



SECURITY COUNCIL REPORT UPDATE REPORT



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MYANMAR

Expected Council Action

The Secretary-General's Special Advisor on Myanmar, Ibrahim Gambari, is expected to brief the Council on Friday, 5 October on his visit to Myanmar which took place from 29 September to 2 October.

The Council will have an open meeting followed by closed consultations. Council members are likely to discuss possible future action on Myanmar after the briefing. The outcome of Gambari's visit is expected to play a significant role in this regard, particularly the options for support to the Good Offices of the Secretary-General and reinforcing the 2 October resolution of the Human Rights Council urging national dialogue and national reconciliation.

Recent Developments

In September the Council had two briefings. The first was on 20 September when Gambari briefed the Council on his Good Offices efforts over the last three months. A week later, on 26 September, the Council met again in response to the growing unrest in Myanmar. Council members agreed to a brief statement expressing concern about the situation and urging restraint which was read out to the press after the meeting by the president of the Council.

Following the 26 September briefing, Gambari was dispatched by the Secretary-General, with full support of the Council, to visit Myanmar to meet with key government and opposition figures. On 29 September, after a day in Singapore waiting for a visa, Gambari entered Myanmar for a four day visit. While there he met twice with Aung San Suu Kyi as well as with General Than Shwe (who kept him waiting for three days) and other government leaders. It seems that Gambari called upon the authorities to stop the repression of peaceful protestors, release detainees, and to move in a credible and inclusive manner towards democratic reform, human rights and national reconciliation.

There has been strong reaction from governments and organisations around the world to the Government of Myanmar's attacks on the Buddhist monks and civilian protestors.

The US increased sanctions against Myanmar on 25 September, including targeted sanctions such as a visa ban aimed at the regime. The EU on 3 October also agreed to toughen sanctions. Japan, in response to the death of a Japanese journalist, is considering cutting back aid to Myanmar. It now gives Myanmar about \$25 million in aid annually.

On 2 October, during a special session, the Human Rights Council adopted by consensus a

resolution:

- strongly deploring repression of peaceful demonstrations;
- calling for an investigation into human rights violations during the period of unrest;
- urging the release of detainees and political prisoners and lifting restraints on peaceful political activity and assembly; and
- urging national dialogue with all parties and genuine national reconciliation

The Human Rights Council requested that Paulo Sergio Pinheiro, the UN Special Rapporteur on Human Rights in Myanmar, investigate the situation and seek an urgent visit to Myanmar. (He has not been allowed into Myanmar since 2003.

The resolution also asked the government to cooperate with the Special Rapporteur and the UN High Commissioner for Human Rights Louise Arbour was encouraged to engage in dialogue with Myanmar.

On 26 September, after a ministerial meeting, the EU and US issued a statement on Myanmar condemning “all violence against peaceful demonstrators and called on the authorities to open a process of dialogue with pro democracy leaders and representatives of ethnic minorities.”

ASEAN also reacted strongly. (This was notable given that Myanmar is a member of the organisation which operates by consensus.). Through a chairman’s statement the ASEAN foreign ministers demanded that the Myanmar government desist from the use of violence against demonstrators and “expressed their revulsion to the Myanmar Foreign Minister Nyan Win over reports that the demonstrations in Myanmar are being suppressed by violent force and that there has been a number of fatalities.” As chairman of ASEAN, Singapore’s prime minister also wrote in strong terms to the Myanmar leader, Tan Shwe, expressing the views of other ASEAN leaders that the confrontation in Myanmar would have serious implications “not just for Myanmar itself, but also for ASEAN and the whole region.”

Options

Options involve both procedural and substantive matters. Procedurally the format for the 5 October meeting is now resolved in favour of an open briefing followed by closed consultations. Other possibilities included:

- whether to open a formal agenda item and invite member states including no doubt Myanmar, ASEAN members and others to participate;
- whether to open a formal agenda item but meet in closed session to hear selected countries (as was done on 26 July on Georgia and 3 April on Kosovo);
- whether to meet in an old style “Arria” meeting, i.e. one in which the Council members meet informally with various member states; or
- whether to meet simply in informal consultations.

On substance there are a number of options:

- reinforce Gambari’s role in a statement by welcoming the achievements to date;
- reinforce the efforts of the Human Rights Council and in a statement ask the High Commissioner, the Special Rapporteur and Gambari to work closely together;
- request the Secretary-General to set up a core group (similar to the Contact Group on Kosovo) made up of interested parties from ASEAN and Asia, the EU and members of the Council to

assist the whole UN system to promote national dialogue and national reconciliation—this group could provide regular feedback to the Council;

- an alternative to a core group, if a smaller group is preferred, would be to set up a troika possibly made up of China, an ASEAN member and an EU member;
- encourage the Secretary-General to convene a high-level meeting on Myanmar bringing together the key players, particularly in the region, but also from the UN such as the High Commissioner for Human Rights and the Special Rapporteur to brainstorm new approaches;
- request regular follow-up briefings from Gambari and
- consider a meeting in a Arria format with the Special Rapporteur.

Key Issues

A key issue was the format of the meeting. The UK, the European members of the Council and the Latin American countries were keen to have an open debate followed by closed consultations (similar to the format used for the monthly Middle East briefings). They see such a format as a way of giving countries in the region a chance to have their say. China, Russia and Qatar wanted the briefing to be in closed consultations.

A key substantive issue is whether the recent events have crossed the threshold which allows all members of the Council to accept that it is now appropriate for the Council to begin to express views on the issue.

The second substantive issue is finding a balance between those who want stronger rhetoric on Myanmar and even perhaps coercive action (such as sanctions) and those members who believe that a lower key and phased approach is more likely to build pressure for genuine national dialogue and reform in the country.

A related issue is managing the Council's credibility in light of international media attention.

Another issue is how to assess the true situation in Myanmar given the lack of accurate information coming out of the country. Without a reliable picture of what is going on many Council members may prefer options that would increase the overall level of reliable information, including further briefings and meetings in an "Arria" format.

Council Dynamics

The Council seems united on giving Gambari its full support but is still divided on the fundamental issue of whether this issue should be discussed formally in an open setting.

China played a key role in persuading Myanmar to issue Gambari a visa to visit Myanmar. It was also instrumental in helping ensure that he met with top leadership. However, China's public position on Myanmar remains very cautious. It fears that a sudden collapse of the regime would lead to chaos including a fracturing of the army along ethnic lines, resurrection of warlordism and emergence of ethnic conflict. It therefore prefers a phased evolution and is concerned that high profile Council action will only diminish the prospect of persuading the regime to evolve progressively. Russia also continues to argue that the Council is not the right forum to discuss this situation.

The US and EU members are all facing domestic pressure to do more on the issue and are all keen to push the envelope but are also acutely aware of the positive role China could play in any political process that might emerge and the need for a delicate balancing act to facilitate this. So, while they would like to see stronger action, they seem willing to take a more graduated approach at the moment, provided that the approach does have some meaningful Council control.

Some members who were previously not comfortable with having Myanmar as an issue on the Council's agenda appear persuaded that recent events have affected the dynamics and that it is time to move forward somewhat. Indonesia for example supports an open debate on the issue tomorrow. However, it would not want to see the Council becoming the lead actor and prefers that action on Myanmar is largely carried out through the Good Offices role of the Secretary-General. South Africa, which had been quite outspoken in the past against the Council's involvement with Myanmar, has not voiced any objections during the last two briefings.

UN Documents

Selected Letter
<ul style="list-style-type: none"> • S/2006/742 (15 September 2006) was the letter from US ambassador John Bolton requesting a meeting of the Council to discuss Myanmar. An annex to this letter contains Bolton's 1 September letter asking for Myanmar to be placed on the Council's agenda.
Draft Resolution
<ul style="list-style-type: none"> • S/2007/14 (12 January 2007) was the draft resolution which was vetoed by China and Russia.
Other
<ul style="list-style-type: none"> • 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. • S/Agenda/5526 (15 September 2006) was the provisional agenda for the meeting that added Myanmar to the Council agenda.
Selected General Assembly Resolutions
<ul style="list-style-type: none"> • A/RES/59/263 (23 December 2004) requested the Secretary-General to provide his good offices and pursue his discussions with the government and people of Myanmar.

Useful Additional Sources

- Human Rights Council Statement, A/HRC/S-5/L.1/Rev/1, 2 October 2007
- Statement by ASEAN Chair, Foreign Minister of Singapore George Yeo on 27 September 2007 at <http://www.aseansec.org/20974.htm>
- EU-US Statement on Burma/Myanmar from the EU-US Ministerial Meeting on 26 September 2007