

## Rotary Model UN 2019

United Nations



## General Assembly

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Seventy-Third Session

Agenda item 74

### Resolution #2

#### A Call to Elevate the Enforcement of the Right to Protect Doctrine for the Rohingya in Myanmar and Citizens of Syria

*The General Assembly,*

*Expressing outrage at genocidal acts, ethnic cleansing, and crimes against humanity perpetrated by the Myanmar government against their own minority populations,*<sup>1</sup>

*Condemning the crimes against humanity perpetrated by the Syrian head of state that includes the bombing of civilian locations and the use of chemical gas to cleanse Syrian citizen populations,*<sup>2</sup>

*Expressing grave concern that an abundance of evidence confirms the death of over 10,000 Rohingya in the Kachin, Shan and Rakhine states of Myanmar, as well as the destruction and fire-burning of Rohingya villages in Myanmar,*<sup>3</sup>

*Emphasizing that tens of thousands of people have died or are reported missing in Syria since 2011 due to crimes against humanity committed by Bashar al Assad and his top military commanders,*<sup>4</sup>

*Noting that almost 1.2 million Rohingya are living in squalor and disease, nutritional vulnerabilities, and a lack of clear water in the Bangladeshi refugee camps including the mega-camps of Cox Bazaar and Kutupalong-Balukhali,*<sup>5</sup>

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<sup>1</sup>Human Rights Council Thirty-ninth Session, A/HRC/39/64, [“Report of the Independent International Fact-Finding Mission on Myanmar,”](#) United Nations: Sept.. 2018

OHCHR.org. “UN Human Rights Council Report. Myanmar: UN Fact Finding Mission Releases its Full Report on Massive Violations by the Military in Rakhine, Kachin and Shan States” United Nations: Sept. 2018

OHCHR.org, “Rohingya Refugee Crisis at a Glance.  
[“https://unhcr.maps.arcgis.com/apps/Cascade/index.html?appid=5fdca0f47f1a46498002f39894fcd26f”](https://unhcr.maps.arcgis.com/apps/Cascade/index.html?appid=5fdca0f47f1a46498002f39894fcd26f)

<sup>2</sup> Human Rights Council Thirty-ninth Session, A/HRC/39/65 [“Report of the Independent International Commission of Inquiry on the Syrian Arab Republic”](#), United Nations: Sept. 2018

<sup>3</sup> A/HRC/39/64, page 8

<sup>4</sup> A/HRC/39/65

<sup>5</sup> Médecins Sans Frontières, [“Rohingya Refugee Crisis Update.”](#) msf.com, Sept. 2018

*Highlighting* that over 5.6 million Syrians have fled their homeland for refugee camps, 6.6 million are displaced within Syria, and tens of thousands of Syrians are missing,<sup>6</sup>

*Rejecting* Myanmar's denial of citizenship to the Rohingya who have lived in the region for centuries and are now effectively stateless; tens of thousands of Rohingya babies without birth registrations are a clear violation of a fundamental humanitarian right as articulated by the United Nations,<sup>7</sup>

*Expressing extreme alarm* that recorded interviews confirm horrific violence against Rohingya women and children. Reports confirm women and girls are methodically raped by the government-sanctioned military forces.<sup>8</sup> Additional reports confirm that Rohingya babies are ripped from their mother's arms and thrown into fires,<sup>9</sup>

*Deploring* that Bashar al Assad has deployed chemical weapons (chlorine) on his own population since 2012, along with other violent actions of ethnic cleansing and war crimes. Since 2017, 393,000 Syrian citizens have been submitted to daily airstrikes,<sup>10</sup>

*Recognizing with concern* that all UN missions in Syria were abandoned on 31 October, 2018, and no UN diplomat has been assigned to replace the outgoing UN diplomat,

*Expressing profound disappointment* in the failure of the Security Council to approve a military and humanitarian intervention into Myanmar after receiving the Human Rights Council's comprehensive report in September 2018 confirming mass atrocities (referenced in footnote 1 above), despite requests by this Assembly and other Member States during the last 7 months, due to the lack of unanimity of the permanent members, and thus in the Security Council's failure to exercise its primary responsibility for the maintenance of international peace and security,

*Highlighting and recalling* that in 2005, in response to the failure of the world community to respond to ethnic cleansing in the Balkans and the Rwandan Genocide, the United Nations Doctrine of Responsibility to Protect ("R2P") was adopted by this Assembly,<sup>11</sup>

*Reaffirming* that Responsibility to Protect was used to positive effect in Libya and human populations were spared,<sup>12</sup>

*Noting with particularity* that the UN Human Rights Council in September 2018 voted to prepare criminal indictments for Myanmar's Commander-in-Chief, Senior General Min Aung Hlaing and his top-generals over the atrocities in Myanmar,<sup>13</sup>

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<sup>6</sup> UN High Commission on Refugees, "[UN Commission of Inquiry on Syria stresses the need to account for the fate and whereabouts of detained and missing individuals countrywide](#)" United Nations, November, 2018

<https://www.unhcr.org/syria-emergency.html>

<sup>7</sup> Amnesty International, "[My World is Finished: Targeted Crimes Against Humanity in Myanmar](#)", 2017.

<sup>8</sup> Médecins San Frontières, "[Rohingya Refugee Crisis In-Depth](#)," msf.com

<sup>9</sup> Pulitzer Center.org. <https://pulitzercenter.org/reporting/rohingya-methodically-raped-myanmars-armed-forces>, Dec. 2017

PBS.org. "Rohingya Flee Rape, Fire, Murder." <https://www.pbs.org/newshour/show/500000-rohingya-flee-rape-fire-murder-myanmar>" Oct. 2017

<sup>10</sup> United Nations. "Press Release" Jan. 2018. [http://www.un.org/en/genocideprevention/documents/18-01-2018\\_SA%20Statement%20on%20Syria\\_final.pdf](http://www.un.org/en/genocideprevention/documents/18-01-2018_SA%20Statement%20on%20Syria_final.pdf)

<sup>11</sup> United Nations, [Responsibility to Protect](#) (A/RES/60/1)

<sup>12</sup> See UN [Resolution 1790](#) in 2011

<sup>13</sup> United Nations Human Rights Council, "[Human Rights Council adopts 10 resolutions and one Presidential statement](#)," United Nations, OHCHR.org: Sept. 2018

1. *Declares* that the catastrophic situation involving the Rohingya in Myanmar must be immediately addressed and remedied through international collective action, in light of Myanmar's manifest failure and refusal to protect the Rohingya from genocide, ethnic cleansing and other crimes against humanity, and since the Security Council has failed to take action in Myanmar during the last 7 months to preserve international peace and security, this Assembly must take immediate action to intervene and send military forces and humanitarian resources to Myanmar to put an end to the mass genocide and protect the Rohingya from further ethnic cleansing, ensure that Rohingya refugees are safely allowed to return home and re-establish their residences, and take action to convene a constitutional convention to prevent the military from disrupting electoral activities;
2. *Determines* that in light of the large number of atrocities perpetrated by Member States that have grossly violated human rights and who have refused to take correction action, and that have been ignored by the United Nations since the adoption of the R2P due to the inability of the Security Council to reach a unanimous decision, including the current failure of the Security Council to approve military and humanitarian intervention into Myanmar, the United Nations must increase its oversight of such egregious failures by Member States in order to restore international peace and security within such Member States and its surrounding region; *and accordingly orders* that Paragraph 139 of the R2P shall be amended with the bolded text as follows: “139. . . .we are prepared to take collective action, in a timely and decisive manner, through the Security Council **or through a two-thirds (2/3) vote of the General Assembly**, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. . . .”. Article 11 of the Charter and the “Uniting for Peace” resolution of 1950 provide substantial authority and support for this amendment;
3. *Decides* that to ensure the Rohingya crisis is immediately addressed, pursuant to Paragraph 139 of the R2P, as amended above, and pursuant to Article 11 of the Charter and the “Uniting for Peace” resolution, this Assembly *hereby directs* (by a 2/3 vote of this Assembly), the immediate United Nations military and humanitarian intervention into Myanmar as set forth in Operative Paragraph 1 and the establishment of the United Nations Rohingya Mission and Refugee Initiative;
4. *Requires* the United Nations Rohingya Mission to Myanmar to develop capacity building infrastructure and systems to achieve the goals outlined in Operative Paragraph 1 above, and work with Myanmar officials to sustain such infrastructure and systems, to ensure that such goals are accomplished and that all babies born in the Bangladeshi refugee camps have their birth registered as citizens of Myanmar. This basic birth right is in compliance with Paragraph 138 of the R2P that states “the international community should, as appropriate, encourage and help States to exercise this responsibility.” Without citizenship, these children are vulnerable to violence of all forms;
5. *Instructs* the United Nations High Commissioner for Refugees (“UNHCR”) to create a Special Account for the United Nations Rohingya Mission and Refugee Initiative and to provide funding for the activities described in Operative Paragraphs 1 and 4 above by appropriating annual amounts to such Special Account, and for the current period, the amount of Fifty Billion Dollars (\$50,000,000,000) for the period 12 April 2019 to 31 March 2020 in accordance with the UNHCR budget for this Mission and Initiative for the stated period that was separately distributed to this Assembly. This Special Account shall also be used for constructing facilities on the

Bhasan Char Floating Island, feeding, clothing and protecting Rohingya refugees who may choose to relocate there;

6. *Further decides* to apportion among all Member States the amount of Fifty Billion Dollars (\$50,000,000,000) for the period from 12 April 2019 to 31 March 2020, in accordance with the levels updated in the applicable resolutions of this Assembly, taking into account the scale of assessments for 2019 and 2020 as set forth in the applicable Annex of the Report of the Committee on Contributions. The UNHCR will develop appropriate systems for allocating these funds consistent with this resolution, along with rigorous programming, transparency and monitoring mechanisms. In recognition that this global crisis demands the global solutions set forth in this resolution, *declares* that the continuance of other United Nations support and benefits to a Member State could be seriously jeopardized if such Member State does not fully satisfy its obligations to contribute to the Special Account for the UN Rohingya Mission and Refugee Initiative and to comply with the other provisions of this resolution;
7. *Approves* the Human Rights Council's September 2018 criminal indictments against Myanmar's Commander-in-Chief, Senior General Min Aung Hlaing, Aung Kyaw Zaw, Khin Maung Soe and Khin Hlaing, *and directs* the International Court of Justice to promptly prosecute the indictments against such individuals;
8. *Finds* that overwhelming evidence has been presented showing that Bashar al Assad has repeatedly committed genocide, war crimes, ethnic cleansing and other crimes against humanity, and thus criminal indictments should be brought against Bashar al-Assad for his atrocious human rights violations, *and directs* the International Court of Justice to promptly prosecute the indictments against Bashar al-Assad;
9. *Strongly exhorts* that Member States promptly impose asset freezes, travel bans and other sanctions against Min Aung Hlaing, Aung Kyaw Zaw, Khin Maung Soe, Khin Hlaing and Bashar al Assad for their repeated campaigns of genocide, war crimes, ethnic cleansing, crimes against humanity and other human rights abuses for years against their own citizens;
10. *Resolves* to remain actively seized of the matter.