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Decision Criteria of the UN Security Council for imposing Sanctions in Cases of Human Rights Violations: The Securitization of Human Rights.

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Abstract

Sanctions are one of the most frequently used methods of international intervention. This bachelor's thesis focuses on the differences in the decision-making process of the UN Security Council, when applying sanctions to Yemen and Myanmar, regarding human rights violations. After explaining the relation between human rights and security, the theoretical framework, human rights violations in the countries and methodology, both cases are compared using the securitization theory and its four most important concepts as a structure, following the most similar systems design. The results indicate that the power relations and context are the most representative, as the interests of the five permanent members of the UNSC vary. In this way, China and Russia can block intervention in Myanmar using their veto power. Furthermore, the context of Myanmar, particularly its period of democratisation and reforms, took attention away from issues occurring in the country. The research sheds new light on the Responsibility to Protect and its shortcomings, as well as problems in the UNSC's structure.

Keywords: Sanctions, United Nations Security Council, Responsibility to Protect, Human Rights Violations, Yemen, Myanmar, International Security, Intervention

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1. Introduction: The Research and its Purpose

"[…] human rights protection by states is not only instrumental to international security but also imperative and thus fundamental to it" (van Kempen, 2013). Sanctions are one of the most frequently used forms to stop human rights violations, thus protecting international security. They are a non-violent method to achieve this goal and can be applied by states, international organisations, and organs, such as the United Nations (UN), particularly the United Nations Security Council (UNSC). This bachelor's thesis focuses on how and in what cases the decision to apply sanctions is made in the UNSC.

Not enough is known about what happens behind the scenes when applying sanctions. Previous research on sanctions primarily focuses on individual cases, such as the Security Council's sanctions against North Korea and problems that arose in implementing these (Habib, 2016). There is also a stronger focus on the consequences of UN Security Council sanctions, such as the sometimes negative impact on human rights (Reinisch, 2001). This suggests that there exists a research gap in the decision-making process. Moreover, it is crucial to fill this gap because, as the research above demonstrates, sanctions significantly affect the sanctioned countries. Lastly, one should note that "[…] the United Nations remains the only supra-national institution and represents the 'international community' both officially and informally" (Lackner, 2020). This makes it a fascinating and significant institution to investigate.

Because of this, the purpose of this work is to answer the following research question:

What are the differences in the decision-making process of the UN Security Council in the cases of Yemen and Myanmar when introducing sanctions regarding human rights violations?

This work focuses on the cases of severe human rights violations in the countries of Yemen and Myanmar. On the one hand, Yemen has experienced severe clashes between its government's security forces and rebel groups. This has led to several human rights violations, such as the killing and unlawful detainment of civilians and recruiting children for combat. On the other hand, Myanmar has undergone several anti-government protests, the most recent after a military coup in 2021. These demonstrations turned violent and resulted in human rights

violations, such as killing and arresting civilians and opposition fighters, in addition to the suppression of women's rights, among other violations. However, one of the most noteworthy violations during the research period is the ethnic cleansing of Rohingya Muslims. Although these cases present many similarities, they differ in one crucial aspect: sanctions. The decision to apply sanctions by the UN Security Council was only made for Yemen but not for Myanmar.

Resolution 2140 regarding Yemen was adopted unanimously in February 2014, introducing a sanctions regime, a sanctions committee, and a panel of experts. The sanctions regime comprises an asset freeze and travel ban. The former denoted the freezing of funds, financial assets, and economic sources globally owned by individuals or entities designated by the sanctions committee. These individuals were not permitted to enter or transit through UN member states. This meant that individuals or entities endangering Yemen's peace, security, or stability would be sanctioned. In November 2014, the Sanctions Committee finally imposed sanctions on two Houthi leaders and former president Saleh.

The selection of the two cases is attributed to the most similar systems design. This means that the cases present a different dependent variable or outcome: sanctions. Otherwise, they are relatively similar cases since both countries have suffered greatly throughout the years, with severe human rights violations occurring in both. Therefore, by comparing both cases, the objective is to find significant independent variables which could explain the differing outcome.

The research period also varies between the two countries. Although the conflicts have existed well before and after this period, it follows each proceeding in the Security Council. While the discussions of Yemen's issues started becoming more frequent and gaining significance in 2011, Myanmar was already added to the council's agenda in 2006. The timeframe for Yemen is short, however, because the decision to sanction the country was made in 2014. Myanmar, in contrast, has not received any sanctions from the UN Security Council. For these reasons, the research period for Yemen encompasses the years 2011 to 2014 and the one for Myanmar 2006 to 2021.

The decision-making process of the UNSC when determining whether each of the countries would be sanctioned is looked at. Both processes will be analysed using the Copenhagen school's securitization theory, as the sanctioning of a country will be considered

securitization in this research. The four most important concepts presented in the theory will be determined for each case and compared. These include the audience, power relations, context, and practices and instruments, as Balzacq et al. (2016) suggested.

The UNSC has already been analysed using the securitization theory before. Nevertheless, papers of this sort focused on other topics, such as climate change (Kurtz, 2012), which the UN has securitized. This means that matters that were not usually defined as security problems before were deemed security issues by the council to gain a certain right. For example, when securitizing the disease Ebola, the council determined that it was "[…] a threat to international peace and security […]" (Burci, 2014). Using this as a reason, the council extended sanctions in Liberia, one of the countries suffering from Ebola outbreaks at the time. Furthermore, another example is the securitization of terrorism by the Security Council after the events of 9/11 in the United States of America (USA). As a result, the council greatly enlarged its competencies, legitimised its right of self-defence against non-state actors, and approved the use of new security procedures (Rychnovská, 2014).

This research fits a theory-led empirical explanation. An empirical phenomenon, the decision-making process of the Security Council, is interpreted. Significant theories, hypotheses or models that establish causal relationships are applied, such as the securitization theory and the most similar systems design. Additionally, it is y-centred, as it aims to explain the occurrence and thus take all relevant explicatory factors into account.

This work will gather and interpret academic books, journal articles and research papers that deal with the cases of Yemen and Myanmar in the international arena, as well as official UN documents, to answer the presented research question. With the help of these, the four concepts of securitization will be established for each case and then compared. Before this analysis, the relation between human rights and security will be illustrated to explain how the protection of human rights can be seen as a contribution to international security, thus being an important topic for the Security Council. Moreover, the securitization theory and its concepts will be described in detail, as well as the situation in the countries to be examined.

2. The Relation between Human Rights and Security

It is understandable how human rights violations are a security issue for individuals, but this chapter will explain how they affect international security. It is intended to illustrate how the UN Security Council was able to turn human rights into a security issue by assembling various research about the relation between human rights and security. Therefore, the term human security and the Responsibility to Protect (R2P) Doctrine will be clarified. Finally, the sanctions the UNSC applies will be addressed.

The UN Development Program defined human security in 1994 as the security against chronic threats, for example, hunger, disease and displacement, and protection against sudden and injurious commotions in someone's daily life (United Nations Development Programme, 1994). This type of security emphasises people rather than states, with the terminology intended to influence states to perceive the citizens' security as the state's security. Nonetheless, a distinction must be made between a broad and a narrow view of human security. The broader perspective frequently refers to threats already covered by criminal and human rights laws rather than new threats, victims, state duties, or intergovernmental mechanisms to address human insecurity so that it can at best complement human rights and, at worst, weaken them. On the other hand, the narrow perspective of human security identifies new or more severe threats, including new potential victims, and focuses on all people. This means that governments should take on new responsibilities towards not only citizens of their states but also citizens of other states who face these threats. It complements human rights legislation and provides an analytical framework to help states and international organisations take new action in the face of new threats (Howard-Hassmann, 2012).

In comparison, human rights are rights to which all human beings are entitled solely because of their biological humanity. They are individual rights not tied to any particular social status or membership in a group, community, state or other. Moreover, human rights do not need to be acquired, nor can they be restricted, except through conformity with the rule of law (Howard-Hassmann, 2012). The extension of a state's human security responsibilities to citizens of other countries, if only in principle and not in practice, is a noteworthy change from the international human rights regime, which predominantly emphasises a state's accountabilities to its own citizens (Rothschild, 1995, as cited in Howard-Hassmann, 2012).

This differentiation is significant to this research because it explains why states may intervene when human rights or human security is violated in another country.

Moving on, international security through human rights protection will be explained. The UN and the Council of Europe support the belief that safeguarding an individual against the overpowering state, enforcing civil and political liberties, and preserving democracy are essential instruments for achieving world peace and international security. This is because they advocate peaceful and friendly relations between nations and are thus necessary (Simpson, 2004, van Kempen, 2013). Different studies reinforce this theory, for example, one by Sobek et al. (2006), where the conclusion is made that "[states] that respect human rights at home tend to have more peaceful interactions with other states that respect human rights". This suggests a causal relationship between human rights protection and world peace, implying that the violation of human rights signifies a threat to that world peace, making it an issue of international security.

As an international security issue, there is an international intervention to protect human rights and preserve world peace. The R2P is an attempt to legitimise these global interventions further and regulate when states are not protecting their citizens (Howard-Hassmann, 2012). In 2005 the member states of the UN gathered and officially assumed the responsibility of protecting the population from genocide, war crimes, ethnic cleansing, and crimes against humanity.

The R2P consists of three pillars. The first pillar is the state's responsibility to protect its population, whether nationals or not, from genocide, war crimes, ethnic cleansing, crimes against humanity, and their provocation. Pillar two comprises the pledge of the international community to aid other states in taking on these duties. It draws on the UN's cooperation between member states, regional agreements, civil society, private sectors, and its other strengths. The third pillar is the responsibility of member states to react jointly, practically, and firmly when another state is unsuccessful in providing protection. A response might include any instruments available to the UN and its partners. They could comprise peaceful and coercive measures but also cooperation with regional agreements. The decision-making process for the best procedure must respect the UN Charter (Ki-Moon, 2009).

Pacific measures like those mentioned in the third R2P pillar include sanctions by the UNSC. Sanctions were first presented in Article 41 of the UN Charter in 1945:

> "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations" (United Nations, 1945).

When the third pillar is applied, states can no longer rely on state sovereignty and non-interference to stop external intervention, such as sanctions. These will be analysed in this piece of work with the help of the securitization theory, which will be expanded upon in the next chapter.

3. Theoretical framework: The Securitization Theory

This chapter thoroughly explains the securitization theory and its four concepts: audience, power relations, context, and practices and instruments, which will be used as independent variables in this thesis.

The securitization theory had its beginnings in the 1980s. It is associated with the Copenhagen school of security studies, a school of academic thought, and was first devised by Ole Wæver, alongside Barry Buzan and other researchers. Securitization started as the designation of a particular development as a security problem so that the state could claim a special right, which is ultimately always defined by the state and its elites. In this way, power-holders or leaders could use securitization to gain control of a situation, making something a security issue whenever they chose to (Wæver, 1993).

The theory continued to develop with the passing of the years and no longer counts as just a speech act, where the mere mention of a matter being a security issue counts as securitization. Balzacq et al. (2016) introduce four concepts of securitization that will be taken as independent variables for this research (see Graph 1). For this reason, they will be presented and described in the following paragraphs.

Firstly, the audience. For there to be securitization, an issue must be accepted by the audience as one of security (Buzan et al., 1998). There are some cases in which the audience is not only one, but several audiences that fulfil different duties. On the one hand, one of these duties can be moral support, for example, from public opinion. On the other hand, the provision of a formal mandate, such as sufficient votes to pass a resolution (Balzacq et al., 2016).

Secondly, referring to power relations, these play a significant role in securitization and can already be identified in its definition. The elites decide what qualifies as a security issue and, in turn, gain even more power as they are no longer bound by specific rules but rather have new special rights (Buzan et al., 1998, Wæver, 1993). Power relations are significant not only before but also after the securitization process as the results of securitization depend on the actor's power, making them an important concept to consider.

Thirdly, the context is another concept of securitization that must be assessed. On the one hand, this can relate to various sectors, such as the political or military, or, on the other hand, to conditions that have historically been associated with threats (Balzacq et al., 2016, Buzan et al., 1998).

Lastly, the practices and instruments used in the process of securitization must also be contemplated. They refer to the practical part of the securitization theory, which focuses on the tools used to securitize a problem (Balzacq et al., 2016). These could include council sessions, reports, or resolutions, among others.
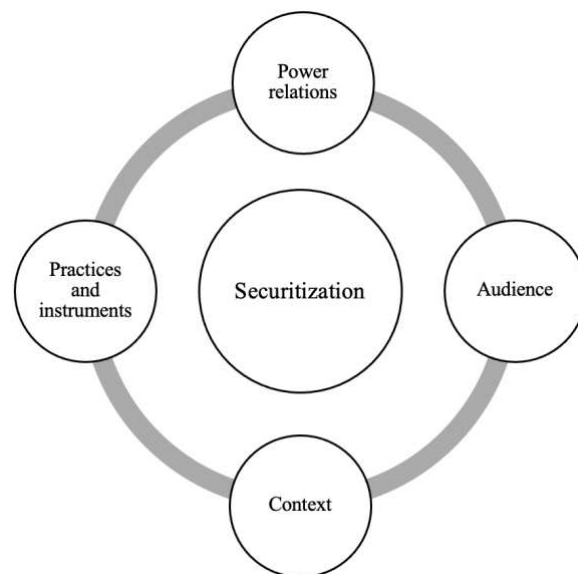
Graph 1: The four concepts of securitization

For these concepts to be used as variables, they must be further operationalised since the authors do not define them clearly enough for this purpose. The operationalisation of the concepts will be clarified in the fifth chapter when referring to the independent variables.

4. Human Rights Violations in Yemen and Myanmar

This chapter raises the human rights violations in the cases of Yemen and Myanmar. It gives the reader more background knowledge about the cases and further clarifies why they were chosen for analysis. In addition, the historical context within the outlined timeframes will be given, along with information on human rights violations happening at these times.

For the last 30 years, there has been an armed conflict in Yemen, turning the situation in the country into the world's largest humanitarian crisis. In 2011, human rights violations increased considerably when demonstrations against the government of President Saleh were met with excessive force from authorities. During the protests, security forces fired live ammunition, killing at least 250 civilians and bystanders. Furthermore, due to armed clashes between government forces and various armed factions, civilians, journalists, and human rights activists were killed, attacked, and threatened, with some of them also detained and sentenced. These conflicts displaced around 100,000 people inside the country. Additionally, activists of the southern movement pursuing independence for southern Yemen were targeted by security forces, many disappearing or being detained. Moreover, women held a low social status and were ignored in public life as child and forced marriages persisted (Human Rights Watch, 2012).

In 2012, human rights violations linked to political protests decreased after the former president left office. However, the new transition government, headed by Saleh's deputy Hadi, was met with some resistance from Pro-Saleh groups. In other matters, a commission to investigate violations during the 2011 uprising was created, but most defendants were not sentenced, and several protesters arbitrarily detained during the uprising remained in custody. On top of that, armed conflicts continued in different parts of the country, involving the Houthi group and other movements, during which children were deployed. Furthermore, journalists were still accused on politically motivated charges and suffered from attacks and harassment, while Al Qaeda in the Arabian Peninsula (AQAP) committed several bombings, attacks, and other abuses in Yemen, killing militants and civilians. Also, the government security forces

threatened mostly peaceful factions of the Southern Movement, increasing attacks and women's rights were still disregarded (Human Rights Watch, 2013).

In 2013 the government did not hold the suspects of violations in past years accountable. AQAP carried out deadly attacks, met with drone strikes by the USA. In addition, antipersonnel landmines were used by the government, causing injuries and at least one death, while armed groups attacked health workers. There was progress on an action plan to stop the recruitment of children in armed conflict, but Yemen carried out various executions of individuals who may have been underage at the time of their transgression. Finally, women were being discriminated against, and assaults on journalists increased (Human Rights Watch, 2014).

Violations persisted in the last year of the research period for Yemen, as no progress was achieved in holding previous suspects of violations accountable and human rights reforms failed to be implemented. AQAP seized a hospital and medical centres, killing and wounding health workers, and the USA's drone strikes against AQAP persisted, while landmines continued to be used unlawfully, causing civilian casualties. Additionally, women were being discriminated against in 2014, but a draft law was submitted regarding Children's Rights, setting the minimum age of marriage at 18 and criminalising female genital mutilation. Furthermore, an action plan with the UN was signed to end and prevent the recruitment of children for armed conflict. Subsequently, human trafficking rose in Yemen, with smugglers holding migrants in detention camps and torturing them. Lastly, attacks on journalists did not stop, and the death penalty was retained, with Yemen also executing juvenile offenders (Human Rights Watch, 2015).

Myanmar, for its part, has encountered military rule, civil war, poor governance, and widespread poverty. In 2006, the authoritarian military government in Myanmar restricted fundamental rights and freedoms while waging violent counterinsurgency procedures against ethnic groups and suppressing the democratic movement. Likewise, ethnic minorities suffered from forced labour, the rape of women and executions. Moreover, children were drafted for the armed forces and civilians were internally displaced, while international humanitarian aid to conflict areas was restricted (Human Rights Watch, 2007). Numerous anti-government protests started in 2007 and were met with violence from security forces, during which civilians were killed and arrested. In addition, political prisoners remained incarcerated, and restrictions on

the internet, telecommunications and freedom of expression and assembly increased. Furthermore, abuses against ethnic minorities and the recruitment of children for the armed forces persisted (Human Rights Watch, 2008).

Myanmar's human rights worsened in 2008 after Cyclone Nargis left around 84,000 dead and 2.4 million homeless. The military government blocked international assistance and carried on denying citizens fundamental rights, such as freedom of expression, association, and assembly. Additionally, a constitutional referendum took place, giving the military more power. The number of political prisoners almost doubled, and the abuse of ethnic minorities and child soldiers' forced recruitment continued (Human Rights Watch, 2009).

The deterioration persisted in 2009 with the suppression of fundamental rights, violations against ethnic groups and the recruitment of child soldiers. Political opposition members were arrested, and other political prisoners remained captive (Human Rights Watch, 2010). The country's first multiparty elections were held the following year, but fundamental freedoms were still denied, and people suffered abuses. Members of the military government resigned and formed a new party, winning over 80 per cent of the seats in parliament (Human Rights Watch, 2011). In 2011, the newly formed government relaxed media restrictions, and many changes and reforms were proposed but had yet to be implemented. While 300 political prisoners were released, the ethnic conflict escalated, during which the recruitment of child soldiers continued (Human Rights Watch, 2012).

The reforms carried on in 2012 when the opposition gained seats in the parliament, and nearly 400 political prisoners were released. Still, armed conflict and violence persisted, leading to killings and the displacement of civilians. Furthermore, the military maintained most of the power in the country, and security forces committed killings, rape, and mass arrests of Rohingya Muslims (Human Rights Watch, 2013). Although some developments were made to improve freedoms of assembly and association, serious violations persisted in 2013 and Muslim communities suffered from increased violence, killings, and other attacks, leading to the displacement of over 12,000 people (Human Rights Watch, 2014).

Political reforms had significant slowdowns and even reversals in 2014. The military maintained its power, and the media's freedom was restricted, while clashes between Buddhist and Muslim communities persisted, resulting in systematic repression of Rohingya Muslims

and the denial of their citizenship (Human Rights Watch, 2015). The government's commitment to improving human rights failed in 2015, although the victory of the opposition party National League for Democracy (NLD) suggested upcoming progress. At the same time, severe discrimination against the Rohingya persisted, and the number of political prisoners rose. Due to the escalation of conflict, displacement of the Rohingya and the recruitment of children for the armed forces continued rising (Human Rights Watch, 2016). In 2016 over 200 political prisoners were released, but fighting between the armed forces and ethnic groups intensified. The military retained power in the country, and the Rohingya suffered ill-treatment. Free speech was still restricted, and women frequently experienced violence and exploitation (Human Rights Watch, 2017).

In 2017 the government started an ethnic cleansing campaign against the Rohingya Muslims, forcing them to escape the country. The military attacked villages and committed massacres, rape, detention, and arson. Consequently, repressive laws were used to prosecute journalists, activists, and critics, while the military remained the primary power holder. Moreover, human trafficking was a severe problem, primarily among women and girls (Human Rights Watch, 2018). Abuses against Rohingya Muslims continued in 2018 (Human Rights Watch, 2019), and ethnic minorities also suffered in 2019. The government refused to cooperate with international investigators (Human Rights Watch, 2020).

Restrictions on the freedom of expression and assembly heightened in 2020, and fighting between the armed forces and ethnic armed groups went on. In fact, there was no improvement in the ethnic cleansing of Rohingya Muslims. Simultaneously, the NLD party was re-elected without voting in the entire country, plus most Rohingya were not allowed to vote, and around 130,000 were restrained in detention camps. Finally, human rights activists, journalists and critics were detained and prosecuted while the internet was restricted in parts of Myanmar (Human Rights Watch, 2021).

A military coup occurred in February 2021, when the military detained several NLD party members and seized power. Due to strong opposition from the public, security forces responded violently, committing torture, deprivation of liberty, enforced disappearances, sexual abuse, and inhumane treatment. At least 1,200 were killed during the clashes. Since then, military operations against ethnic groups intensified. Not only did Rohingya Muslims remain in danger, with 600,000 suffering from apartheid, persecution, and deprivation of

liberty, but journalists were also arrested, and the internet was shut down for a period. Lastly, anti-government militias formed throughout the country, carrying out attacks on the military and its supporters (Human Rights Watch, 2022).

Ultimately one can see that Yemen and Myanmar have experienced similar issues, in the sense that ongoing conflicts in the country have led to thousands of human rights violations. Because of this, the two cases are comparable, and the most similar systems design will be applied to answer the research question. In this respect, the methodology will be elucidated in the next chapter.

5. Methodology: The Most Similar Systems Design and Data

This chapter focuses on the methodology used in this bachelor's thesis. It explains what research design was used and describes the different sources and the reason behind the decision to utilise them. Finally, the operationalisation of the dependent variable sanctions and the independent variables audience, power relations, context, and practices and instruments is going to be defined as well as the motive of the case selection.

The research has a y-centred design, as it aims to fully explain the phenomena of sanction application, differing between the two cases to be analysed. For this purpose, various concepts of the securitization theory are considered possible explanatory factors for the occurrence presented. Thus, following the most similar systems design, these concepts are analysed. The most similar systems design is a small-n analysis that compares two very similar cases, Yemen and Myanmar. However, they differ significantly in one aspect: the application of sanctions, which will serve as the dependent variable in this research and constitutes the securitization of the issue. Furthermore, when looking at the possible explanatory factors of this securitization, the objective is to compare them and identify differences. The differences provide a possible explanation for the research question (Lijphart, 1971, Gerring, 2008). Broadening this argumentation, if the cases differ in one of their independent variables, $X1$ and the dependent variable Y, "[it] may be presumed from this pattern of covariation across cases that the presence or absence of $X1$ is what causes variation on Y" (Seawright and Gerring, 2008).

Several different sources have been gathered and thoroughly examined to describe the explanatory factors identified as the independent variables. These include existing research papers focusing on each case and the reaction and actions taken by the international community, considering the occurring human rights violations. Moreover, the human rights violations in both countries have been recounted utilising multiple Human Rights Watch World Reports from the years of the delineated research period. The section of Key International Actors in these reports has also proven helpful for the independent variables, alongside official UNSC reports, resolutions, press statements, presidential statements, and meeting transcripts.

In the following two subsections of this chapter, the dependent variable sanctions and the four independent variables audience, power relations, context, and practices and instruments will be operationalised, meaning they will be defined and delimited further. In the third subsection the case selection will be explained.

5.1 Dependent Variable

The dependent variable 'sanctions' is a dichotomous variable, as it only has two categories. It considers whether the UNSC has applied sanctions to a country or not. The official website of the UNSC has been observed to collect this information.

5.2 Independent Variables

For the independent variables, the four main concepts of the securitization theory will be used and thus will be operationalised here.

Firstly, regarding the 'audience', this variable describes who decides whether to securitize the issue. Therefore, it explains who the permanent and non-permanent members were during the research period for each case. Furthermore, it also considers how the members voted on different resolutions and their opinions on the matter.

Secondly, the variable of 'power relations' explains the veto power of the permanent members. It deepens the reasoning behind their vote and opinion, describing if they had any underlying interests or what their relationship with the country that was potentially going to be sanctioned was.

Thirdly, the variable 'context' clarifies what the situation in the country was like during the research period. It simplifies the issue and what has happened so far in the international community as a reaction to this issue.

Lastly, the variable 'practices and instruments' portrays what has been previously said in different UNSC resolutions, reports, press releases and presidential statements. Additionally, it describes if there was a UN mission or any other occurrence of this sort.

5.3 Case Selection

Concerning the selection of the two cases to be analysed, it was necessary to find two countries which seemed to have experienced similar situations yet were treated differently by the UNSC. Looking at the sanctions that the UNSC had applied to different countries over the years, Yemen was among the countries that were sanctioned for severe human rights violations occurring in the country. Upon further investigation, it was found that the UN categorised Yemen as the world's largest humanitarian crisis, making it particularly interesting to research why it was labelled this way and how it was different to other similar disasters which did not receive the same response. Myanmar, for its part, seems to only recently have garnered more international attention for the human rights violations occurring during the coup, although these have been committed for several years, specifically against ethnic groups. However, sanctions have not been applied by the UNSC at the time of writing.

6. Empirical Analysis: The Cases of Yemen and Myanmar

The ensuing chapter distinguishes and defines the four mentioned concepts of securitization for the cases of Yemen and Myanmar to compare them in a later chapter.

6.1 The Case of Yemen

This subchapter focuses on Yemen from 2011 until 2014. It has one section for each concept of the securitization theory, as explained previously.

6.1.1 The Audience in the Case of Yemen

This section describes the audience in the case of Yemen during the research period.

The permanent members of the UNSC included the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland (UK), and the United States of America. The non-permanent council members during this time were Gabon, Nigeria, South Africa, Lebanon, India, Brazil, Colombia, Germany, Portugal, Bosnia and Herzegovina, Morocco, Togo, Pakistan, Guatemala, Azerbaijan, Rwanda, South Korea, Argentina, Australia, Luxembourg, Chad, Jordan, Chile, and Lithuania.

There are always fifteen members in the council at a time. Five are permanent members, while the General Assembly elects the other ten for two-year periods. Concerning the voting, Article 27 of the UN Charter states that:

"1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting" (United Nations, 1945).

Resolution 2140 was adopted on 26 February 2014, during the 7119th meeting of the Security Council. It received fifteen votes in favour and thus passed unanimously (United Nations Security Council, 2014a). This resolution instituted a sanctions regime, a sanctions committee, and a Panel of Experts. The sanctions regime includes an asset freeze and travel ban. The asset freeze meant that all UN members would have to freeze funds, financial assets, and economic sources in their countries owned by individuals or entities, as indicated by the sanctions committee. These same individuals would be prevented from entering or transiting through any member states. In that sense, sanctions would be applied to any individuals or entities that jeopardise Yemen's peace, security, or stability by hindering its political transition, inhibiting the execution of conclusions reached in the NDC or planning and committing human rights violations (United Nations Security Council, 2014b).

Generally speaking, there seemed to be a consensus in the Security Council that the situation in Yemen was a threat to international security and peace. This is reflected in the

unanimous adoption of Resolution 2140, as none of the members voted against it or abstained from voting.

6.1.2 The Power Relations in the Case of Yemen

This section explains the power relations in the UNSC during the research period for the case of Yemen.

The five permanent members of the UNSC, which were mentioned in the previous section, have veto power. This means that any one of the five members could potentially vote against a resolution, and their vote would stop the resolution from passing entirely. Although this power was met with initial objection, it was ultimately adopted because the "great powers" demanded it in exchange for their participation in the UN (Trahan, 2020). The veto power remained but still receives criticism, especially regarding intervention in cases of genocide, crimes against humanity and war crimes.

Looking at the permanent members, all voted in favour of the resolution instituting sanctions on individuals in Yemen. The resolution was submitted by ten of the fifteen members of the UNSC, four of them being permanent members. The only one missing was China, but the country still voted in favour.

The USA is the permanent member who seems to have had the most involvement during this time. It was Yemen's most prominent donor outside the region (Human Rights Watch, 2012). The USA guaranteed $346 million in bilateral aid for 2012, $185 million of which was for humanitarian and development assistance, afterwards also vowing $256 million in bilateral aid from January to September 2013 (Human Rights Watch, 2013, Human Rights Watch, 2014). In 2014 it was reported that it had provided over $221 million in humanitarian assistance since 2012, $100 million in development and economic aid, and around $247 million in counterterrorism and security assistance (Human Rights Watch, 2014). In 2014 the USA gave $142.6 million in bilateral aid to Yemen (Human Rights Watch, 2015). Moreover, the USA's President Barack Obama issued multiple waivers during the research period so that Yemen could receive military assistance, despite the known recruitment of children as soldiers by different actors in the country (Human Rights Watch, 2014). Lastly, Obama also gave the order to freeze assets based in the USA of anyone impeding Yemen's political transition (Human Rights Watch, 2013).

Other countries also supported Yemen, with the Gulf Cooperation Council (GCC) urging an initiative for the former President of Yemen to hand over power. The initiative was ultimately signed in November 2011, and a two-phase political transition began. The GCC is an international organisation known as the Cooperation Council for the Arab States of the Gulf. Its member states include the United Arab Emirates, the Kingdom of Bahrain, the Kingdom of Saudi Arabia, the Sultanate of Oman, the State of Qatar, and the State of Kuwait. None of these states was part of the Security Council during the research period, yet the UNSC widely supported the GCC's initiative. Furthermore, Yemen is the only country in the Arabian Peninsula that is not a member state, garnering attention from the GCC.

Lastly, the group Friends of Yemen similarly assisted Yemen's government. The group consisted of Algeria, Japan, Turkey, Australia, the Hashemite Kingdom of Jordan, the United Arab Emirates, the Kingdom of Bahrain, the Republic of Korea, the UK, Brazil, the State of Kuwait, the USA, the People's Republic of China, Malaysia, the Republic of Yemen, the Czech Republic, the Netherlands, Denmark, the Sultanate of Oman, Egypt, the State of Qatar, France, the Russian Federation, Germany, the Kingdom of Saudi Arabia, India, Spain, Indonesia, Switzerland, Italy and Tunisia. It was co-chaired by the UK, Saudi Arabia, and Yemen. Its objective was to aid Yemen's government with its plans to address the various challenges in the country. The emphasis lied on helping and supervising the progress of political, economic and security reforms during the second phase of the political transition in Yemen, as delineated in the GCC initiative. The group also pledged around $7.8 billion to further assist Yemen (Foreign & Commonwealth Office and Department for International Development, 2013).

As one can deduce from this information, all of the permanent members of the Security Council assisted Yemen before the sanctions regime and committee were instituted. Although the USA was the largest donor of the five, the other countries also seemingly pledged millions of dollars to support Yemen as part of the Friends of Yemen. However, the members' support was not only monetary, as they also made it an important point to aid the country's political transition through the GCC. Overall, the countries notably invested financial resources and time into the transition, presumably making other measures, such as sanctions, only logical to assist it further.

6.1.3 The Context in the Case of Yemen
The following section refers to the context in the case of Yemen.

Yemen has a background in the UNSC. It was a member in 1990 and, at that time, voted against resolution 678 on Iraq's occupation of Kuwait, which the USA sponsored. However, it led to an enormous predicament that restricted Kuwait's economic growth and possibly hindered relations between Yemen and the UN (Lackner, 2020).

Focusing on the situation inside the country, mass popular anti-government demonstrations began, causing the former Yemeni President Saleh's rule to become unstable. The G-10 intervened as a part of the Friends of Yemen and advocated the GCC's initiative. Nevertheless, Saleh refused to sign the initiative and only did so after being pressured by the Security Council via a resolution (United Nations Security Council, 2011). The agreement included a two-phase political transition. The first one comprised the creation of a government of national unity as well as immunity for Saleh and his associates. The second phase consisted of reforming the security sector, the National Dialogue Conference (NDC) and writing a new constitution. Nonetheless, the second phase was not carried out on time and faced vast difficulties, ultimately leading the transition to collapse (Lackner, 2020).

One of the major difficulties of the second phase was the NDC, but it was the main focus of the transition process, as Jamal Benomar, the Special Adviser for Yemen and thus the link between the UNSC and the country, expressed its immense importance during the transition (United Nations Security Council, 2012a). The NDC lasted for nine months between March 2013 and January 2014. It began one year later than planned and took place in the country's capital Sanaa. The conference assembled different political and social representatives of Yemen, yet many groups were excluded from the negotiations. For example, the Houthis and Al-Hiraks, two political-military movements from different parts of the country, were only included in the general conference (Transfeld, 2018).

However, one of the most significant decisions of the NDC was made in a council outside the conference. The council divided Yemen into six federal regions to decentralise the country. Most significant political movements within the country disagreed with this decision, and the Houthis maintained that the country's natural wealth would be allotted disproportionately, yet the primary source of discontent among the groups was the non-existence of a comprehensive decision-making process that included them and did not undermine their interests (Thiel, 2015). Nevertheless, the NDC was still considered an international success and an exemplary political transition (Transfeld, 2014).

Still, the discontent of the different groups in the country led to the conflict in Yemen escalating further. In the southern part of the country, the Al-Hirak movement demanded a new government. In the meantime, the Houthi movement insisted on the same in the North. As the GCC agreement outlined, Saleh and his associates were granted immunity after signing, and consequently retained considerable power and influence. Thus, with the former president's assistance, the Houthis reached Sanaa in September 2014 and took it over forcefully (Transfeld, 2018).

The UN lacked credibility and influencing factors during this time because the UNSC supported the agreement outlined by the GCC, as previously mentioned. This led the Houthis to believe that the UN was not a neutral party and only supported the transitional president, Hadi. Hadi was elected in the 2012 presidential election as part of the GCC initiative. He was the only candidate. Ultimately the Houthis came to an understanding with the government, and the Peace and Partnership Agreement was signed. The agreement was very debated, as it was believed that many parties were forced to sign because the Houthis had seized power of Sanaa and the government's head office. Furthermore, it was seen as legitimising the take-over (Alghamdi, 2016, Transfeld, 2018).

All in all, the UNSC intervened several times during the research period. First, it was involved in pressuring Saleh to sign the GCC agreement and implementing the two-phase political transition, especially during the NDC. Finally, after the conflict worsened in Yemen, the Security Council may have considered it necessary to intervene further, thus applying sanctions.

6.1.4 The Practices and Instruments in the Case of Yemen
This section focuses on practices and instruments used in the case of Yemen. It predominantly includes UN documents.

The UNSC first actively involved itself with the Yemen conflict, pressuring Saleh to sign the GCC initiative in Resolution 2014 in October 2011. The UNSC

> "[reaffirms] its view that the signature and implementation as soon as possible
> of a settlement agreement on the basis of the Gulf Cooperation Council initiative
> is essential for an inclusive, orderly, and Yemeni-led process of political

transition, […] notes the commitment by the President of Yemen to immediately sign the Gulf Cooperation Council initiative and encourages him, or those authorized to act on his behalf, to do so, and to implement a political settlement based upon it […]" (United Nations Security Council, 2011).

The first mention of sanctions was made in Resolution 2051 in June 2012. It concentrates on the second part of the political transition in Yemen and insists on the termination of all activities intended to destabilise the Government of National Unity and the political transition in general. Moreover, the Security Council also communicates its willingness to contemplate additional measures, including sanctions, stipulated under Article 41 of the UN Charter if such actions persist (United Nations Security Council, 2012b).

The third UNSC resolution that passed during the research period was Resolution 2140 from February 2014, which is the one that finally established sanctions against individuals and entities, putting the peace, security and stability of Yemen at risk by impeding the political transition (United Nations Security Council, 2014b).

There were no reports by the Secretary-General during the research period, but eight United Nations Human Rights Council (UNHRC) documents exist. Four are reports on the human rights situation in Yemen, the promotion and protection of human rights and fundamental freedoms, and of the working group of the Universal Periodic Review on Yemen. The other four are resolutions on technical assistance and capacity-building, appealing to the parties in Yemen to release detainees and stop unlawful incarceration (Security Council Report, 2022).

In the first UNSC Presidential Statements from March 2012, the UNSC emphasises the significance of the political transition and states its concern over the declining situation in Yemen in terms of collaboration between political actors in the country (United Nations Security Council, 2012d). The second Presidential Statement restates the council's willingness to implement sanctions if necessary. The difference to Resolution 2051 was that this time the names of former President Saleh and former Vice President Ali Salim Al-Beidh were mentioned, suggesting that they may be sanctioned (United Nations Security Council, 2013c). Finally, the third Presidential Statement was published in August 2014, after Resolution 2140 was adopted, but before targeted sanctions were applied to individuals in November. It once

again voices great worry regarding the escalating conflict and reminds of Resolution 2140, which introduced a sanctions committee (United Nations Security Council, 2014c).

Yemen received official visits from the Secretary-General in November 2012 and UNSC members in January 2013. Ambassadors of the UK and Morocco led the 2013 visit. Its purpose was to reiterate the continuous support of the Security Council for the political transition process in Yemen, evaluate the application of numerous Security Council resolutions, and review the progress the Government of Yemen had made towards launching the NDC and pledges made during meetings of the Friends of Yemen. Moreover, the mission would convene, discuss, and evaluate the transition with various representatives of Yemeni parties and international partners. Most importantly, the Letter from the UNSC President to the Secretary-General explaining the terms of the mission also mentions the imposition of sanctions, declaring that one of the terms of the mission was

> "[to] recognize the many challenges still facing Yemen in the transition process
> and highlight the Security Council's continued concern about those hindering
> or interfering in the transition, noting that resolution 2051 (2012) allows for the
> imposition of sanctions on spoilers" (United Nations Security Council, 2013a).

Press Statements SC/10778 and SC/11195 concentrate on the UNSC's commitment to supporting Yemen and emphasise the significance of the political transition (United Nations Security Council, 2012c, United Nations Security Council, 2013b). The UNSC held nine meetings from 2011 until 2014, in which the council agenda was the situation in Yemen. As a result, Resolution 2140 was adopted at the beginning of the 7119th meeting in February 2014 (United Nations Security Council, 2014a).

To sum up, many statements and resolutions by the UNSC refer to the adoption of possible sanctions before 2014 as a threat to actors jeopardising the political transition in Yemen. This suggests that this measure was considered a real possibility before it was introduced.

6.2 The Case of Myanmar

This subchapter will focus on Myanmar between 2006 and 2021. It emphasises several issues such as the Cyclone Nargis, the brutalities against the Rohingya and the military coup of 2021. The four concepts of securitization will be defined for a following comparison.

6.2.1 The Audience in the Case of Myanmar

This section focuses on the audience in the case of Myanmar for the research period.

The Security Council's permanent members remained the same: the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The non-permanent council members included many countries, considering the exceptionally extended timeframe. The non-permanent members were comprised of Tanzania, Japan, Argentina, Denmark, Greece, Ghana, Congo, Qatar, Peru, Slovakia, South Africa, Indonesia, Panama, Belgium, Italy, Burkina Faso, Libya, Vietnam, Costa Rica, Croatia, Uganda, Mexico, Austria, Turkey, Gabon, Nigeria, Lebanon, Brazil, Bosnia and Herzegovina, India, Colombia, Germany, Portugal, Morocco, Togo, Pakistan, Guatemala, Azerbaijan, Rwanda, South Korea, Australia, Luxembourg, Chad, Jordan, Chile, Lithuania, Angola, Malaysia, Venezuela, New Zealand, Spain, Egypt, Senegal, Uruguay, Ukraine, Ethiopia, Kazakhstan, Bolivia, Sweden, Ivory Coast, Equatorial Guinea, Kuwait, Netherlands, Poland, Dominican Republic, Niger, Tunisia, Saint Vincent and the Grenadines, Estonia, Kenya, Ireland, Norway.

There were always fifteen member states participating in the council simultaneously, with five permanent and ten non-permanent members. The General Assembly continuously elected the non-permanent members for a two-year period.

Regarding the adoption of resolutions, article 27 of the UN Charter stipulates that each member of the UNSC has one vote. When decisions are made on procedural issues, they will be made by a positive vote of nine member states. Decisions to be made on all other issues will be made by a positive vote of nine member states, also comprising the concurring votes of the

permanent members, if in decisions under Chapter VI and under paragraph 3 of Article 52, a state which is a participant to an argument refrains from voting (United Nations, 1945).

Concerning the member states' voting on resolutions, only one draft resolution was put to a vote but did not pass. Although Belgium, France, Ghana, Italy, Panama, Peru, Slovakia, the UK and the USA voted in favour, China and Russia exercised their veto power and prevented the resolution. South Africa also voted against the adoption of the resolution, while Congo, Indonesia and Qatar abstained. The countries considered the issues of Myanmar to be internal problems only and thus should be dealt with by the Government of Myanmar, as they did not pose any threat to international peace and security (United Nations Security Council, 2007a).

The draft resolution uttered profound apprehension at the lengthy process toward national reconciliation in the state of Myanmar and the ongoing imprisonment of political detainees and opposition leader Aung San Suu Kyi. Furthermore, it condemned attacks by the Myanmar military against civilians, particularly ethnic groups. It additionally stated the council's worry regarding human rights violations occurring in the country, the hindrance of humanitarian aid by the government and the possible dangers of infectious diseases. Lastly, the draft resolution implored the government of Myanmar to respond, stop attacks and cooperate, as well as start a political dialogue (United Nations Security Council, 2007e).

Bünte (2009) explains that after France called on the UNSC to intervene under the R2P after Cyclone Nargis in 2008, the French representative accused the government of Myanmar of committing crimes against humanity because it was obstructing humanitarian aid to affected regions. However, most member states inside the UNSC were against this proposal, and ultimately France joined the position that the natural disaster did not constitute an area of application for R2P.

In the following years, the positions of the UNSC member states became more evident, with predominantly China and Russia being against any actions to be taken by the council. This was also the case for the Association of Southeast Asian Nations (ASEAN) states and other regional actors, who insisted on non-involvement. These actors strongly claimed that the conflicts in Myanmar were only internal issues and should be handled inside the country. In contrast, EU countries, the UK and the USA were in favour of measures being taken to protect

citizens in Myanmar. The positions of these actors are going to be further explained in the following section.

6.2.2 The Power Relations in the Case of Myanmar

The following section defines the power relations in the case of Myanmar and explains the permanent members' position on the topic.

The five permanent members maintain their veto power. As mentioned earlier, only one draft resolution regarding the situation in Myanmar was put to a vote in January 2007. The draft resolution was presented by the UK and the USA, both of which are permanent members of the UNSC. However, it ultimately was not adopted because China and Russia vetoed it. The subsequent paragraphs are going to explain the countries' relationship with Myanmar and the different interests they may have.

Myanmar, formerly known as Burma, was under British rule from 1824 to 1948, after Burmese rebels fought for independence for several years. Nowadays, the UK has frequently urged the Security Council to address the situation in Myanmar. It drafted a resolution with the USA in 2007 condemning violence in the country, but it did not pass. Moreover, the UK introduced sanctions against Myanmar as part of the European Union (EU), as will be later described, but also instituted sanctions after the Brexit in 2019. In 2021 the UK imposed targeted sanctions against Myanmar's military officials, conglomerates, and companies controlled by the military (Human Rights Watch, 2022).

The USA pushed for Myanmar to be put on the council agenda, but the proposal was met with significant opposition from China and Russia. Ultimately the provisional agenda was put to a vote and adopted (United Nations Security Council, 2006). Afterwards, the USA continued its effort to make the situation in Myanmar an essential topic for the UNSC. In that way, the USA imposed its own targeted financial sanctions in 2007 on the 14 top leaders of the military government, officially called the State Peace and Development Council (SPDC) (Human Rights Watch, 2008). These sanctions carried on for several years, alongside ones by countries such as Australia, Canada, Switzerland and ones of the EU, with them arguing in 2011 that government actions in the past years were not enough to contemplate lifting the sanctions (Human Rights Watch, 2012). The USA eased its sanctions over the years, starting in 2012 and officially lifted all remaining sanctions in 2016 because of the democratisation and

positive reforms in Myanmar (Human Rights Watch, 2013, Human Rights Watch, 2017). Nevertheless, sanctions in the form of travel bans were implemented again in 2019 against military leaders because of their involvement in the oppression of the ethnic group Rohingya (Human Rights Watch, 2020). Following the 2021 military coup, the USA imposed additional targeted sanctions against Myanmar's military officials and junta members, conglomerates, and companies owned or controlled by the military (Human Rights Watch, 2022).

China and ASEAN states had a completely different stance on the matter. China was one of the military regime's closest partners and insisted on a policy of constructive dialogue only. The ASEAN states, especially non-democratic ones such as Cambodia, Laos, and Vietnam, pled for strict adherence to the non-interference policy (Haake, 2006, as cited in Bünte, 2009, Mennecke and Stensrud, 2021, Smith and Williams, 2021). China and Myanmar's neighbouring states generally did not categorise the situation as a threat to regional peace or international security (Bünte, 2009, United Nations Security Council, 2006). Furthermore, when the application of R2P regarding Cyclone Nargis was suggested, China and Russia warned against politicising disaster relief in Myanmar.

In general, it is clear that China was not willing to aid in adopting a resolution against Myanmar, and the same could be expected from the ASEAN states and Russia (Bünte, 2009). It seems like China was reluctant to approve any measures in line with pillar three of R2P, making any global sanctions unrealistic, as they can only be authorised by the UNSC and would be vetoed by China (Mennecke and Stensrud, 2021). Moreover, China had another type of relationship with Myanmar's military government, as it sold the SPDC large numbers of weapons for several years. Additionally, natural gas exploration contracts were signed with companies from China, India, South Korea, Thailand, and Malaysia in 2007 (Human Rights Watch, 2008). Officials in China and Myanmar agreed to build a natural gas pipeline from Myanmar to China in 2009, which was completed in 2013. Natural gas sales accounted for the largest share of the SPDC's revenue (Human Rights Watch, 2010). China and Myanmar's neighbouring countries supported the SPDC diplomatically and were major trade and investment partners, while China continued solidifying its bond with Myanmar by shielding the government from targeted international action and scrutiny, undermining UN efforts (Human Rights Watch, 2019).

Russia's position was similar to the one of China, as it also saw possible intervention in Myanmar as a violation of its state sovereignty (Bünte, 2009). In fact, Russia did not consider the situation in the country to be a threat to international or regional peace (United Nations Security Council, 2007a). Russia has been selling great quantities of weapons to Myanmar's military government SPDC since the beginning of the research timeframe (Human Rights Watch, 2007). In May 2007, it was also announced that Russia would be selling a nuclear test reactor to Myanmar (Human Rights Watch, 2008). Additionally, it has prevented international intervention together with China (United Nations Security Council, 2007a).

France, for its part, sought an international intervention under the terms of R2P in 2008 and accused Myanmar of committing crimes against humanity by blocking international humanitarian aid (Bünte, 2009). The Security Council eventually rejected the proposal, but France did apply other measures as a member of the EU. The EU has sanctioned Myanmar since the beginning of the research period (Human Rights Watch, 2007). After positive reforms in Myanmar, it suspended its sanctions for one year in 2012 and lifted them entirely the following year (Human Rights Watch, 2013, Human Rights Watch, 2014). It maintained its support for reforms in the subsequent years and increased aid and development support (Human Rights Watch, 2016). The EU sanctioned Myanmar officials again in 2018 (Human Rights Watch, 2019) and implemented an arms embargo in 2019 (Human Rights Watch, 2020), additionally sanctioning more members of the military junta, as well as their companies in 2021 (Human Rights Watch, 2022).

The power relations in the case of Myanmar play a crucial role in the securitization process since, although most of the countries are in favour of international intervention, two member states with veto power strongly oppose it. China and Russia have frequently spoken about intervention in any form, violating Myanmar's sovereignty and the issues in the country not being a threat to international peace and security but instead an internal affair that must be treated within the country only. With the two countries blocking attempts of the UNSC's involvement, it results impossible to apply global sanctions to prevent further atrocities.

6.2.3 The Context in the Case of Myanmar
This section explains the context in the case of Myanmar during the proposed research period.

Myanmar is the largest land area in mainland Southeast Asia, with over 100 language groups and seven major ethnic groups. It is one of the most ethnically diverse countries in the world. In the UN, the situation in Myanmar has been mainly discussed in the General Assembly and the UNHRC. Since the USA and the UK convinced several states that the conflicts occurring in Myanmar posed a threat to international security and peace in 2005, Myanmar was adopted into the council agenda (Bünte, 2009).

The entire country was under military rule from 1962 to 2011. In 2008 a devastating and lethal cyclonic storm, Cyclone Nargis, hit Myanmar, causing countless deaths. However, the government's reaction was too late, and their crisis management was a failure. International help was obstructed because the government refused to allow foreign aid workers to travel to the affected areas. Furthermore, relief flights were rejected, and the Myanmar government insisted on having the utmost control over the delivery of relief supplies (Bünte, 2009).

Myanmar seemed to start its journey of democratisation after the military rule ended in 2011 and the new government implemented new positive reforms. Regardless, in August 2017, one of the most critical human rights violations occurred as the Myanmar military committed mass atrocities against the ethnic minority Rohingya. The genocidal crimes forced hundreds of thousands to flee Myanmar, as thousands more were killed, mutilated, and raped (Mennecke and Stensrud, 2021). Human Rights Watch established that the brutalities amounted to crimes against humanity and ethnic cleansing (Human Rights Watch, 2018). Nonetheless, warnings of occurring human rights violations began before 2017, with the UN Special Rapporteur noting that the situation in Rakhine State could be classified as crimes against humanity in 2014 (United Nations General Assembly, 2014).

Still, the human rights violations increased starkly in 2017 after a Rohingya militant group, the Arakan Rohingya Salvation Army, attacked several Myanmar security posts. Retribution for the attacks followed almost instantaneously, as the Myanmar military attacked villages, killed, raped, and mutilated thousands. These incidents were preceded by years of repression of the Rohingya. However, it increased under the new government by way of military operations. The Rohingya were restricted of fundamental liberties and political rights, the most noteworthy being the denial of citizenship, leading to Rohingya not being able to participate in national elections (Mennecke and Stensrud, 2021). The government's reasoning was that citizenship in Myanmar is associated with belonging to a national race group, but the

official view is that the Rohingya are illegal immigrants from Bangladesh, and thus, their lineage in the Rakhine State, their main living area, was not accepted (Cheesman, 2017).

This anti-Muslim campaigning started after the political reforms of 2011, as Buddhist nationalist groups asserted they were obliged to "protect and promote Buddhist values and traditions in the midst of the country's transformation and as it opens up to the modern world" (Walton and Hayward, 2014). The conflict intensified in 2012 when the violence started in Rakhine State and then spread, displacing plenty, the majority Rohingya (Mennecke and Stensrud, 2021). The displaced Rohingya were put into open-air detention camps in central Rakhine State, where they suffered severely harsh conditions and received little to no humanitarian aid, including food and medicine. Moreover, they received little education and housing under terrible conditions. Their livelihoods were limited, as access to emergency health procedures was restricted, increasing mortality in the camps (Human Rights Watch, 2021).

In 2015, the government authorised laws to protect race and religion, which subsequently executed limitations on the Rohingya's religious freedom right to marriage and childbirth (Frydenlund, 2017, Mennecke and Stensrud, 2021). The Rohingya that managed to flee assembled in one of the world's largest refugee camps in Bangladesh at the time of writing (Mennecke and Stensrud, 2021). Since 2017, land the Rohingya owned was given to non-Rohingya, while many villages were burned and their names erased (McPherson, 2020).

These human rights violations occurred while the country was experiencing reforms, causing international actors, such as the UNSC member states, to form a positive and hopeful outlook on the country's future, distracting them from the necessity of intervention. Mennecke and Stensrud (2021) explain that "[the] political changes of the reform years serve as a crucial backdrop in understanding international responses to the Rohingya crisis, as these reforms fundamentally altered Myanmar's relations to the outside world". Nevertheless, critics inside the country were also scarce, including the State Counsellor of Myanmar, whose government denied the existence of atrocities. In addition, the refusal of fundamental human rights to the Rohingya Muslims also received extensive public support since Buddhism is an essential attribute of Myanmar and its military (Mennecke and Stensrud, 2021).

The situation changed in February 2021 as the Myanmar military toppled the government and regained control of the country by ordering a state of emergency. Following the coup, hundreds of thousands of citizens began to protest the military's actions. The security forces met the peaceful demonstrations with a ruthless and lethal response. The international community's reaction varied, as the UN Secretary-General and several UN member states criticised the coup. The USA, the EU, and the UK announced sanctions against the military and their economic interests. The UNHRC held a special session and adopted two resolutions but did not authorise new measures (United Nations General Assembly, 2021a, United Nations General Assembly, 2021b). In contrast, ASEAN member states and other countries in the region did not respond, with Thailand, Cambodia and Vietnam referring to the conflict as an internal matter (Mennecke and Stensrud, 2021).

Overall, the context is significant in that the reforms adopted in Myanmar by the new government after the end of the military regime in 2011 seemed to divert the international actors' attention for many years. It led them to believe international interference, e.g., sanctions, was unnecessary. This view seems to have shifted after the military coup of 2021, but other components are still meaningful in the decision of the UNSC to apply global sanctions.

6.2.4 The Practices and Instruments in the Case of Myanmar

The subsequent section clarifies what practices and instruments were used to possibly securitize the case of Myanmar in the UN Security Council.

In January 2007, the first and only draft resolution was presented by the USA and the UK regarding the situation in Myanmar. It called for the release of all political prisoners, for a substantial political dialogue toward democracy and for international aid organisations to be allowed to work in the country (United Nations Security Council, 2007e). The resolution was not adopted but instead vetoed by both China and Russia.

In September of the same year, the UNSC criticised the use of force against peaceful demonstrators and urged the government to enter into a serious dialogue with the opposition and various ethnic groups via a Presidential Statement (United Nations Security Council, 2007d). Similar press and presidential statements continued to be released over the years, but none mentioned the possibility of sanctions. The statements mainly focused on the

democratisation and reforms in Myanmar. They tended to express concern over political prisoners and repeat the call for dialogue. Furthermore, the UNSC's commitment to the sovereignty of Myanmar was reiterated (United Nations Security Council, 2007c, United Nations Security Council, 2008b, United Nations Security Council, 2009b, United Nations Security Council, 2009c, United Nations Security Council, 2018c, United Nations Security Council, 2021a, United Nations Security Council, 2021b, United Nations Security Council, 2021c).

In Press Statement SC/13331, an official visit to Bangladesh and Myanmar by members of the UNSC in 2018 was described. The members visited refugee camps in Bangladesh, where they met many Rohingya. In Myanmar, they convened with government officials and visited the northern Rakhine State. The UNSC members welcomed

> "the signing of a Memorandum of Understanding and the Arrangement on the Return of Displaced Persons from Rakhine State between the Governments of Myanmar and Bangladesh and [urged] the Government of Myanmar to work with the Government of Bangladesh and the United Nations to allow the voluntary return of all refuges in conditions of safety and dignity to their homes in Myanmar, […]" (United Nations Security Council, 2018c).

Throughout the years, various reports on the severe human rights violations in Myanmar have been discussed in the UNHRC and the General Assembly and range back to 2006. They describe the previously discussed situations, such as brutality against peaceful demonstrations, but also the atrocities committed against the Rohingya (United Nations General Assembly, 2006, United Nations General Assembly, 2008a, United Nations General Assembly, 2008b, United Nations General Assembly, 2010a, United Nations General Assembly, 2010b, United Nations General Assembly, 2014, United Nations General Assembly, 2017, United Nations General Assembly, 2018, United Nations General Assembly, 2020). Furthermore, the UNHRC also set up a Fact-Finding Mission, whose reports clarified the grade of brutality in Myanmar (United Nations Human Rights Council, 2022).

Only one Security Council resolution on Myanmar exists. It is from 1948, recommending Myanmar for UN membership. However, there are resolutions from the General Assembly. These mainly give recommendations to the government of Myanmar but do not

make any mention of sanctions or other measures the Security Council could apply (United Nations General Assembly, 2008c, United Nations General Assembly, 2017, United Nations General Assembly, 2020).

The USA made the first reference to possible sanctions by the Security Council in 2007 during the UNSC's 5753rd meeting. The representative of the USA stated that "[if] the Burmese regime does not respond constructively to the demands of the international community in a timely manner, the United States is prepared to introduce a draft resolution in the Security Council imposing sanctions" (United Nations Security Council, 2007b). In 2008 the Special Envoy of the Secretary-General informed the UNSC that different Ministers in Myanmar specified that sanctions were the main reason for socio-economic difficulties and the principal impediment to the country's growth (United Nations Security Council, 2008a). China expressed its stance against sanctions several times, for example, during the 6161st meeting in 2009 (United Nations Security Council, 2009a). Sanctions were later mentioned again by the UK in 2018 (United Nations Security Council, 2018a) as well as the Netherlands, along with the independent international Fact-Finding Mission on Myanmar later in the year. They called for sanctions to be applied, but Russia stated it was not in favour of Security Council sanctions against Myanmar (United Nations Security Council, 2018b).

As mentioned, there are no draft resolutions that could have imposed sanctions at any time for Myanmar. The main deterrent seems to be the probable veto by China and Russia, along with votes against the resolution by Myanmar's neighbouring countries and ASEAN member states. Alternatively, a minor deterrent might also be the adverse effects sanctions could have on Myanmar, which could ultimately worsen the country's situation, as mentioned by the Special Envoy of the Secretary-General in 2008. Despite efforts by the UNHRC and General Assembly to improve the conditions of Myanmar and shed light on the human rights violations, it still seems as though measures like sanctions by the UNSC are extremely unlikely.

7. Discussion: Comparing the Four Concepts of Securitization

This chapter will summarise and compare the four concepts of securitization analysed for each case. Then, the results are going to be interpreted, and lastly, the limitations of the research will be explained.

7.1 Results and Interpretation

Looking at the audience in both cases, they are relatively similar, in the sense that the UNSC has 15 members in the two cases, and the permanent ones stay the same. Furthermore, as the research periods overlap, the non-permanent members in the case of Yemen are also constant as the ones in Myanmar's case from 2011 to 2014. In that way, the conditions are identical; the only difference is the audience's opinion and voting behaviour. For Yemen, the resolution applying sanctions passed unanimously. In contrast, although no resolution explicitly introducing sanctions for Myanmar was voted on, the countries expressed their opinions beforehand during numerous meetings, with China, Russia, and ASEAN member states stating they would not be in favour of them.

The power relations of the cases are one of the most significant concepts of the research. Although the relations as such do not differ, referring to the fact that the five permanent members had the same veto power in both cases (see Graph 2), the noteworthy aspect is the interests the five most powerful members had. In the case of Yemen, the USA is the country that seems to be advocating the most for its political transition and improvement, but the other UNSC members concur with the need to apply measures, as is noticeable from their participation in the Friends of Yemen. Furthermore, none of the permanent members spoke against global sanctions. The same cannot be said about Myanmar. Even though three of the five permanent members, the USA, the UK, and France, are in favour of applying sanctions, with all three already having applied sanctions individually, China and Russia are downright against it.
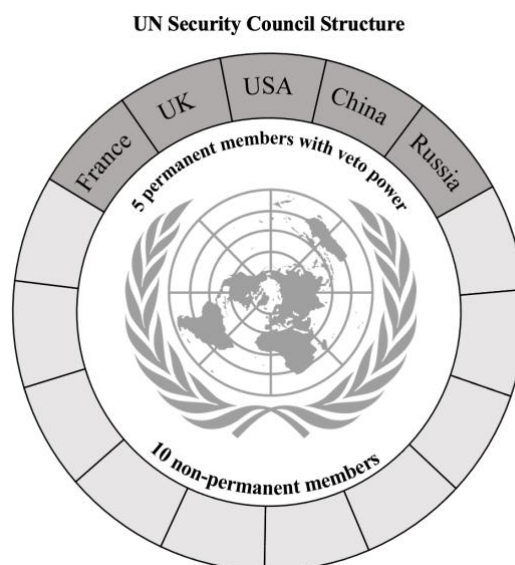
Graph 2: UN Security Council Structure

On the one hand, China has close ties to the military government in Myanmar while also having economic interests in the country, similarly to Russia. On the other hand, the USA and UK are the only countries to have presented a draft resolution on Myanmar in the UNSC, and France called for R2P to be employed in 2008. Still, despite the majority being in favour, the power relations in the UNSC are designed in a way that a single vote by China or Russia against a resolution applying sanctions makes it impossible to adopt, making the possibility of global sanctions exceptionally unlikely.

In reference to the context of the cases that have been analysed, it is also a significant factor in the differing outcome. The cases are generally comparable, given that both countries have endured similar hardships of non-democratic rule and human rights violations. Still, the two are noticeably different in many aspects, with the democratisation and reform period in Myanmar being the most significant. This time changed the international community's perspective towards Myanmar favourably. It distracted international actors and led them to believe that global sanctions were unnecessary as Myanmar was developing positively. The reality, however, was different as some of the worst human rights violations occurred during this time since the ethnic group Rohingya was oppressed, killed, raped, and forced to flee the country, all of which amounted to ethnic cleansing. The international community eventually became aware of this but could not adopt new measures in the form of sanctions due to other deciding factors. Alternatively, the situation in Yemen differs from the one in Myanmar, as the atrocities were much more apparent. Furthermore, the conflict occurred between larger parties and thus garnered more attention.

The practices and instruments applied in the analysed cases are very much alike. The main differences persist in the fact that no resolutions regarding the situation in Myanmar were ever adopted. Furthermore, no reports, press or presidential statements mention possible sanctions by the UNSC. That is not the case for Yemen, as in the years prior to the adoption of Resolution 2140 that introduced sanctions, potential sanctions were mentioned several times in different resolutions, press and presidential statements. The simple threat of sanctions was used in the years before the actual adoption because it was believed it would serve as a deterrent. However, as conflicts continued escalating in Yemen, the threat eventually became a reality. This is a stark contrast to Myanmar, where the only mentions of sanctions have been during UNSC meetings but were shut down almost immediately by China or Russia.

As described, the power relations and the context are the most important concepts of the securitization theory that explain the different outcomes of the cases of Yemen and Myanmar and provide an answer to the research question. In first place, power relations play an essential role, as the five permanent members have veto power. Seeing as two of the permanent members maintain a strict position against the adoption of sanctions, it appears the approval of global sanctions is almost impossible. This situation escalates in light of the context, as the apparent democratisation and reform years took the attention away from the actual atrocities occurring in Myanmar but instead created an optimistic view of the country. All things considered, every concept seems to be related to the other, each one of them being a vital component of the decision to sanction a country or not.

7.2 Limitations

The primary limitations this research encountered were the different time frames of the analysed cases, the demarcation of the four concepts of securitization and the access to literature. In the following paragraphs, each of the limitations will be further described.

The limitation of different time frames refers to, firstly, the fact that each case focuses on a different time, the research period for Yemen being from 2011 to 2014, while the research period for Myanmar was from 2006 to 2021. Secondly, it also includes the difference in length of the periods. The issue consisted of the different backgrounds for the cases, making them slightly less comparable. Additionally, the different lengths meant there was a lot more information to analyse in the case of Myanmar, suggesting that a significant number of incidents happened in a short amount of time.

The demarcation of the concepts of securitization proved to be a rather challenging task, as the concepts were not operationalised to be used as a framework but explained loosely. Furthermore, an issue was to avoid concepts from overlapping since they often had things in common that were worth mentioning to give a comprehensive explanation of the events.

Lastly, the access to literature also restricted the research. Many of the works found at early stages were behind a paywall and could not be accessed. Moreover, a language barrier existed with some pieces, meaning they were in languages that were not understood, making them unviable.

8. Conclusion: The Significance of Power Relations and Context

This bachelor's thesis aimed to answer the research question: What are the differences in the decision-making process of the UN Security Council in the cases of Yemen and Myanmar when introducing sanctions regarding human rights violations?

First, the relation between security and human rights was established, explaining that there is a causal relationship between human rights protection and world peace since states that protect their citizens' human rights are more likely to have peaceful interactions with other states that equally respect human rights. The cases of Yemen and Myanmar were analysed using the securitization theory as a framework. Securitization is the labelling of a problem as a security issue by the state to claim a distinct power. The four concepts of securitization were explained, clarifying that the audience consists of those who agree with the decision that an issue is a security problem. Furthermore, power relations refer to the fact that the elite makes the ruling. The context indicates what sector the issue is from and what kind of threat exists. Lastly, the practices and instruments are used to securitize the issue.

The human rights violations in Yemen and Myanmar were further elucidated. In 2011 anti-government protests began in Yemen, which were met with force and brutality by the security forces. Over the timeframe, armed conflict between the government and armed groups such as the Houthis escalated, causing many fatalities in the country. The research period of Myanmar also begins with anti-government protests, which received violent responses from the military forces. Later, the chapter focuses more on the ethnic cleansing of the Rohingya and finishes by retelling the events of the military coup in 2021.

To select the cases, the most similar systems design was used, referring to the fact that both cases are generally similar, but differ in the dependent variable. In this sense, the expectation was that any differing independent variables would provide an explanation for the difference in the outcome. The four main concepts of securitization theory served as independent variables, while the dependent variable was the application of sanctions. The four concepts of securitization were defined in each one of the cases using literature concerning the international community's reaction to the human rights violations that occurred in Yemen and Myanmar and official UN documents.

The results show that although all concepts of securitization play an essential part in the adoption of sanctions, power relations and context are the most significant, thus providing an answer to the research question. Even though the power relations are, in fact, the same, because the five permanent members have veto power in both cases, the interests of the five differ significantly. China, Russia, and the regional actors' opposition to intervention in Myanmar meant that measures could not be adopted. The context of Myanmar also influenced the non-adoption of sanctions greatly because the period of democratisation and reforms led international actors to believe that Myanmar was developing, thus taking away attention from its remaining issues, such as ethnic cleansing.

This indicates that countries of the UNSC are neglecting their Responsibility to Protect and focusing solely on their own economic interests. The R2P is a concept aimed at preventing the most severe human rights violations, and each state is obliged to protect against such crimes. However, there is also a responsibility to act when another state is not protecting their citizens from genocide, war crimes, ethnic cleansing, and crimes against humanity. International actors should have tried to help Myanmar protect its population in line with pillar 2 of R2P, but many failed to do so, focusing on the democratisation and development of the country. Furthermore, the difficulty of pillar 2 lies in the fact that it requires the state's consent, but Myanmar refused to acknowledge the crimes being committed. Following the aggravation of violations, the next sensible step would be R2P's pillar 3, yet China and Russia make it almost impossible, meaning global sanctions are unimaginable.

All in all, the framework can positively be applied to other cases of securitization or cases where securitization was attempted. Still, it remains clear that because of the uneven power relations, the interests of the five permanent members will continue to play the most significant role, even though the R2P exists. This responsibility seems to be restricted by their economic and political interests. In that way, it may be expected that in cases where securitization was attempted, i.e., the application of UNSC sanctions failed, although atrocities occurred and thus sanctions would generally be applied, the power relations will usually be the main reason they were not. Alternatively, when looking at cases where securitization was successful, and sanctions were introduced, one might predict that the other concepts of securitization also factor in.

The case of Myanmar indicates an issue in the UNSC's structure, with many arguing that the five permanent members should not maintain their veto power in some instances, such as the one discussed. Furthermore, it proves that R2P has weaknesses, such as the obstruction of the UNSC by one or more members, since there are measures that can only be approved by the council, and Myanmar does not recognise the acts of violence in the country, meaning cooperation is unfeasible. Additionally, human security is not respected since it does encompass displacement and establishes new responsibilities towards citizens of other states, like R2P.

In recent years the attention in the case of Myanmar has moved to accountability endeavours, and states have established an independent international mechanism to collect and process evidence which could prove helpful in future action. Moreover, after the 2021 coup, it would seem like the population is starting to acknowledge atrocities against the Rohingya because countless people are facing these themselves. Still, new approaches to R2P must be contemplated since some international actors do not seem to be keeping up their Responsibility to Protect.

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