

GS Paper 2

International Relations

India and its Neighbourhood

Indo-Myanmar Relations

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Why is Myanmar important for India?

1) Location

2) Critical for India's National Security Interests



Why is Myanmar important for India?

3) Confluence of Two Foreign Policy Doctrines

4) Chinese Angle (Kyaukpyu port)

5) Power balance



Socio Political fabric of Myanmar

- Myanmar is a diverse country. (Myanmar is not a coherent country.)
- 2/3rd of population is ethnic Burmans, known as the Bamar.
- Other ethnic minority groups like Shan, Kayin, Rakhine people, Mon, Kachin, Chin, Rohingya, Gurkha, Nepali etc.
- Anglo Indians, Overseas Chinese and Overseas Indians.
- Total 14 States or regions.



Myanmar's Troubled History

- **British Burma (1885–1948)**

✓ On 1 April 1937, Burma became a separately administered colony of Great Britain.

- **Independence (1948–1962)**

✓ 4th January 1948--- the nation became an independent republic

- **Military rule (1962–2011)**

✓ 1962---Military leadership staged a coup d'état.

✓ Between 1962 and 1974, Myanmar was ruled by a revolutionary council headed by the general.

- ✓ 23 June 1997---Myanmar admitted into the ASEAN.
- ✓ August 2007---Saffron revolution (due to increase in the price of fuel), led by Buddhist monks.
- ✓ 2008 April - New constitution got published, which allocated a quarter of seats in parliament to the military and banned opposition leader Aung San Suu Kyi from holding office.

- **Civil wars**

Period of liberalisation (2011–2021)

- **2010---General Elections.**

The military-backed Union Solidarity and Development Party (USDP) declared winner.

Retired general Thein Sein as President.



- **2012---By Elections**

Aung San Suu Kyi's National League for Democracy(NLD) party, won 43 of the 45 available seats.

- **2015----General elections.**

NLD got an absolute majority of seats.

NLD leader Aung San Suu Kyi is constitutionally barred from the presidency.

- **2016**--Hitin Kyaw was elected as the first non-military president since the military coup of 1962

On 6 April 2016, Aung San Suu Kyi became State Counsellor, a role akin to a PM.

2020 elections and 2021 military coup d'état

- Suu Kyi's NLD won
- USDP complained of irregularities.
- However, election observers declared there were no major irregularities in the voting.

Coup

1 February 2021, the **Tatmadaw** (Myanmar's military) under Min Aung Hliang, detained State Counsellor Aung San Suu Kyi and other members of the ruling party. President Win Myint placed under house arrest.

Reactions over Military rule

- **Condemned by**

UN General Secretary, US, Western European political leaders, Southeast Asian democracies. They demanded:

- ✓ release of the captive leaders,
- ✓ immediate return to democratic rule in Myanmar.
- ✓ The U.S. threatened sanctions on the military and its leaders, including a "freeze" of US\$1 billion of their assets in the U.S.

- **Refrained to criticise**

India, Pakistan, Bangladesh, Russia, Vietnam, Thailand, Phillipines and China.

The representatives of Russia and China had conferred with the Tatmadaw leader Gen. Hlaing just days before the coup.

24th April 2021

ASEAN held a high level summit to discuss the mounting crisis in Myanmar

A 5 point consensus was agreed at the summit:

- 1) Immediate **cessation** of violence in Myanmar.
- 2) Constructive dialogue among all parties.
- 3) Appointment of especial ASEAN envoy to facilitate dialogue.
- 4) Provision of humanitarian assistance.
- 5) A visit by the envoy to Myanmar.

India's stand on military coup d'état

- India has proclaimed a **policy shift** concerning diplomatic engagement with Myanmar's current regime.
- **India' stand on Myanmar's political situation in 1987---**
- **India' stand on Myanmar's political situation now---**
- ✓ December 22, 2021---Indian foreign secretary visited Myanmar and met Myanmar's military chief, Senior Gen. Min Aung Hlaing.

February 2022---4th Quad foreign ministers meet

India did not supported the idea of imposing sanctions on Myanmar. India argued that it is concerned about the crisis, as an “immediate land-border neighbour”, but have “some specific” concerns on Myanmar and it was said that “where we are concerned, we don’t follow a policy of national sanctions”.

India highlighted Three points:

- Point 1----Security concerns.
- Point 2---Preferential world treatment of military rule.
- Point no. 2---India support the ASEAN five point consensus.

India's stand on military coup d'état: A Major Policy Shift

- **For some (critics)--- Is India's approach towards legitimisation of coup?**

- ✓ Foreign Secretary visit to Myanmar post coup(December 2021)
- ✓ Terms used in Ministry of External Affairs press release
- ✓ Continued military cooperation
- ✓ Continued economic linkages
- ✓ Development projects

Twin-Track Approach

In response, it can be argued that India has adopted a twin track approach towards Myanmar.

- Carrying on diplomatic engagement with Myanmar's military junta
- At the same time, pushing for the country's return to democracy.

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Reasons for inverted India's approach to Myanmar

- Growing influence of China in Myanmar.
- Security apprehensions across border
- Act East policy
- Neighbourhood First policy
- Kaladan Multimodal Project

Analysis of India's policy spin

- Litmus test for Indo Bangladesh relations.
- India walks tightrope on Myanmar
- Pragmatic approach
- Test case for India-US understanding on the Indo-Pacific
- Twin geostrategic goals
- Need for a cautious approach.

Latest development in Indo Myanmar relations

June 2023---India and Myanmar may conclude the ongoing talks on rupee trade by the end of June, clearing hurdles for payment mechanisms in the face of US sanctions and providing a significant boost to the bilateral trade.

Bilateral trade between India and Myanmar could rise significantly from current level of \$1.76 billion once Rupee trade settlement mechanism is established.

The RBI has already allowed payments to be received in Indian Rupees and the Myanmar government intends to initiate the currency convertibility for the Indian rupee for trade. Under this settlement mechanism, Myanmar will accept payment for all its exports to India in Indian rupees and the same export earnings can be used to make payments for goods and services imported from India.

RBI has appointed and authorised PNB of India to open a special Rupee Vostro Account (SRVA) for foreign trade with Myanmar.

May 2023---Cyclone Mocha approached Myanmar and Bangladesh coast. India launched "Operation Karuna" to provide humanitarian assistance for people in Myanmar, which is affected by Cyclone Mocha. India is committed to ensure Security and Growth for All in the Region and is the first responders in providing support to our neighbours during such calamities.

Rohingya Issue

Who are Rohingyas?

Rohingyas are Muslims in Myanmar's Rakhine state (NW Myanmar).

Described by UN as one of the most persecuted minorities in the world and one of the most discriminated people in the world.

Denied citizenship under the 1982 Myanmar nationality law.

2012

2015

2016-17

What is the global response to this issue?

- **United Nations:** United Nations later described as a “textbook example of ethnic cleansing”.
- **China** → didn't reacted initially
 - China didn't wanted to sour its relation with Military Junta.
 - Wanted to exploit the untapped resources of Myanmar + use the Myanmar as an entry to IOR.
- **ASEAN** (As a regional body ASEAN discussed this issue but not very strongly)
- **Bangladesh, India, and Indonesia**

Dec 2020---- Bangladesh sent more than 1,500 Rohingya refugees to an isolated **Bhasan Char Island** ((Floating Island) in the Bay of Bengal under its Ashrayan Project.

Concern:

- ✓ Ecologically fragile area
- ✓ prone to floods, erosion and cyclones.

Rohingyas are of no strategic value to anyone.

India's response towards Rohingya Refugees

August 2022--- The Union home ministry said Rohingya refugees in New Delhi will be held at a detention centre and then deported.

February 2022---- Congress MP Shashi Tharoor proposed a refugee and asylum law. Since the bill was from a private member—a parliamentarian not in government—it could not pass.

13-18 Feb 2022---- United Nations Deputy High Commissioner for Refugees during her visit to Bangladesh discussed Rohingya refugees circumstances in Cox's Bazar and Bhashan Char.

2021---India has abstained on a U.N. General Assembly resolution on Myanmar

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April 2021----Mohammad Salimullah v. Union of India (UoI)

Supreme Court in Mohammad Salimullah v. Union of India (UoI) did not order the release of Rohingyas reportedly detained in Jammu.

The right not to be deported, is ancillary or supplementary to the right to reside or settle in any part of the territory of India guaranteed under Article 19(1)(e).

Art 19(1)e is a fundamental right granted **only to citizen.**

On this ground court rejected their release in India and favoured deportation under proper procedure.

Why India has taken this stand on Rohingya Issue?

- Internal affair of Myanmar.
- ASEAN factor.
- Avoiding conflict of interests .
- Threat to national security.
- India's Act East Policy.

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- Poverty
- Unemployment.
- Demographic change.
- Rise of illegal immigrants.
- Islamic extremism

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Difference between Refugees, Asylum seekers and Migrants

Refugees: A refugee is a person who has fled their own country because they are at **risk of serious human rights violations and persecution there.**

Asylum-seeker: An asylum-seeker is a person who has **left their country and is seeking protection from persecution and serious human rights violations in another country.** However, he/she hasn't yet been legally recognized as a refugee and is waiting to receive a decision on their asylum claim.

Migrants: Migrants can be understood to be people staying outside their country of origin, who are not asylum-seekers or refugees.

What is India's Refugee Policy?

- India lacks specific policy on refugees.
- There exists the **Foreigners Act, 1946**.
- There is Citizenship Amendment Act, 2019.
- India is not a party to the **1951 Refugee Convention and its 1967 Protocol**.

- Refugees and asylum seekers are entitled to the rights under **Articles 14, 20 and 21**
- **Controversy over right of non-refoulement.** (Non-refoulement is the principle under international law which states that a person fleeing persecution from his own country should not be forced to return to his own country.)

Why Hasn't India Framed a Law on Refugees Yet?

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Why India has not Signed 1951 Refugee Convention

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Challenges associated With India's Refugee Approach

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What could be the way forward for legislation on refugees by India

- **Revision of Model Laws by Expert Committee**
- **Temporary shelter and work permit for refugees.**
- **Make a distinction between temporary migrant workers, illegal immigrants and refugees.**

Taking care of refugees in India is a moral duty for the state.

What is the way forward to solve Rohingya refugee issue?

- **Creative Diplomacy**
- **Planning needs to be short term**
- **Rolling back counterproductive measures**
- **Collaboration and discourse with neighbours**