

Senator the Hon. Marise Payne Minister for Foreign Affairs
PO Box 6022
Parliament House

CANBERRA ACT 2600

Subject: A repeated call for action against the Myanmar military junta from civil society organisations to the Australian Minister for Foreign Affairs.

Date: 9th August 2021

Dear Foreign Minister Payne,

We, 477 civil society organisations from across Myanmar and Australia together with nine Aus-Aids Scholarship alumni write to you once more urging your government to take stronger public action against the terrorist military junta. Six months into the coup and the military junta has killed 948 people and arrested, charged, or sentenced over 5,500 for asserting their political rights and asking for democracy to be restored in Myanmar.

In recent weeks the junta has weaponised COVID-19 against its own people. The military requisitions oxygen from production facilities on a daily basis and seizes cross-border imports from charities, depriving civilians of lifesaving supplies. The military junta has used the COVID-19 pandemic to target medical staff and volunteers, going so far as to stage fake emergencies to arrest medics and volunteers.

As Australia battles the Delta variant with the tools available to an advanced and accountable democracy; please remember that the junta has not only left the people of Myanmar to survive COVID-19 through their own resilience but is actively stealing scarce resources and using the pandemic to target people providing lifesaving support in accordance with the Hippocratic oath.

As members of civil society, we have spent the last decade working with Australia towards a joint goal of democracy and human rights in Myanmar. We have heard Australia's commitments through communiques, on Facebook, by your diplomats at official functions and your ambassadors when we joined together to celebrate Australia day. However, at this moment of crisis we have been met by silence.

Australia's non-committal approach of quietly working through ASEAN to negotiate a solution to the political crisis is not working. Not only have ASEAN efforts failed, but they have been counterproductive. Coup-architect Min Aung Hlaing used ASEAN's emergency summit in Jakarta as a propaganda stunt to gain legitimacy. Returning home, he announced a cessation to violence only when the military controlled the country, mocking the five-point consensus agreed to at the summit. Since initiating the five-point consensus military air strikes on ethnic communities have murdered children and those displaced by conflict in contravention of the Geneva Convention. Experts consider the junta's repertoire of violence to amount to crimes against humanity.

Australia must remind ASEAN not to recognise or legitimise the illegal junta and to engage immediately and equally with all stakeholders. The junta's illegal attempted coup violates ASEAN's Charter of "adhering to the principles of democracy, the rule of law and good governance, respect for and protection of human rights and fundamental freedoms". Yet, ASEAN has only engaged with the junta, consulting them on the choice of special envoy and inviting them to the most recent foreign ministers meeting despite their illegal status. ASEAN has failed to consult with the National Unity Government (NUG), despite it being composed of many elected parliamentarians, civil society, and pro-democracy forces including the Civil Disobedience Movement (CDM).

To date, ASEAN has not delivered any aid to Myanmar as promised under the five-point consensus. Australia's commitment that no funding will go to the military junta is in contradiction to its allocation of AUD\$5 million to ASEAN's Centre for Humanitarian Assistance on Disaster Management which implements through host government ministries. There are many local humanitarian service providers with decades of experience already providing emergency support. Australia could provide effective assistance through the COVID-19 Task Force, local CSOs, community-based organizations, ethnic administrations, and appropriate forces within the CDM, including through cross-border channels.

Ahead of the 76th Session of the United Nations General Assembly in September, we call upon your government to recognise the NUG as the one legitimate and elected representative body of Myanmar and refuse to give any representation to the junta that may lend it legitimacy in international fora. We urge you to support the appointment of the UN representative selected by the NUG.

We note that Australia has not imposed sanctions on the military leadership since the attempted coup. Targeted sanctions will have an impact on those most responsible for atrocity crimes, while putting pressure on the junta to end its attempted coup. By sanctioning military-linked businesses, including the Myanmar Economic Corporation and the Myanmar Economic Holdings Limited as well as other business partners linked to the junta, sanctions can restrict the military from lining its pockets with the wealth and natural resources that belong to the people of Myanmar. That wealth that is stolen from the people of Myanmar is in turn used by the military to purchase weapons and munitions that are deployed against those same people. This must be stopped.

We ask that you take the following immediate steps:

1. Recognise the National Unity Government and refuse to give any legitimacy or allow representation of the junta in international fora;
2. Immediately impose sanctions against military junta leaders, including Senior General Min Aung Hlaing and Vice Senior General Soe Win, their families, and businesses as well as on Myanmar military conglomerates and their significant business associates, and state-owned enterprises. Pressure Adani Ports to stop financing the Myanmar military;
3. Commit to sending vaccines and COVID-19 related emergency aid and humanitarian assistance to Myanmar immediately including through cross-border channels;
4. Suspend academic scholarships for all government staff working under the military junta until democratic government is reinstated;
5. Publicly call for International Criminal Court referral by the United Nations Security Council.

We are waiting for your reply and for firm action from the Australian Government.

Sincerely,

477 civil society organisations based in Myanmar and Australia as well as 9 Aus-aids scholarship alumni

Note: Due to safety and security reasons, names of civil society organisations based in Myanmar will not be disclosed.