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Crisis in Myanmar and the Responsibility to Protect

Hannah Ruth Chia

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Cyclone Nargis has killed an estimated 100,000 people in Myanmar and left some two million people in desperate need of help. It has also laid bare ASEAN and the international community's continuing inability to deal with the military junta's stance on any issue, especially one as critical as the prevention of aid and aid workers delivering life saving assistance.

AFTER YEARS of blissful ignorance, the world finally woke up to the situation in Myanmar last year, when her people, led by monks, took to the streets to protest against 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 two 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 between a fifth and a quarter of those who really need it. Still, the junta is 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 kindly delayed the vote in areas affected by the cyclone. Military trucks, which could have been used to deliver aid, were instead seen travelling through the streets, urging people to vote in favour 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, has not fully 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 merely a manifestation of its xenophobia.

What now for ASEAN and the international community?

Even as more accounts of the abuse of international aid come out of Myanmar, the international community remains divided over how best to handle the crisis. The United States, Germany and France have indicated that they are considering some kind of forced delivery of aid if the junta continues to reject help from foreign aid workers. Even Britain, which initially worried about making such a stand and preferred to urge Myanmar's key allies - China, India and Thailand - to increase pressure on the junta, has now shifted its stance. The main concern is that forced air drops will 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.

The Association of Southeast Asian Nations (ASEAN), of which Myanmar is a member, has, as a whole, remained largely silent on the junta's rejection of outside help. Individual governments have expressed concern and the Thai government has since been fashioned into an intermediary between the military junta and the international community. Logistically speaking, it would take too long for a co-ordinated response from ASEAN's member states. Individual states such as Thailand and Singapore have sent aid, which has been accepted by the junta. Although Myanmar has said that it will allow a team of disaster experts from ASEAN into the country to assess the damage, lives are meanwhile still at risk.

The last time ASEAN members were faced with a natural disaster of this scale was after the tsunami of 2004. Back then the governments of the affected nations readily admitted that they needed help and were willing to open their doors to external aid. Singapore then called for a regional summit to discuss longer term infrastructure development, which has produced dividends. Singapore as ASEAN Chair has now called for a special ASEAN Foreign Ministers meeting on May 19 to "discuss the humanitarian situation in Myanmar and consider how best to assist Myanmar in its relief and recovery efforts". Myanmar has promised to attend. But with ASEAN having failed to exact significant change in Myanmar over the past eleven years since it became a member, what can such a meeting achieve except to hector the Myanmar Foreign Minister in private? The bottom line remains that the people in Myanmar need help immediately.

With extra-regional powers considering forced intervention, ASEAN risks being viewed as an ineffective regional body. Understandably, ASEAN will want to refrain from outright endorsement of a forced delivery of aid due to its principle of non-intervention in the affairs of member states and will not want to set what could be viewed as a dangerous precedent. However, it must show that it is willing to make subtle exceptions when a government refuses to help its own people. If ASEAN is seen to be unwilling to act one way or another, it could find itself being undermined by external powers should those powers decide to go ahead with forced intervention regardless of ASEAN's position on the matter.

Additionally, the international community should also 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)

What the international community must recognise is that, even as the debate is carrying on, and the disaster starts to move away 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. The situation is such that it may be more prudent to act now and ask the theoretical questions later.

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