



# SECURITY COUNCIL REPORT UPDATE REPORT



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## MYANMAR

### Background

Myanmar has been a source of growing concern among UN members since 1990, when the country's military regime lost the first multiparty election held in nearly three decades. The National League for Democracy (NLD), which won 80 percent of the parliamentary seats in the 1990 poll, was prevented by the regime from assuming power.

Myanmar, known as Burma prior to 1990, won its independence in 1948 from the UK. Since 1962, a military junta has led the country. The ruling party, the State Law and Order Restoration Council (SLORC), changed its name in 1997 to the State Peace and Development Council (SPDC).

The regime has curtailed expression of political views, and especially the NLD, since the 1990 election. Though it announced a road map to democracy in 2003 and called for a national convention to create a new government, the military regime has excluded NLD members and other parties from the convention. It has jailed more than 1,100 political prisoners, including NLD's leader, Aung San Suu Kyi. Suu Kyi is currently under house arrest.

Human rights groups have described Myanmar as one of the most repressive regimes in Asia. The military has destroyed more than 2,700 villages, moved hundreds of thousands of ethnic minorities into internment centres and committed sexual violence against women. Thousands of refugees have fled to neighbouring countries. Myanmar also has the most child soldiers of any country in the world, with up to 70,000 children being forced into service.

Myanmar has also become one of the world's leading producers of heroin and one of the primary contributors to the spread of HIV/AIDS in Southeast Asia.

The UN Commission on Human Rights has had a Special Rapporteur on the situation of human rights in Myanmar since 1992. The Special Rapporteur, currently Paulo Sérgio Pinheiro of Brazil, has reported annually to the Commission and to the General Assembly. His reports describe the latest developments on the political and human rights situation in Myanmar. His 2005 report to the General Assembly mentioned the most recent national convention, held in March 2005, which included only six of the 25 political parties that won seats in the 1990 parliamentary election. (The NLD was not one of them.) Among its recommendations, the report has stated that the Government of Myanmar needs to demonstrate its commitment to implement political and constitutional reform. Since November 2003, the Rapporteur has not been allowed to visit Myanmar.

The Secretary-General appointed a Special Envoy to Myanmar in 1997 to help facilitate national democratization and reconciliation. The Special Envoy, currently Razali Ismail of Malaysia, was last

allowed to visit Myanmar in March 2004. The Secretary-General has provided reports on the Special Envoy's efforts to both the General Assembly and the Commission on Human Rights. These reports have included the Secretary-General's observations on the political situation in the country. In the 7 March 2005 report to the Commission on Human Rights, the Secretary-General urged authorities to demonstrate their commitment to a genuine and credible process of democratization.

Other international organisations have addressed the situation in Myanmar. The Association of South East Asian Nations (ASEAN), which admitted Myanmar as a member in 1997, has urged the country to move toward democracy and to release Suu Kyi and other political prisoners, most recently in December 2005. Myanmar was scheduled to chair ASEAN in 2006, but concern about the implications of this on the other ASEAN members eventually led Myanmar to decide to step down from holding the post.

The European Union imposed an arms embargo on Myanmar in 1990 and suspended bilateral aid in 1991. It has placed further sanctions on the ruling regime since, refusing visas to regime members, banning visits to Myanmar by EU government officials and restricting EU companies from investing in businesses owned by the Myanmar government.

In 1997, the US banned American companies from investing in Myanmar. In 2003, the US government prohibited Myanmar imports to the United States, froze assets and restricted travel by regime members.

ASEAN, the European Union, the United States and the Secretary-General have repeatedly called on the government to release NLD leader Suu Kyi from house arrest.

### **Security Council Involvement**

The United States has been the driving force behind efforts to address Myanmar at the Council level on the grounds that the situation there, with its refugee flows and drug trade, constituted a threat to international peace and security. It has raised the issue in private consultations under "other matters," and has sought to move it onto the agenda. Several non governmental organisations have also called on the Council to address the matter. The efforts to get the Council involved were boosted by the publication in September 2005 of a report jointly commissioned by Vaclav Havel, the former president of the Czech Republic, and Bishop Desmond Tutu, South Africa's pro-democracy and human rights leader and a Nobel Peace Prize winner. The report, titled "Threat to Peace: A call for the UN Security Council to Act in Burma" argued for a multilateral diplomatic initiative at Council level to push for change in Myanmar.

### **Council Dynamics**

The US has been leading the effort, with an increased support of the European members. On November 29, the United States wrote to the President of the Council expressing concerns about Myanmar's being a threat to international peace and security and requesting a briefing for the Council on Myanmar. By the beginning of December, ten members of the Council were willing to place Myanmar on the agenda of the Council. Opposed were Algeria, Brazil, China, Japan and Russia. On December 3, 2005, in informal consultations, a decision was made by consensus that the Council would receive a briefing on Myanmar from a senior Secretariat official under "other matters" item during informal consultations. The alternative was a formal meeting which would have resulted in a vote to approve an agenda item. With ten votes in favour and no veto on procedural issues, the decision would have been positive but at the same time, it would have shown the split in the Council. Acting by consensus at this stage is perhaps thought to have greater impact. The Secretariat was requested to provide a briefing by a senior official.

## UN Documents

### Selected General Assembly Reports

- A/60/221 (12 August 2005) is the latest of the Special Rapporteur's reports on the situation of human rights in Myanmar.

### General Assembly Resolutions

- A/RES/59/263 (23 December 2004) requested the Secretary-General to report to the General Assembly and the Commission on Human Rights and to provide the necessary assistance to his Special Envoy for Myanmar.
- A/RES/56/231 (24 December 2001) strongly urged the Government of Myanmar to take urgent and concrete steps to ensure the establishment of democracy.
- A/RES/53/162 (9 December 1998) further strongly urged the Government of Myanmar to ensure full respect for human rights and fundamental freedoms.
- A/RES/52/137 (12 December 1997) noted that Aung San Suu Kyi was allowed to travel to peacefully conduct normal political activities.
- A/RES/51/117 (12 December 1996) requested the Government of Myanmar to permit unrestricted communication with physical access to Suu Kyi by members of the NLD
- A/RES/50/194 (22 December 1995) urged the Government of Myanmar to engage, at the earliest possible date, in a substantive political dialogue with Aung San Suu Kyi and other political leaders.
- A/RES/49/197 (23 December 2005) requested the Secretary-General to continue his discussions with the Government of Myanmar.
- A/RES/48/150 (20 December 1993) strongly urged the Government of Myanmar to release unconditionally and immediately the Nobel Peace Prize Laureate Aung San Suu Kyi.
- A/RES/47/144 (18 December 1992) called upon the Government of Myanmar to release unconditionally and immediately Suu Kyi.
- A/RES/46/132 (17 December 1991) urged the Government of Myanmar to allow all citizens to participate freely in the political process.

### Selected Commission on Human Rights Reports

- E/CN.4/2005/130 (7 March 2005) is the latest report of the Secretary-General and his Special Envoy for Myanmar.
- E/CN.4/2005/36 (2 December 2004) is the latest report of the Special Rapporteur to the Commission on Human Rights.
- E/CN.4/2004/33 (5 January 2004) detailed the most recent trip by the Special Rapporteur to Myanmar.
- E/CN.4/1999/129 (22 March 1999) included the Permanent Mission of Myanmar's response to reports of human rights violations.

### Selected Commission on Human Rights Resolutions

- E/CN.4/RES/2005/10 (14 April 2005) extended the mandate of the Special Rapporteur by one year.
- E/CN.4/RES/1992/58 (3 March 1992) decided to establish the mandate of a Special on human rights in Myanmar.

## **Historical Chronology**

*3 December 2005* The Security Council decided to hold a closed-door briefing on the situation in Myanmar.

*6 July 2005* The Government of Myanmar released 249 political prisoners.

*June 2005* The US raised concerns about Myanmar at the Council's closed consultations under "other matters."

*17 February 2005* The National Convention reconvened, without the involvement of the NLD.

*17 May 2004* National constitutional convention reconvened.

*30 August 2003* The ruling party, the State Peace and Development Council (SPDC), announced the road map to democracy. Gen. Khin Nyunt succeeded Than Shwe as prime minister. Shwe remained head of the SPCD.

*30 May 2003* Suu Kyi and a convoy of supporters were attacked by a militia outside Mandalay. Suu Kyi was arrested shortly after.

*May 2002* Suu Kyi was released from house arrest.

*December 2000* Paulo Sérgio Pinheiro of Brazil became the Special Rapporteur on the human rights situation in Myanmar, succeeding Rajsoomer Lallah.

*September 2000* Suu Kyi was again placed under house arrest.

*August 2000* Suu Kyi and a convoy of NLD members faced off with police. UN Secretary-General Kofi Annan called on the government to engage in political dialogue with the NLD.

*April 2000* The Secretary-General appointed Razali Ismail of Malaysia as his Special Envoy for Myanmar, replacing Alvaro de Soto.

*1997* The ruling party, the State Law and Order Restoration Council (SLORC), changed name to SPDC.

*1997* The Secretary-General appointed Alvaro de Soto of Peru as his Special Envoy to Myanmar.

*1996* A national constitution convention closed without drafting a new constitution.

*1996* Rajsoomer Lallah of Mauritius became the UN Special Rapporteur on the human rights situation in Myanmar, succeeding Yozo Yokota.

*10 July 1995* Suu Kyi released from house arrest.

*1995* NLD members walked out of the national constitutional convention because of restrictions on debate.

*January 1993* The government started a national constitutional convention.

*3 March 1992* The Commission on Human Rights, in resolution 1992/58, established a Special Rapporteur on the situation of human rights in Myanmar. Yozo Yokota of Japan was named to the post.

*17 December 1991* The General Assembly passed resolution 46/132, deploring the fact that the Government of Myanmar had not fulfilled commitments to taking steps toward the establishment of a democracy and expressed concern at the seriousness of the human rights situation in the country.

*1991* Suu Kyi won the Nobel Peace Prize for her non-violent opposition to the government.

*27 May 1990* The NLD won 80 percent of the parliamentary seats in the first multiparty election since a military coup toppled the government in 1962. The military regime refused to relinquish power.

*June 1989* The military government changed the country's name from Burma to Myanmar.

*1989* The government placed Suu Kyi under house arrest.

*8 August 1988* The military fired upon protestors that were demonstrating against the government.

*March 1962* General Ne Win led a military coup that toppled the government.

*4 January 1948* Burma gained independence from Great Britain.

### **Useful Additional Sources**

Vaclav Havel and Desmond Tutu, *Threat to the Peace: A Call for the UN Security Council to Act in Burma*. 20 September 2005.

Human Rights Watch <http://hrw.org/doc/?t=asia&c=burma>

Amnesty International [http://www.amnestyusa.org/countries/myanmar\\_burma/index.do](http://www.amnestyusa.org/countries/myanmar_burma/index.do)