



# SECURITY COUNCIL REPORT UPDATE REPORT



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## Myanmar

### Expected Council Action

The Council has been discussing, both at the experts level and in informal consultations, the humanitarian situation in Myanmar since Cyclone Nargis struck the country on 2 May 2008.

France has been pushing for Council action but, at the time of writing, it was unclear if France would put a draft resolution on the table. It seems that a text is being consulted with various members of the Council and that it may appeal to member states to offer emergency aid and assistance and urge the government of Myanmar to establish a coordinating mechanism to assist and facilitate in the delivery of aid.

### Recent Developments

The cyclone, which hit southern towns of the Irrawaddy delta in Myanmar, an area which produces most of Myanmar's rice, left tens of thousands dead and missing. The survivors are now homeless and exposed to the risk of disease and possible starvation. UN agencies, international NGOs and several countries have offered assistance, but the Myanmar government has only allowed in limited aid, has been reluctant to let in foreign aid workers and has limited their access. There are some international and national aid workers already in Myanmar, but the numbers are not nearly enough for the scale of the disaster. Between 1.2 million to 1.9 million out of the overall population of some 49 million are estimated to have been affected.

This natural disaster took place just before the Myanmar government's referendum on 10 May to adopt a new constitution. The government chose to go ahead with the referendum in spite of the humanitarian crisis in the south of the country. The only concession was to postpone voting in the worst hit areas for two weeks. In the lead up to the referendum (and before the news of the cyclone reached it), the Council had issued a presidential statement on 2 May noting a commitment from the Myanmar government that the referendum would be free and fair. In the statement, it underlined the need for the government of Myanmar to "establish the conditions and create an atmosphere conducive to an inclusive and credible

process.” The Myanmar ambassador responded on the same day with a letter in which he characterized the presidential statement as “highly objectionable.”

On 7 May, France asked the Council to agree to a briefing from Under Secretary-General for Humanitarian Affairs and UN Emergency Relief Coordinator John Holmes. France’s request was supported by the US and the UK but rejected by some other members. France invoked the concept of “responsibility to protect” as the basis for Council action on Myanmar and suggested that a resolution authorising the delivery of aid was needed. Many UN members were seriously concerned at this apparent attempt to expand the scope of the norm relating to responsibility to protect approved in the 2005 UN World Summit outcome document. In that decision, the General Assembly resolution agreed by world leaders defined a carefully limited scope for the norm covering only protection of people from genocide, war crimes, ethnic cleansing and crimes against humanity.

The Secretary-General on 12 May expressed his “deep concern and immense frustration at the unacceptably slow response to this grave humanitarian crisis.” He warned of an outbreak of infectious diseases if aid didn’t get into the country quickly and called on the government of Myanmar to put its people’s lives first. The Secretary-General also said that he had repeatedly been trying to telephone General Tan Shwe but could not reach him. The Secretary-General convened a meeting of key donors and representatives from the Association of Southeast Asian Nations (ASEAN) to discuss options for speeding up aid deliver to the cyclone victims.

On 13 May, the Office for the Coordination of Humanitarian Affairs (OCHA) said a second catastrophe resulting from an outbreak of infectious diseases could occur unless more access is granted to allow aid to move in rapidly. They noted that 12 days after the cyclone hit Myanmar less than one-third of the people who need help have been reached.

The EU ministers in charge of humanitarian aid met on 13 May to discuss the EU response to the situation in Myanmar. Javier Solana, the EU’s High Representative for the Common Foreign and Security Policy said that the international community “should use all possible means to get aid through to victims of Myanmar’s cyclone.” The EU development ministers called on Myanmar “to offer free and unfettered access to international humanitarian experts and to take urgent action to facilitate the flow of aid.” Louis Michel, the EU Commissioner for Development and Aid, on 14 May was allowed to visit Myanmar for two days.

The Thai prime minister, Samak Sundaravej, visited Myanmar on 14 May but failed to convince the Myanmar government to let in foreign aid workers.

ASEAN foreign ministers will meet on 19 May in Singapore to discuss ways to help Myanmar. A disaster assessment team from ASEAN on 12 May was given in-principle agreement to enter the country, and its report is likely to be discussed at the ASEAN foreign ministers meeting.

## Key Issues

The current issue for the Council is whether the Council should seek to play a role in helping to get greater access for international aid or whether, as UK Prime Minister Gordon Brown seems to be suggesting, the issue should be addressed at a wider high-level UN meeting.

A related issue is whether taking up this issue—even in a conciliatory and constructive way—would help or hinder future engagement with the Myanmar government on other issues more closely related to peace and security, including the ongoing role for Secretary-General's Special Advisor on Myanmar, Ibrahim Gambari, in the post-referendum situation.

## Council Dynamics

The Council is divided between members who would like to see the Council take a more active role and those who argue that this is not an appropriate issue for the Council to consider.

France's attempt to invoke the "responsibility to protect" concept to put pressure on the Myanmar government seems to have strengthened opposition to the Council acting in this way.

The US and UK want to see better aid access but public statements from both UK Prime Minister Gordon Brown and US Defense Secretary Robert Gates indicate that both the UK and the US are sensitive to the need for consent from the authorities.

China has said that the situation in Myanmar is a natural disaster and therefore not an issue for the Council although there might be other forums of the UN which could take it up. China has also spoken out strongly against politicising the issue.

Indonesia has said that "there are other better forums to discuss the humanitarian dimension of the Myanmar situation" and that "the last thing we would want is to give a political spin to the technical realities and the situation on the ground." South Africa has also indicated that it does not feel that a strongly worded Council resolution is an appropriate way of engaging with Myanmar.

## UN Documents

### Presidential Statement

- S/PRST/2008/13 (2 May 2008) was the presidential statement noting the commitment of the Myanmar government that the referendum would be free and fair and underlining the need for the government of Myanmar to "establish the conditions and create an atmosphere conducive to an inclusive and credible process."
- S/PRST/2007/37 (11 October 2007) was the presidential statement strongly deploring the use of violence against demonstrations and emphasising the importance of early release of prisoners.

### Selected Letters

- S/2008/289 (2 May 2008) was the letter from Myanmar objecting to the Council's 2 May presidential statement.
- S/2007/591 (5 October 2007) was the letter from the Japanese permanent

<p>representative to the UN conveying Japan's position on developments in Myanmar.</p> <ul style="list-style-type: none"> <li>• S/2007/590 (3 October 2007) was the letter from US permanent representative to the UN requesting an urgent meeting of the Council to discuss Myanmar.</li> </ul>
<b>Draft Resolution</b>
<ul style="list-style-type: none"> <li>• S/2007/14 (12 January 2007) was the draft resolution vetoed by China and Russia.</li> </ul>
<b>Selected Press Statements</b>
<ul style="list-style-type: none"> <li>• SC/9228 (17 January 2008) was the press statement affirming the Council's support for the objectives set out in its October presidential statement and regretting the slow progress on meeting those objectives.</li> <li>• SC/9171 (14 November 2007) was the press statement on Myanmar.</li> </ul>
<b>Other Documents</b>
<ul style="list-style-type: none"> <li>• S/PV.5753 (5 October 2007) was the record of the discussion following the crackdown in Myanmar.</li> <li>• S/PV.5526 (15 September 2006) was the record of the discussion before putting the provisional agenda, that included the situation on Myanmar, to the vote.</li> <li>• S/Agenda/5526 (15 September 2006) was the provisional agenda for the meeting that added Myanmar to the Council agenda.</li> </ul>