

Delivery of Humanitarian Assistance in Myanmar

Lessons Learnt and the Way Forward



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Background

As COVID-19 struck the world countries, it took some months to recover back to their normal social and economic lives. However, for the people of Myanmar the crisis deepened further due to the military takeover in February 2021. The need for humanitarian support has increased since the military takeover; with almost 266 townships out of 330 have been targets of numerous violent attacks. The situation is further exacerbated by the military's strategy of preventing life-saving humanitarian aid from reaching those who need it. Additionally, in May 2023, Cyclone Mocha affected majorly the Western and Northwestern states, which has also increased the need for humanitarian support. As a result, as of now, around 1.5 million people have been internally displaced and over one-third of the overall population requires some form of humanitarian assistance. Various international organisations and countries have reached out to provide required support. However, they face numerous restrictions imposed by the military as well as challenges given the security and physical constraints. This brief attempts to discuss the current humanitarian crisis in the country and the efforts taken to support the people in the existing scenario. It also examines the challenges faced and lessons learned during these times and what are the ways forward.

Introduction

The western region of Myanmar is facing the consequences of Cyclone Mocha which struck on 14 May 2023. This has exposed the already distressed region of the country to further economic, social and humanitarian distress. The country is grappling with the repercussions of the military coup in 2021 and COVID-19 in 2020. Meanwhile the clashes and fighting continue in 266 townships out of the 330. The number and magnitude of clashes vary from place to place. The most conflicted areas are the northwestern and southern regions. As per the

latest report by the Peace Research Institute of Oslo, more than 6,000 civilians were killed in Myanmar in the first 20 months after the February 2021 military coup.

The military is using airstrikes as a means to crush and annihilate the opposition forces. Recently, Human Rights Watch has raised concerns over the use of vacuum bombs by the military. Earlier, Amnesty International documented 16 unlawful air attacks that took place between March 2021 and August 2022 in Kayah, Kayin, Chin States and Sagaing Region. The military is also accused of using antipersonnel landmines, according to the Landmine Monitor Report 2022.

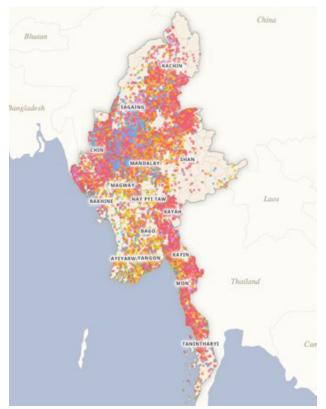
Another frequently used tactic by the military is the systematic and widespread burning of villages and dwellings. This tactic is consistent with the military's modus operandi, documented over decades, including in Kachin State in 2011 and Rakhine State in 2017. The United Nations reports indicated that nearly 39,000 houses nationwide had been burned or destroyed in military operations since February 2022, representing a greater than a thousand-fold increase compared to 2021.

On the other hand, the forces opposing the military have also committed human rights abuses, particularly in targeting non-combatant officials, their family members and others they believe to be assisting the military in some way. And lacking anti-aircraft missiles, PDFs are targeting military air bases in Yangon, Mandalay and Magwe regions.

When we talk of the future of the country, it is expected to witness continued political instability, escalation of armed conflict, ongoing displacement, slow or stagnant economic growth, as well as continued interruptions and poor access to essential services. Let us briefly look at the situation in numbers before highlighting the issues involved in delivering humanitarian aid in Myanmar.

Looming Humanitarian Crisis: Situation in Numbers¹

Three major events have compounded the humanitarian crisis in the country - COVID-19, the military takeover in 2021 and Cyclone Mocha. For this paper, we will focus on the consequences of the military takeover. According to ACAPS Briefing Note, 04 May 2023, around 18000 incidents of political conflicts were recorded and there were more than 34,400 casualties, as on 14 April 2023. The map and graph below show the state of continuing conflict in the country.



Source: Areas with red mark are most affected (IISC Myanmar Conflict Dashboard)

¹ OHCHR documents human rights concerns between 1 February 2022 and 31 January 2023 Source: Assistance Association of Political Prisoners.



Source: Event Types" July 2020 to January 2023 (International Institute of Strategic Studies)

As a result of these attacks from both sides, the number of individuals killed is around 3240, among which children killed are 320. Over one million people have been displaced, and 17.6 million people are now in need of humanitarian assistance.² The displacement of people due to the conflict has increased by 60 per cent since December 2021. The number of individuals under detention is more than 17,000 and the number of individuals arrested is 21348.

The Northwest region is the worst affected, comprising Chin, Sagaing and Magway, representing 68 per cent of all people displaced nationally. Cyclone Mocha has further exposed the western and northwest regions to increased displacement. Nearly half of the population i.e. 25 million

² See https://reliefweb.int/attachments/d61c6ed6-7901-4dbbb1d-a06535bb1276/OCHA%20Myanmar%20-%20Humanitarian%20Update%20No.%2025_final.pdf.

people,³ are currently living in poverty, with rural populations reported to be at risk of starvation as the military imposes further physical and administrative restrictions on access to areas affected by violence and conflict.

Another cause of concern is the discrimination against Rohingyas. Security concerns have worsened since August 2022 when fighting resumed between the military and the Arakan Army. Freedom of movement to access services and livelihood opportunities has been further restricted. In March 2022, the military announced that citizenship scrutiny cards were mandatory for internal travel, and in July, local authorities reinstated "Form 4", a mandatory temporary travel document for those without documents. As a result, officials force the Rohingya to pay exorbitant fees or provide other forms of compensation to obtain travel authorisations to cross checkpoints. The number of Rohingya arrested for unauthorised travel doubled in 2022 to around 2,000 cases. However, Rohingya also reported being victimised by the Arakan Army, with sources in villages in northern and central Rakhine stating they must pay protection fees to avoid reprisals. Additionally, the recent push for the Rohingya Repatriation process will potentially be a cause of worry for the Rohingya community in Rakhine State. The recent exchange of visits from Bangladesh and Myanmar, a deal brokered by China, has concluded that around 6000 Rohingyas will be sent back to Myanmar after requite checking. However, Human Rights Watch has reported that such a return may not be safe and adequate arrangements have not been made in Myanmar.

As a result of the strengthening of opposition forces, the military have arrested members of opposition forces and civilians supporting them. Around 920 deaths have been reported in military custody since the coup. The military also executed four prisoners on 25 July 2022, after almost

³ https://www.undp.org/press-releases/myanmar-urban-poverty-rates-set-triple-new-united-nations-survey-finds

30 years after the last execution. As of now, the military tribunals have sentenced 143 people to death and arrested more than 14,500 people (as on 31 January 2023).

To curtail the spread of the movement, the media has been silenced. The military-controlled Information Ministry imposed pre-broadcast censorship on local and foreign television. Reporters Without Borders (RSF) ranked Myanmar 176 out of 180 countries in World Press Freedom Index 2022. On 20 September, the military criminalised social media activity determined to constitute acts of opposition, including "liking" posts that the military deemed to be supportive of anti-military armed groups. Such acts carry penalties of up to 10 years in prison. Moreover, the military revoked the licences of at least 13 independent press outlets and 8 publication and printing houses. On 26 October, the license of The Irrawaddy news website was revoked in retaliation for having attributed responsibility for civilian casualties in a shooting incident to the military.4 According to one estimate, around 156 journalists have been arrested and around 50 journalists remain in prison since the coup. According to the Committee to Protect Journalists, Myanmar is now the world's third-worst jailer of journalists as of December 2022, behind only Iran and China.

There have also been reports of increasing surveillance and invasion of privacy. Licences of telecommunication companies depend on military authorisation, which greatly increases military influence and the risk of undue surveillance. Further, on 19 September 2022, the military announced the compulsory registration of SIM cards and failure to comply would result in the permanent disconnection of mobile devices. Additionally, around 54 of Myanmar's 330 townships have internet blackouts, according to Access Now. Internet shutdowns continued to

⁴ See https://www.irrawaddy.com/news/burma/after-repeated-crackdowns-myanmar-junta-officially-bans-the-irrawaddy. html#google_vignette.

prevent safe communications and access to life-saving information in violence-affected areas. However, the military, on the other hand, blamed anti-military armed groups for destroying 1,284 telecommunication towers.

Finally, the social crisis is looming with a severe impact on health, education and the environment. With the rise in the prices of medicines, many in the country are left without treatments. The prices are impacted due to the chaos in the foreign exchange market caused by dollar restrictions imposed by Myanmar's Central Bank. There is also a short supply of basic drugs. There have been attacks on schools and hospitals have also continued at alarming levels. According to the UN figures, attacks on schools and staff doubled in 2022 compared to 2021, with at least 175 incidents, including the beheading of a teacher in the Magway Region and airstrikes on schools in Sagaing Regions. Subsequently, the military sought to amend the National Education Law of 2014, making Burmese the only language of education and repealing provisions allowing for minority languages to be taught beyond primary education. These amendments appear to pursue the military's vision of a Myanmar defined by its ethnic Bamar majority, disregarding the rights of minority communities. As a result, at least 3.7 million children are not attending the military-run education system, and a major proportion of staff are part of the civil disobedience movement.

Additionally, there are reports of gender-based violence and discrimination. According to Free Expression Myanmar (FEM), around 300 women and girls have been killed and 4288 arrested.⁵ Furthermore, there have been rising incidents of sexual and gender-based violence and Myanmar is emerging as a human trafficking hub.⁶ As the conflict has

⁵ https://www.mizzima.com/article/remembering-300women-and-girls-killed-myanmar-coup

⁶ https://diplomatist.com/2023/03/17/women-in-conflicted-areas-of-myanmar/

intensified, the production and supply of opium production have also increased. The United Nations Office on Drugs and Crime (UNODC) recorded that the cultivation of poppy has increased by 33 per cent in 2022 as compared to 2021.⁷ The incidents of drug trafficking and money laundering have also increased across bordering states, especially Thailand and India. Finally, drug consumption has surged within the country. The environmental crisis is also raising concerns as the military government was unable to take initiatives to address problems of climate change and witnessed a rise in illegal wildlife trade. Illegal rare earth mining has increased, especially in Kachin State (which is majorly exported to China).

Aid Provided by Various Nations and International Organisations

In response to the above crisis, local, national and international organisations and various countries are supporting the people of Myanmar. Local organisations such as the Karenni Human Rights Group have taken on humanitarian relief because of the dire necessity to deliver the same. International Organisations, such as OCHA Humanitarian Response Plan and the World Food Programme Strategic Plan are providing relief and aid to the people in need.

However, the existing humanitarian programmes in Myanmar have been experiencing significant funding gaps before 2021 – for example, OCHA's Response Plan was only 67 per cent funded in 2020. Additionally, much of the funding that has been obtained cannot currently be operationalised due to severe cash shortages preventing organisations from accessing existing funds, resulting from the Civil Disobedience Movement and the shutdown of many centralised administrative systems on which local organisations in particular relied.

⁷ https://www.unodc.org/unodc/frontpage/2023/January/ opium-poppy-cultivation-estimates-increase-in-myanmar-in-2022-against-backdrop-of-more-sophisticated-production_-unodc-report.html

Further, existing aid is struggling to reach the areas where it is most needed due to access restrictions and the deteriorating security situation, raising questions over how aid can more effectively be transported to target areas. The Myanmar Humanitarian Response Plan requested for USD 764 million to reach 4.5 million people prioritised for life-saving humanitarian support (52 per cent of women, 32 per cent of children and 13 per cent with disability).

Similarly, various countries are providing aid to the country. For instance, Europe has also been a longtime provider of aid to Myanmar, offering support since 1994, and scaling up its assistance in 2017 following the increased violence in Rakhine State. In 2023, the EU has so far allocated €18 million in humanitarian aid funding to address the needs of people in Myanmar, totalling approximately over €68 million since 2021. Japan has also been an ardent supporter of aid to Myanmar. In response to increasing humanitarian aid, Japan decided to provide additional assistance totalling approximately USD 60.3 million. There are other countries, such as Australia and regional organisations such as ASEAN, which are providing regular support during these humanitarian crises.

India's Supply of Humanitarian Aid

India has been an active provider of humanitarian aid to Myanmar. In the aftermath of Cyclone Mocha, India launched 'Operation Karuna' and under this handed over humanitarian assistance and disaster relief Yangon Region Chief Minister for the people affected. The relief material included food items, tents, portable generators, clothes, water pumps, medicines, tarpaulins, hygiene and sanitary items, wheelchairs, face masks etc which were brought by the INS Shivalik, INS Kamorta and INS Savitri. Another ship INS Gharial delivered emergency materials

⁸ https://www.mofa.go.jp/press/release/press1e_000383. html#:~:text=Under%20these%20circumstances%2C%20 the%20Government,benefiting%20the%20people%20of%20 Myanmar.

and medical kits.

Similarly, during the COVID-19 crisis, India provided humanitarian assistance to Myanmar. India had sent doses of COVID-19 vaccines to Myanmar along with medical supplies and equipment. Additionally, two medical oxygen plants were supplied to Myanmar in January 2022. In total, India has supplied more than 21 million doses of the COVID-19 vaccine to Myanmar, including as gifts and commercial supplies.

Furthermore, in its annual union budgets, India allocates aid to its neighbouring countries under Neighbourhood First Policy. In its union budget for 2021 and 2022, India has allocated Rs 600 crore. However, in the year 2023, Rs 400 crore was allocated to Myanmar considering major flagship programmes such as Kaladan Multi-Modal Project and IMT Trilateral highway are not moving at the pace estimated. Along with humanitarian assistance, India is an active promoter of people-centric projects in Myanmar, which include capacity-building projects and development assistance portfolios in Myanmar.

Lessons Learnt

Humanitarian organisations operate in peculiar complex environments. As per Assessment Capacities Project (ACAPS) analyses, there are nine variables to rank and compare humanitarian access levels worldwide. Myanmar is in the category of **extreme access constraints** in all three categories.

Pillar 1: Access of People in Need to Humanitarian Aid

- Denial of the existence of humanitarian needs or entitlements to assistance.
- Restriction and obstruction of access to services and assistance.

Pillar 2: Access of Humanitarian Organisations to People in Need

- Impediments to enter the country (bureaucratic and administrative).
- Restriction of movement within the country (impediments to freedom of movement and/or administrative restrictions).
- Interference in the implementation of humanitarian activities.
- Violence against humanitarian personnel, facilities, and assets.

Pillar 3: Security and Physical Constraints

- Insecurity or hostilities affecting humanitarian assistance.
- Presence of landmines, improvised explosive devices, explosive remnants of war and unexploded ordnance.
- Physical constraints in the environment (obstacles related to terrain, climate, lack of infrastructure, etc.).

In addition to these three constraints, we can add the legal framework as well. Here we will start discussing the legal framework and then go on to each of the three pillars as stated by ACAPS to evaluate the delivery of humanitarian assistance in Myanmar.

- Instrumentalisation of the legal framework and subversion
 of the judiciary; military authorities have targeted the country's
 legal and institutional systems by using laws and institutions to
 target opponents and suppress dissent.
 - The judiciary and the National Human Rights Commission has effectively been subsumed under military control, thus eliminating any element of independence and credibility.

- In 2021, amendments to the Counter-Terrorism Law⁹ introduced higher penalties as well as vague formulations that are open to arbitrary application.¹⁰
- On 25 May, the military issued a measure entitled the Myanmar Police Act, bringing the police under the direct command of the military.¹¹ The measure purported to grant the Commander-in-Chief of the Myanmar Military unchecked powers over senior appointments and the internal organisation of the police. Cases have often been adjudicated in military-controlled courts that failed to respect basic fair trial guarantees, as demonstrated by the proceedings against detained President Win Myint and State Counsellor Aung San Suu Kyi.
- Human Rights Watch report on "Our Numbers are Dwindling': Myanmar's Post-Coup Crackdown on Lawyers," examines the junta authorities' pattern of harassment, surveillance, arrests, and in some cases torture of lawyers since the coup. At least 32 lawyers have been arrested and placed in detention, according to the Assistance Association for Political Prisoners.¹²

2. Access of People in Need of Humanitarian Aid: Movement of assistance, supplies and people

 The military employs its so-called 'four-cuts' approach to deny access to humanitarian aid - cut off access to food,

⁹ See https://www.law-democracy.org/live/myanmar-note-on-the-2021-amendment-to-the-counter-terrorism-law/.

¹⁰ See https://airtable.com/shr9w3z7dyIoqdUv4/tbl8hVtSci8V-ifbO9.

¹¹ See https://www.law-democracy.org/live/myanmar-note-on-police-force-law/.

¹² https://www.hrw.org/report/2023/06/08/our-numbers-are-dwindling/myanmars-post-coup-crackdown-lawyers

finances, intelligence and recruits.

- Around 600,000 Rohingya people in Rakhine State continue to be denied citizenship and face movement restrictions and a lack of access to services and aid. Despite the initiation of the repatriation process of 6000 Rohingyas from Bangladesh, there are concerns over their safe return.
- Since late September 2022, the military has been instructing the closure of IDP camps in Kachin, Rakhine, and northern Shan states (some by the end of the year and some by April 2023), potentially denying numerous IDPs of aid.
- People living in non-government-controlled areas (NGCAs), including Kachin, Rakhine, Shan states, usually have less access to aid and assistance as authorisations for humanitarian response in such areas have generally been denied. Renewed conflict between the Arakan Army and the military has resulted in both parties implementing heightened security measures across Rakhine, including the blockage of waterways and roads in the north, limiting people's movement and obstructing aid delivery. Security measures in other states, including checkpoints, roadblocks, and curfews, continue to constrain the movement of people, goods, and aid. Furthermore, as the western region is under the impact of Cyclone Mocha, the existing travel authorisations for humanitarian organisations were suspended. They are now pending with centralised agencies for further deliberations.13

¹³ https://edition.cnn.com/2023/06/13/asia/myanmar-rakh-ine-junta-suspends-access-cyclone-mocha-intl-hnk/index.html

3. Access of Humanitarian Organisations to People in Need

- The requisite travel authorisation process for humanitarian workers, already highly bureaucratic and arbitrary, has grown even more constrained under military control, severely impeding aid delivery, in particular during monsoon season floods.¹⁴
- Many international aid organisations' memorandums of understanding with the government were signed prior to the coup and have since expired, raising concerns about travel authorizations for aid delivery. Visas for aid workers have also been delayed or denied. The UN Children's Fund (UNICEF) reported in October that "the need to procure travel authorization remains a major access impediment and a high constraint factor for the humanitarian partners' capacity to reach people in need. Where previously a negative Covid-19 test was sufficient for the application, for example, junta authorities began requiring all staff to submit a vaccination card and recommendation letter from the township medical officer for their travel authorization application, at a time when only 3 per cent of the country was vaccinated.
- The new rules, "Organization Registration Law," in October 2022, repealed the former Association Registration Law 2014, which now further restricts the

¹⁴ https://www.hrw.org/news/2021/12/13/myanmar-junta-blocks-lifesaving-aid

¹⁵ https://data2.unhcr.org/en/documents/details/89493

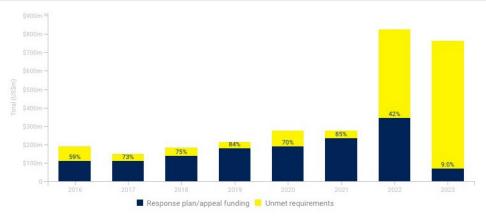
¹⁶ https://www.unicef.org/media/109596/file/UNICEF%20 Myanmar%20Humanitarian%20Situation%20Report%20 No.%207%20-%2028%20October%202021.pdf

operations of civil society.¹⁷ The amendments introduce compulsory registration and criminal penalties of up to five years imprisonment for lack of compliance. Other requirements, including the payment of fees, reporting obligations and mandatory approvals by various local authorities, appear designed to stifle civil society. It makes registration of NGOs and associations mandatory rather than voluntary, has a government-issued registration certificate and requires the declaration of funding sources and locations of operation among other information that aid workers deem risky to provide. Failure to comply with the law, which does not mention United Nations agencies, can result in a fine of up to 5 million Myanmar kyat (about \$2,400) and a maximum five-year prison sentence. Effectively, the law forbids the provision of aid to areas not controlled by the SAC and those who oppose the military, according to a report by the International Crisis Group. This directly challenges the principles of neutrality because humanitarian actors should engage operationally and communicate with all of the actors on the ground.

• Furthermore, as it stands, the aid being received is well below what the country requires. The 2023 Humanitarian Response Plan was only 9 per cent of USD 764 million required of funds provided; thereby with 91 per cent of unmet requirements for 2023. Furthermore, the humanitarian community launched a USD 333 million Flash Appeal to assist 1.6 million people affected by Cyclone Mocha. The table below shows the unmet requirements over the period of time and the sources through which humanitarian aid is supported.

¹⁷ See https://bangkok.ohchr.org/ngo-law-myanmar/ and also see paragraph 48 herein.





Source org.	Funding US\$	% of response plan/appeal funding	Pledges US\$
Japan, Government of	28,171,981	40.9%	0
United States of America, Government of	9,600,000	13.9%	0
Germany, Government of	8,483,301	12.3%	0
Australia, Government of	6,130,267	8.9%	0
Global Partnership for Education	4,346,557	6.3%	0
Canada, Government of	4,224,326	6.1%	0
European Commission's Humanitarian Aid and Civil Protection Department	2,507,808	3.6%	0
Sweden, Government of	1,717,175	2.5%	0
Switzerland, Government of	1,281,325	1.9%	0
Office for the Coordination of Humanitarian Affairs	1,147,954	1.7%	0
Ireland, Government of	529,661	0.8%	0
Luxembourg, Government of	218,262	0.3%	0
United States Fund for UNICEF	200,000	0.3%	C
World Health Organization	173,392	0.3%	0
World Food Programme	173,392	0.3%	0

Source: OCHA Financial Tracking Service, Myanmar Humanitarian Response Plan 2023 (https://fts.unocha.org/appeals/1132/summary)

4. Security and Physical Constraints

 The conflict constrained the movement of assistance, supplies and people, with repeated aircraft and drone attacks and presence of landmines, along with heightened security measures and denial of travel authorisations.

- The humanitarian and front-line workers are targeted and subject to arbitrary arrests and detentions. In May 2021, Médicins Sans Frontiéres (MSF) reported that security forces had told staff at one of its clinics that they could not treat protesters, and had raided other organisations that treated protestors, even destroying their supplies. Since February 2021, the World Health Organisation (WHO) has tracked 260 incidences of attacks on healthcare workers or facilities in Myanmar.
- Physical Constraints also exists in the form of banking and communications restrictions and environmental constraints
- Banking restrictions imposed, including daily withdrawal limits and transfer delays, have made it harder for aid agencies to pay staff salaries or get cash assistance to those in need. Increased scrutiny of foreign transfers also raises serious privacy and security concerns for local staff. Some humanitarian agencies have resorted to engaging local cash traders, though they charge higher fees and create due diligence challenges.
- The military has also shut down phone lines and forced internet blackouts at various times in different parts of the country¹⁹. This both complicates local coordination of humanitarian aid and restricts individuals' ability to access resources through mobile banking and remote health care.
- Flooding and heavy rainfall in Kachin, Rakhine, and Shan have disrupted the humanitarian response. In addition, the monsoon season will further obstruct the supply of humanitarian aid to necessary places.

¹⁸ https://www.msf.org/all-parties-must-ensure-unimpeded-access-healthcare-myanmar

¹⁹ https://freedomhouse.org/country/myanmar/freedom-net/2021

Way Forward

Given the scale of financial contributions, simply suggesting that world countries should commit more funds is not an effective recommendation. Moreover, to suggest so would fail to recognise the major logistical and security challenges preventing existing aid from effectively reaching its target recipients. We must look beyond the volume of aid – to *how* aid is used and implemented. Address the roots of this insecurity, namely, the coup itself and the pockets of ethnic conflict that are destabilising parts of the country - and tackle the underlying structural issues.

- Engaging practically with all stakeholders on the ground. This will ensure improving aid flows and allow existing resources to better reach target communities. Although negotiating is no easy feat, communication is the only way to start the negotiation process. Here, I would like to briefly highlight the ineffectiveness of sanctions in putting any pressure on the military leaders; they have rather taken recourse to other means and countries to keep their business going. Moreover, sanctions inevitably affect the civilians in terms of their access to employment, supply of goods and services and so on. In addition, it is also pertinent to communicate with the opposition non-state actors to facilitate humanitarian access in areas where they have strongholds. And to open a room for dialogue, there is a need to immediately cease all forms of violence and attacks in compliance with Security Council resolution 2669 (2022) and the ASEAN fivepoint consensus; release all political prisoners.
- 2. To ensure the delivery of humanitarian assistance, the military must refrain from imposing regulations and procedures that restrict the ability of civil society to assist in the delivery of life-saving humanitarian aid and services. The military needs to open access to roads and cease its targeting of humanitarian groups and civilians.

- 3. Rise in the digital economy, a possibility of providing digital humanitarian assistance through mobile money accounts or vouchers. For this, we need to explore physical infrastructure mobile network, liquidity, and regulatory environment. Currently the military has also imposed restrictions on banking. Successful examples are reported in Burundi (mobile money cash transfers among refugees) and Pakistan (International Rescue Committee).
- 4. The most realistic way is to provide aid through neighbouring countries: in this context, broaden the ASEAN framework to include key neighbouring countries, like India, Bangladesh and China. At the Thailand-Myanmar border, in particular, a well-established network of local groups has effectively provided aid in the past. Those networks remain largely intact. For instance, the local organisations have connections with the medical wings of EAOs in Kayin state. This was explored in depth in a recent policy paper commissioned by the OCHA—titled Cross-border Relief Operations-A Legal Perspective.
- 5. Furthermore working closely with refugees receiving countries. Myanmar's neighbors—including India, Thailand, and Bangladesh—can mitigate the humanitarian and displacement crises in Myanmar by meeting their obligations under international law to permit access to their countries to those fleeing persecution, torture, or other serious human rights violations. Despite restrictions at the borders, thousands of people have managed to cross borders and its aftermath crisis is impacting particularly India and Thailand.
- 6. Incorporate with local migrant-based community-building organisations and civil society and cross-border NGOs that have the environmental knowledge to understand how to deliver aid without putting partners at risk. Provide flexible direct funding to local humanitarian organisations to support

their ability to assist the population in need with life-saving aid and services.

- 7. Facilitate independent and impartial monitoring and reporting on the human rights situation, including the protection of civilians, the prevention of civilian casualties and conditions in places of detention. It is important to support the rights of the minorities; in addition to the Rohingya community, the Christian community is also facing the wrath of the military with the burning of villages and churches especially in Chin state.
- 8. Development-based approach there is a need for community building efforts for sustainable growth and development. The western sanctions are not suitable as it would push the military into its shell or engage selectively as it has done in earlier times. There is a need to address the economic crisis which is underlying this social and humanitarian crisis, and development is the only solution. Exiting the country is not a solution but ensuring that you continue to operate, and generate employment and growth. Need to provide continued funding to long-term development and capacity-building projects which are essential to long-term stability in Myanmar.
- 9. **ASEAN**, the regional group including Myanmar as a member, has been placed at the forefront of efforts to negotiate political and humanitarian solutions to the crisis in Myanmar. The UN Security Council has backed their leading role and other countries, like the United States and India have repeatedly reiterated it. ASEAN has delivered USD 1.1 million worth of medical supplies and equipment to the Myanmar Red Cross Society to support the COVID-19 response.²⁰ There is in place ASEAN's Coordinating Centre for Humanitarian Assistance

²⁰ https://asean.org/asean-delivers-medical-support-to-myanmars-response-to-covid-19/

- on disaster management (AHA Centre) which provided critical support during the Cyclone Mocha. However, there are concerns that the AHA centre is ill-equipped to deal with the military.
- 10. Finally, the military has further postponed elections in August 2023. Given the present circumstances, attempting to hold an election would likely deepen resentment and exacerbate security risks for the people. The opposition forces have been excluded from the election process, where around 40 parties did not register for the elections, including NLD. There is extreme insecurity and polarisation throughout the country and conducting elections in such a scenario raises questions about its credibility and legitimacy.

Myanmar's security problems are homegrown, and the military must feature in any long-term solution but its current willingness to engage in constructive dialogue is extremely limiting. Thus in the immediate future, focusing on and developing coherent relations with all stakeholders, and ensuring a constructive and inclusive dialogue with the military, NUG and other EAOs may prove to be more promising. The four cardinal principles of humanitarian aid, i.e, Humanity, Neutrality, Impartiality and Independence must be kept in mind for any further actions. The people of Myanmar are in need of humanitarian aid, and the military must act responsibly and effectively to provide aid impartially. The conflict and crisis can be resolved with constructive and inclusive dialogue, and here the internal stakeholders have a greater role to play. Regionally, ASEAN and neighbouring countries can provide support in these times of crisis.

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efforts to highlight issues in governance, and strengthen national security. This

is being actualised through numerous activities like seminars, round tables,

interactive dialogues, Vimarsh (public discourse), conferences and briefings. The

publications of VIF form lasting deliverables of VIF's aspiration to impact on the

prevailing discourse on issues concerning India's national interest.

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