



Crisis in Myanmar and the Responsibility to Protect by Hannah Ruth Chia

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After years of blissful ignorance, the world woke up to the situation in Myanmar last year, when her people, led by monks, took to the streets to protest the military junta that has ruled with an iron fist for more than 40 years. The junta responded swiftly and the rebellion was crushed. Even the monks, so revered in Burmese society, were not spared. The world then forgot, until Cyclone Nargis reared its ugly head.

The humanitarian catastrophe in Myanmar was no different from any other. Countries pledged aid and made plans to send aid workers there. However, with some 100,000 people dead and an estimated 2 million people in desperate need of help, the junta, led by 75-year-old Than Shwe, decided to reject visa applications for disaster experts and aid workers. Flights containing food and medical supplies were turned away because there were reporters and aid workers on board. Food cargo from the World Food Programme was impounded.

Aid workers who were in the country before the cyclone struck are working hard to distribute aid but a lack of manpower, and logistical problems mean that aid has only reached a quarter of those who really need it. Until May 19, the junta was insisting that it wants only cash and aid, not personnel. Visas are still pending for dozens of aid workers in Bangkok and Kuala Lumpur, and while more aid and aid workers are finally being allowed in, their numbers are not large enough to cope with a calamity of this scale.

Regime maintenance first

In the meantime, the junta went ahead with a referendum for a new constitution on May 10, although they delayed the vote in areas affected by the cyclone. Military trucks, which could have been used to deliver aid, were instead seen traveling through the streets, urging people to vote in favor of the new constitution. The estimated half a million soldiers in the Myanmar military who were rapidly deployed during the protests, are sparse on the streets, with civilians and monks helping with most of the humanitarian efforts. Perhaps, the junta, holed up in the remote military capital of Nay Pyi Daw, had not grasped the scale of the crisis. However, the more likely scenario is that it is more concerned with cementing its power and its rejection of foreign disaster experts and aid workers is a manifestation of its xenophobia.

What now for ASEAN and the international community?

The Association of Southeast Asian Nations (ASEAN), of which Myanmar is a member, had, until recently, remained

largely silent on the junta's rejection of outside help. Individual governments expressed concern and the Thai government became an intermediary between the military junta and the international community. Individual states such as Thailand and Singapore sent aid, which was accepted by the junta. Although Myanmar allowed a team of disaster experts from ASEAN into the country to assess the damage last week, lives remained at risk.

The last time ASEAN members were faced with a natural disaster of this scale was after the tsunami of 2004. Then, the governments of the affected nations readily admitted that they needed help and opened their doors to external aid. Singapore called for a regional summit to discuss longer term infrastructure development, which has produced dividends.

As accounts of the abuse of international aid came out of Myanmar, on May 19 ASEAN foreign ministers met in Singapore, the current chair, to "discuss the humanitarian situation in Myanmar and consider how best to assist Myanmar in its relief and recovery efforts." Myanmar's foreign minister, Nyan Win, was in attendance. Progress was made, with Myanmar agreeing to allow international aid into the country via ASEAN member states. It was also announced that medical teams from ASEAN countries would be allowed into the country immediately. While this is a positive development, the responsibility to channel international aid into Myanmar falls upon nine nations, some of whom are not the richest or the most developed. The capacity of ASEAN to provide urgent medical aid and recovery to avoid a health catastrophe is questionable. Additionally, the military junta remains in control of the distribution of aid and with some 2.5 million people still in need of help, it remains to be seen if the aid will reach all of them.

The international community remains divided over how to handle the crisis. The United States and some members of the European Union, including the United Kingdom, France, Germany, and Denmark, have not ruled out "humanitarian intervention." However, this could exacerbate the situation and make life worse for those who accept the aid. It could also lead to some form of military crackdown or cause the junta to close the borders completely.

ASEAN remains opposed to forced delivery of aid, largely due to its principle of non-intervention in the affairs of member states. However, if the situation in Myanmar does not improve despite recent developments and ASEAN is seen to be unwilling to act one way or another, it could find itself being undermined by extra-regional powers should those powers decide to go ahead with forced intervention regardless of ASEAN's position on the matter. *[Editor's note: On May 19, more than two weeks after the disaster struck, the government in Myanmar finally agreed to let its ASEAN*

neighbors coordinate foreign relief assistance, while still barring entry of most non-ASEAN relief workers.]

Right now, the international community should remember the international doctrine of the “Responsibility to Protect,” or R2P, which all member states of the United Nations reached a consensus on in September 2005. One of the two basic principles of R2P is that “Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.” (www.responsibilitytoprotect.org)

The international community must recognize that, even as limited progress is being made, and the disaster starts to move from the front pages of international newspapers – already Myanmar has been displaced by the Chinese earthquake in the collective conscience of the world – more people are at risk from disease and starvation in Myanmar. It may be more prudent to act now and ask theoretical questions later.