, urging "all parties" in the country to "refrain from instigating further violence". Indonesia, Malaysia, the Philippines and Singapore also call for Aung San Suu Kyi's release.

March 12th 2021: South Korean Ministry of Foreign Affairs announced that South Korea will suspend defence exchanges with Myanmar and ban arms exports, and would limit exports of other strategic items, reconsider development aid and grant humanitarian exemptions for Myanmar nationals to allow them to stay in South Korea until the situation improves.

March 27th 2021: The military regime holds armed forces day

April 4 2021: The European Union announces the suspension of all the development projects in Myanmar

May 22 2021: Myanmar coup: Junta head claims Aung San Suu Kyi 'in good health'

26th July 2021: Since the collapse of the healthcare system in Myanmar, there have been 3,921 fatalities in less than two months from June 1 to July 25, as Myanmar struggles to contain the virus under military rule.



So what is a freeze date?

A freeze date is the date at which our session will be presumed to occur. APL MUN UNHRC's freeze date is 21 August 2021- the date that we are holding the Emergency Special Session of the UNHRC to discuss the crisis in Myanmar. Remember that, in session, the date would be considered 21 Aug 2021 and any decision/happening that took place on or after said date cannot, logically, be discussed. You may not refer to the resolution the committee adopted in the emergency special session in February of 2021. Our MUN committee would be a recreation of the Emergency Special Session at a later date - knowing the context of the issue, the electoral disagreements and accusations of fraud, and the violence breaking out around the country, what decisions would you make as a representative of your country? What resolution would you agree upon?



Questions to consider

Should foreign forces intervene?

Humanitarian intervention is intervention based on the sole idea of ending human rights violations in that state. However, this is far from a simple task. The validity of such interventions has been questioned for decades, with differing interpretations on the idea of a “successful intervention”. Will an intervention truly help mitigate the situation? What makes an intervention justifiable and how do we guarantee that it will be carried out as promised? Delegates must consider important discourse that has taken place over the past few decades on interventions and contextualise it when approaching the question.

What consequences, if any, should the Myanmar military face?

Countries undergoing political upheaval and repression require an adequate response to large scale or systematic human rights violations that the normal justice system is incapable of handling. Countries have moral duties, typically enshrined in their constitution, that they owe to their citizens. In the context of the current situation in Myanmar, the preservation of these duties can potentially be called into question. It is also important for delegates to keep in mind international standards for human rights when assessing their stance on the situation. Bearing in mind organizations that have expressed similar interests as the military in Myanmar have faced consequences such as sanctions, what should be considered an appropriate response in this context? Who, if anyone, would be responsible for holding people accountable?

What are the implications of ongoing parallel crises on the current military coup?

The current military coup is set in the backdrop of two other notable crises affecting Myanmar. There is still the matter of the mass exodus from the Rohingya refugee crisis. On the other hand, the current global pandemic caused by Covid-19 has raised several issues that the people have to face. The military coup in the face of these issues raises several questions about how human rights would be preserved. Should priority be given to these crises instead of the coup? If we must recommend an efficient plan to deal with this coup, to what extent would these factors be relevant in its execution? Considering these questions will allow delegates to better tackle the multi-faceted nature of this crisis.