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The Question of Myanmar



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Introduction

Democracy in post-colonial Myanmar, formerly known as Burma¹, was overthrown in 1962 by General Ne Win. He set up an authoritarian police state and ruled the country for the next twenty-six years. During Ne Win's dictatorship, the military junta suppressed most of the dissidents and stood accused of multiple human rights abuses, prompting international sanctions. Ne Win's socialist economic program drained Myanmar's economy and led to the 8888 Uprising, during which thousands of protesters were massacred. Ne Win consequently resigned as chairman of his party, and control of the country was handed to the State Law Order and Restoration Council (SLORC) which governed under martial law.

However, after the military junta's dissolution in March 2011, Myanmar entered a period of political transition confirmed by the first nationwide, multiparty elections since the coup of 1962 in November 2015. With greater political freedom, less censorship and an improving human rights situation, almost all Western sanctions have been lifted and Myanmar's economy is swiftly reconnecting with the outside world.

Still, concerns persist about the process of democratization. Myanmar's military has started to withdraw from direct political control, yet it constitutionally still retains ultimate authority in national politics, economy and bureaucracy and hinders the government's reforms. Moreover, ethnic conflicts have been raging in several parts of Myanmar's peripheries. The origin of these hostilities lies in the determination for the ethnic majority Bamar to exert power in the country's restive periphery, home to most ethnic minorities. Furthermore, the new government faces a major challenge in rebuilding the economy and improving the human rights situation as 61

¹ In 1989, the military regime decided to change the English name from "Burma" to "Myanmar" as the name *Myanmar* was more inclusive than the term *Burma* which favours the Burman ethnic majority. When referring to events that happened before 1989, this report will use the term Burma.



political prisoners remain behind bars at the time of writing and discriminations against religious and ethnic minorities persist.

Definition of Key Terms

The Panglong Agreement

The Panglong Agreement is a nine point treaty reached in February 1947 between Aung San and representatives of three of the largest non-Burmese ethnic groups, namely the San, Kachin and Chin peoples. These groups agreed to the independence of Burma, the right to self-determination, political representation and economic equality amongst the various ethnic states, then known as “Frontier Areas”. However, Aung San was killed five months later, on the 19th of July 1947 and the Panglong Agreement was never honoured..

Burma Socialist Programme Party (BSPP)

The BSPP was formed by the Ne Win’s military regime that seized power in 1962. This political party carried out the “Burmese way to socialism”, an ideology which advocates economic development, increasing the role of military and reducing foreign influence in Myanmar. The BSPP was replaced in 1988 by the State Law and Order restoration Council (SLORC) after the 8888 Uprising.

National League for Democracy (NLD)

The NLD is a democratic socialist political party founded in 1988 under the leadership of Aung San Suu Kyi and currently serving in Parliament alongside the military. The party advocates a multi-party democracy in Myanmar and supports human rights and national reconciliation.

Aung San (1915-1947)

Aung San was a Social Democratic politician, recognized as the leader of Myanmar’s independence. He was one of the signatory parties of the Panglong Agreement, but was assassinated six months before independence.

Aung San Suu Kyi (1945-)



Aung San Suu Kyi is a Social Democratic politician, leader of the National League for Democracy (NLD) and actual State Counsellor of Myanmar. She was placed under house arrest for a total of 15 years as the military junta viewed her as someone “likely to undermine the community peace and stability”. She was released on November 13, 2010.

General Overview

Myanmar’s political history from colonisation until today

Colonisation

After three Anglo-Burmese wars (1824-1885), Burma was annexed as a province of British India, like the Punjab or Bengal, and became a separate colony in 1937. At the outbreak of the Second World War, Aung San formed the Burma Independence Army in Japan, which fought alongside the Japanese who invaded Burma in 1942. The Japanese promised Aung San that if the British were defeated, they would grant freedom to Burma. However, in 1945, Aung San realised that the Japanese would not uphold their promises and switched allegiance to the Allies. Following World War II, in January 1947, Aung San signed the Panglong Agreement with representatives of three of the largest of the many non-Burmese ethnic groups, namely the Shan, Kachin and Chin peoples, under which Burma would be granted total independence from Britain. In 1947, Aung San became Deputy Chairman of the Executive Council of Burma, a transitional government, but was assassinated the same year by political rivals. On January 4, 1948, Burma was finally granted independence from Great Britain.

Military rule

The Union of Burma began as a parliamentary democracy and lasted until 1962. On March 2nd, 1962 the military led by General Ne Win overthrew the democratic government and instituted authoritarian military rule. In 1974, Ne Win instituted a new constitution based on what he called the Burmese Way to Socialism, an isolationist policy that nationalized most of Burma’s enterprises. As a result, the country’s economic situation gradually deteriorated and Burma became one of the world’s most impoverished countries. On August 8th, 1988, unrest over political oppression, economic mismanagement and food shortages led to widespread demonstrations known as the 8888 Uprising. The Army violently repressed the uprising, killing at least three thousand people. During these protests, Daw Aung San Suu Kyi rose to prominence



and became the leader of the main opposition party: the National League for Democracy (NLD). In 1989, she was placed under house arrest for almost fifteen years.

After the 1988 massacre, Ne Win resigned until an even more repressive military junta led by General Saw Maung took power and formed the State Law and Order Restoration Council (SLORC). The new military regime changed the country's name from the Union of Burma to the Union of Myanmar, since "Burma" referred to the colonial era and favoured the Burman ethnic majority, while "Myanmar" was more inclusive. In 1990, the junta held elections and the NLD won 80% of the seats, despite Aung San Suu Kyi's house arrest. However, the military junta refused to cede power and imprisoned many NLD politicians. The SLORC continued to rule the nation, and was reconstituted in 1997 as the State Peace and Development Council (SPDC).

Cyclone Nagris, the Saffron revolution and the 2010 elections

In 2007, an increase in the price of diesel and petrol led to widespread protests, mainly led by Buddhist monks, henceforth known as the Saffron Revolution. The demonstrations posed a challenge for the junta, as the participating monks were venerated in Myanmar's majority-Buddhist society. Therefore, the military violent response against unarmed protesters led to an increase in economic sanctions against the Burmese government. In 2008, the regime's legitimacy was challenged once again when the government was accused of hindering United Nations humanitarian intervention after Cyclone Nagris killed more than 140,000 people. Driven by international pressure, the military regime announced that a referendum on a new constitution would occur in May 2008, followed by multiparty elections in 2010. The referendum suggested, inter alia, to reserve one quarter of all parliamentary seats for military officers and to forbid anyone married to a non-Burmese citizen from running for the office of president, a measure that would have the effect of making opposition leader Aung San Suu Kyi ineligible for the presidency. According to the junta, the constitutional referendum won an overwhelming majority, yet human rights activists and the NLD called the vote a fraud. The military-backed Union Solidarity and Development Party (USDP) declared victory in the 2010 general elections, though Aung San Suu Kyi and her NLD party boycotted the vote. The military junta was dissolved in 2011 and established a civilian parliament, which appointed former army bureaucrat and then-prime minister Thein Sein, leader of the USDP, as president.

A new era of democratic and economic reform



The Thein Sein administration marked a period of democratic reform, including the relaxation of censorship, the release of 651 political prisoners and saw the return of international engagement. Myanmar held general elections on November 8th, 2015. The NLD won an absolute majority of seats, yet NLD leader Aung San Suu Kyi was constitutionally barred from presidency. Htin Kyaw was elected on March 15th, 2016, as the first non-military president of the country since the 1962 coup while Aung San Suu Kyi assumed the position of State Counsellor, a role akin to a Prime Minister in other countries.

The 2008 Constitution guarantees the military 25% of parliamentary seats. The military appoints the Defense minister, the border affairs minister and the home affairs minister, the highest authorities of the country, and retains the right to assume control of the country for national security reasons. A constitutional reform is thus pivotal in true democracy in Myanmar. However, a change of the constitution is nearly impossible, since it requires more than a 75% vote in parliament, and the military controls 25% of the seats.

Myanmar's ethnic minorities

With seven major ethnic minorities, namely Chin, Kachin, Karenni, Shan, Karen, Rakhine, Mon, and countless smaller groups, ethnic minorities comprise approximately thirty percent of the country's total population. After the coup of 1962, Burma's military regime insisted on cultural assimilation, promoting the Burmese language and Buddhism. One of the main reasons for the military to assimilate and suppress minority communities is that they inhabit Myanmar's peripheries which abound in natural resources. Ethnic minorities were consequently convinced that a peaceful coexistence was impossible and ethnic armed organisations launched separate insurgencies for the creation of a federalist system. The army carried out brutal campaigns against ethnic armies and restricted the teaching of ethnic languages. From 1989 to 1994, under pressure from sanctions, the military regime urged armed ethnic opposition groups to accept cease-fires, and signed eight others in October 2015. However, armed ethnic groups, such as the Kachin Independence Army (KIA) and the United Wa State Army (UWSA), refused to sign the October 2015 ceasefire agreement, and for many ethnic groups this agreement only constitutes a basis for moving forward.

Human rights violations



While Htin Kway took significant steps to improve the environment for freedom of media and expression, the authorities still fail to address an alarming rise in religious intolerance, as there has been a marked escalation of friction between Buddhist and Muslims.

The Rohingya are a Muslim minority group living in Myanmar's state of Arakan, now renamed Rakhine, in western Myanmar. In May and October 2012, two waves of attacks against the Rohingya left 192 people dead, 265 injured, and more than 9,000 homes destroyed. Central to the persecution of the Rohingya is the 1982 citizenship law, which denies them Myanmar citizenship. The Myanmar society thus considers the Rohingya to be illegal immigrants from contemporary Bangladesh. Moreover, authorities have instituted highly discriminatory policies against the Rohingya, including a 2013 directive imposing a two-child limit on all couples and there has been little effort to rein in the growing influence of radical groups promoting hate speech against Muslims. In 2013, Human Rights Watch (HRW) accused the Burmese authorities of committing "crimes against humanity in a campaign of ethnic cleansing against Rohingya Muslims in the Arakan State since June 2012." They include unlawful killings, forced labour, such as portering, rape and other forms of sexual violence, disappearances, and the recruitment of child soldiers and restriction of humanitarian access.

To escape the systemic violence, an estimated 100,000 people have fled the country, yet most governments have refused to accept them as refugees. According to the United Nations High Commissioner for Refugees (UNHCR), 25,000 Rohingya have been victimized by human traffickers in 2015. The Philippines has however agreed to shelter 3,000 refugees with the support of the UNHCR and Bangladesh is home to 32,000 Rohingya refugees. Human rights activists had hoped the new government would reverse the discriminatory policies that have marginalized the Rohingya Muslims. However, they expressed disappointment when Aung San Suu Kyi asked the international community not to refer to the group as Rohingya, due to pressure from nationalist Buddhist factions that are convinced Rohingyas are Bengalis and do not belong in Myanmar. The government will not refer to the Rohingya by the name since it does not recognize them as citizens.

In addition, Amnesty International has noted a "persistent impunity for human rights violations committed by the security forces and other government officials" and is concerned about the recent passage of the Former President's Security Law which grants former presidents lifetime immunity for human rights violations and crimes under international law. Furthermore, 61 political prisoners remain behind bars and hundreds of human rights defenders and peaceful



activists are on trial facing imprisonment for the peaceful exercise of their human rights. Human rights defenders continue to be subjected to multiple forms of monitoring and harassment.

Myanmar's social and economic situation

Myanmar's economy has significant potential. The country has a long coastline, a cheap and young workforce, abundant agricultural land and natural resources including oil and natural gas. Moreover, Myanmar sits between the massive markets of China and India and is member of the Association of Southeast Asian Nations (ASEAN), which aims to accelerate economic growth in its 9 member states. After Thein Sein's administration launched a series of economic reforms in 2012, Myanmar's foreign investment nearly tripled, according to the International Monetary Fund (IMF). However, Htin Kway's government has inherited crumbling infrastructure, high deficits, the second lowest GDP per person within South-East Asia and weakened institutions following decades of corruption and Western sanctions. Furthermore individual and corporate tax rates are high while the compliance ratio remains substantially low.

Myanmar's main national income is agriculture, which contributes an average of 40% to the GDP and employs 70% of the population. However, because of degraded infrastructure, a lack of adequate crop storage facilities and insecure land tenure, food insecurity is an increasingly serious concern for the country's authorities. In addition, poverty is unequally concentrated in rural areas and only one-third of Myanmar's population has access to the electricity grid and road density remains low. Moreover, investment and development projects are being carried out without benefiting to local populations or taking into account environmental requirements. Furthermore, Myanmar remains one of the world's lowest countries in the world in terms of total money allocated to healthcare and education. Myanmar's government spends around represent 4% of the GDP on healthcare and education and more than 20% on the military. A serious barrier to investment and business in Myanmar is corruption. Factors include a tradition of nepotism and an expanding informal economies which are vulnerable to corruption. In 2014, the World Bank ranked Myanmar 182 out of 189 countries in its annual report on the business environment, a score due to corruption accordingly to World Bank economists.

Major Parties Involved and Their Views

Myanmar



Myanmar has in recent years undergone a huge political reconstruction. Before the 2015 democratic elections, the military was in absolute control over the whole nation. Following the NLD's victory, Myanmar's perspectives have become much more democratic and liberal. However, the military still holds power and is entitled to many key positions and decision-making. The Myanmarian government is therefore rather split regarding different decision-making processes.

ASEAN nations (Malaysia, Thailand, Singapore, Bangladesh, Indonesia, India)

ASEAN took Myanmar into the fold in 1997. Since then, Myanmar has not fully contributed to the developments of the ASEAN and is not as committed as the other members when implementing regulations or developing collaborations. Over the years this has weakened the relationships between Myanmar and other member states. Many ASEAN nations have been forced to take in many Myanmarian political refugees. These refugees receive no citizens rights abroad, in hand with this come the foreign discrimination that they receive, leaving them unable to get a job and provide for themselves. Relations between Myanmar and Bangladesh remain tense due to the presence of guerilla groups in the Arakan province and the migrations of Rohingya people towards Bangladesh.

UNHCR

The United Nations High Commissioner for Refugees operates in Myanmar in response to internal displacement and ongoing refugee crises. The UNHCR is assisting 230,000 Internally Displaced People (IDP's) as well as 810,000 people without citizenship, and is also working towards the return of 120,000 refugees currently living in temporary camps in Thailand. However, the ability of humanitarian workers to deliver assistance is considerably limited by the political context. The budget of the UNHCR in Myanmar is 67.8 million USD as of 2015, yet this number is insufficient to support the return of refugees and IDP's.



Timeline of Events

Date	Description of event
1937	Britain separates Burma from India making it a colony
1942	Japan invades the British occupied Burma with the Anti-Fascist People's Freedom League (AFPFL)
1945	Britain supporting the AFPFL (led by Aung San) and liberates Burma from Japanese occupation
1947	Aung San and six other AFPFL government officials are assassinated by political opponents (led by U Saw), U Nu, who ruled Burma during the Japanese occupation, is asked to head the AFPFL and the government
1962	U Nu's faction is expelled from the government by the military takeover led by Gen Ne Win, they abolish the federal system and inaugurate "the Burmese Way to Socialism", forming a single-party state with the Socialist Programme Party
1974	A new constitution comes into effect, Burma's power now lies in the hand of military leaders, headed by Ne Win
1982	A new law is implemented, making all non-indigenous Burmese, associate citizens, effectively making them 3rd-class citizens
1987-89	Economic inflation generates anti-government riots, such as the 8888 uprising. The 8888 uprising rallied thousands of people all across Myanmar., The rebellions are killed by the State Law and Order Restoration Council (SLORC). SLORC declared martial law, thousands of house arrests (including Aung San Suu Kyi) and renames Burma 'Myanmar'
1990	Opposition party, National League for Democracy (NLD) wins in general elections, results are ignored by ruling military power.
1992	Aung San Suu Kyi is awarded the Nobel Peace Prize for her commitment to peaceful change, due to her house arrest she is unable to receive this personally.
May 2008	Cyclone Nargis hits Myanmar, killing 134,000 peoples. A referendum follows, concerning the humanitarian crisis. The government claimed results exclaimed that Myanmar does not require any foreign aid.
November 2010	The Military political party, the Union Solidarity and Development Party (USDP) claims a victory in the first elections for over 20 years. Opposition (NLD) accuses the elections to be fraud.
April 2012	NLD is officially recognised as an political party again, with Aung San Suu Kyi as head. The NLD win the parliamentary elections triumphantly, in connection to this EU suspends all non-military sanctions for a year
August 2012	The President abolishes pre-publication media censorship.
March 2015	The government and 16 rebel groups sign a draft ceasefire
November 2015	Aung San Suu Kyi's party, the NLD, wins 80% of parliamentary seats to form a new government and within months Htin Kyaw officially becomes president, starting an hopeful, new democratic era.



UN involvement, Relevant Resolutions, Treaties and Events

It should be noted that the UN Security Council has been minimally involved concerning the question of Myanmar. Other bodies of the UN however have been involved numerous times, but it should be kept in mind that these committees do not have the same power as the Security Council and its Advisory Panels.

- Burma's admission into the UN, 10 April 1948 ([S/RES/45](#))
- Situation of human rights in Myanmar; the last of 7 very similar resolutions concerning the restoration of democracy, 9 December 1998, ([A/RES/53/162](#))
- Veto-ed (therefore failed) US UN draft resolution concerning the prosecution of minority and opposition groups, 2007 ([S/2007/14](#))
- Situation of human rights in Myanmar; full participation of all political parties and ethnic nationalities, 24 December 2008 ([A/RES/63/245](#))
- Situation of human rights in Myanmar; changing political dialogue, 24 December 2011 ([A/RES/66/230](#))
- Situation of human rights in Myanmar, 29 December 2014 ([A/RES/69/248](#))

Evaluation of Previous Attempts to Resolve the Issue

The situation in Myanmar has been a matter of concern for numerous international organizations, unions and individual countries. Their support and interventions have however been limited and is attributed to the fact that Myanmar's military government did not accept any kind of foreign support. This left all concerning parties helpless, with recent events however the country's borders have opened up and many of these previous attempts could be revisited and revised.

The UN Security Council (UNSC) has never before been directly involved in this situation. Various General Assembly resolutions have been passed on Myanmar, specifically regarding the human rights situation. A resolution has been passed on this issue every year since 1991. As these resolutions were repeated they had little to no impact on the direct



domestic situation at the time. It can however be concluded that these annual resolutions added to the overall pressure onto the government to hold democratic elections.

In 2015, the European Union (EU) and the US lifted their economic sanctions. These sanctions were imposed in 2007 and yearly renewed. It is to be believed that bans from both the EU and the US pressured the ruling military thus far to transform their political course. Since the results from their democratic elections were announced and were followed up on both all sanctions have been lifted.

It should however be noted that ASEAN took very limited actions in resolving or aiding Myanmar. Their lack in involvement in regards to this issue is concerning. Their involvement and pressure could have resulted in Myanmar changing their politics earlier on or at a faster pace.

Possible Solutions

Solutions to the question of Myanmar should be taken in gradual steps. These steps should ultimately lead to Myanmar being a democratic, non-discriminating, self-sufficient, internationally participating state. A valued start of aiding a nation to become self-sufficient, for any country/organization, is to support the nation through humanitarian aid. Other actions, such as social and economic development, can only be taken into consideration once the security and safety of all residents in Myanmar have been ensured.

Humanitarian aid

Taking the democratic events from the past two years into account, it can be generally viewed that in order for Myanmar to further prosper as a democratic state, the parliament of Myanmar will need to fully open to foreign assistance. More importantly, non-profit organizations and agencies need to take direct action to provide highly needed humanitarian aid to the people of Myanmar. The humanitarian aid from the UNHCR and the HRW have been received well in previous missions and it is to be believed that the people of Myanmar will profit from their aid. Organizations and agencies should provide basic needs for all peoples hurt by human rights violations and abuses, including arbitrary arrest and detention, forced displacement, sexual violence and torture. In most general terms, the humanitarian aid should focus its core on supporting those affected by the still large acts against and violations of international humanitarian law.



With this, the organizations and agencies should ensure that all peoples residing in Myanmar receive equal aid. The Parliament of Myanmar should in return entrust and give all organizations and agencies full and unhindered humanitarian access to all areas of Myanmar, specifically focusing on the Rakhine State where the Rohingya Muslims reside. This security should be provided by non-profit organizations and agencies working in correlation with the government of Myanmar.

Sustainable social development

After all people have been provided with shelter through the interventions of humanitarian aid, UN-IGO's (eg. UNHCR, HRW & ICRC) should explore methods on how to develop the Myanmar further, through social development. Myanmar has undergone many political and ideological changes in recent years but many minority groups still go unrepresented. In order for all inhabitants of Myanmar to feel fairly represented, international cooperation is required. The efforts of unions (such as ASEAN and the EU) will support the democratic transnational process tremendously. It has most recently become apparent, that Myanmar is open to slow, progressive democratic change. Other countries should initiate the discussion on the issue of Myanmar in said union and decide upon applicable solutions.

Furthermore, the government of Myanmar should improve on its engagement and cooperation with the UN and said international unions. Without their full consent and agreement the unions support will be very limited and will further delay the prospering of such a promising nation.

Neighbouring nations should explore methods to provide support to these non-profit organizations. Many people have fled Myanmar when it was under military ruling and have sought a better life abroad. Social development for the people should also be available outside Myanmar and be provided to them through the close working together of neighbouring nations, unions and non-profit organizations.

Economic development assistance

Next to developing Myanmar on a social level, the UN should explore how to make Myanmar more self-reliant. In order to make Myanmar compete on an international level, Myanmar needs to initiate involvement with other nations, in not only the geographical area but

also overseas. In order for Myanmar to prosper alone, without foreign aid, unions need to provide Myanmar with the necessary tools and platforms to develop economically.

First and foremost the EU, European Commission(EC) and the US should not only lift their military bans on the domestic economy of Myanmar but also encourage international trade. This can be done in through direct economic aid in Myanmar itself or encouraging market development in other innovative manners. Commissions such as ASEAN and the UN should give all people the opportunity to prosper and provide for the economy of Myanmar either domestically or internationally.

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<https://www.aspi.org.au/publications/on-the-path-of-change-political,-economic-and-social-challenges-for-myanmar/SR62_Myanmar.pdf>.



Appendix or Appendices

- I. <http://www.altsean.org/Research/UN%20Dossier/UNGA.htm>
Links to all UNGA resolutions concerning Myanmar (1991 - 2014)
- II. <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/UNMembers%20SRES45.pdf> **(S/RES/45)**
- III. <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/ROL%20S2007%2014.pdf> **(S/2007/14)**
- IV. <http://harvardkennedyschoolreview.com/myanmars-nascent-democracy-depends-on-federalism/> A Harvard student's article explaining what actions need to be undertaken for Myanmar to prosper and be self-sufficient.
- V. <https://news.vice.com/video/left-for-dead-myanmars-muslim-minority-full-length> a recent (May 2016) documentary regarding lives of the Muslim minority in Myanmar.

