Security Council
5619th Meeting (PM)

SECURITY COUNCIL FAILS TO ADOPT DRAFT RESOLUTION ON MYANMAR, Owing to Negative Votes by China, Russian Federation

Vote is 9 in Favour to 3 Against, with 3 Abstentions

The Security Council this afternoon failed to adopt a draft resolution on the situation in Myanmar -- owing to vetoes by China and the Russian Federation -- by which it would have called on Myanmar’s Government to cease military attacks against civilians in ethnic minority regions and begin a substantive political dialogue that would lead to a genuine democratic transition.

The result of the vote on the draft, tabled by the United States and the United Kingdom, was 9 in favour to 3 against (China, Russian Federation, South Africa), with 3 abstentions (Congo, Indonesia, Qatar).

By other provisions of the draft, the Council would have urged the Government to respond in a concrete, complete and timely manner to the Secretary-General’s efforts to fully enable his “good offices” mission. It would have also called on the Government to take concrete steps to allow full freedom of expression, association and movement by unconditionally releasing Daw Aung San Suu Kyi and all political prisoners, lifting all constraints on all political leaders and citizens, and allowing the National League for Democracy (NLD) and other political parties to operate freely.

China’s representative, explaining his position before the vote, said he would vote against the draft as the matter was an internal affair of a sovereign State and did not pose a threat to international or regional peace and security. While no one would dispute that Myanmar was faced with a series of grave challenges, similar problems existed in many other countries as well. The Council’s involvement on the issue of Myanmar would not only exceed its mandate, but also hinder discussions by other relevant United Nations agencies.

Noting that the issue of Myanmar was being considered by other United Nations bodies, the representative of the Russian Federation said the substitution of their efforts by the Council would be counterproductive and fail to facilitate the division of labour between the main bodies of the world Organization. Attempts aimed at using the Council to discuss issues outside its purview were unacceptable, he added.

Voicing his regret at the Council’s rejection of the text, the United Kingdom’s representative said that, while the matter of Burma-Myanmar was within the Council’s responsibility, it did not claim the Council’s exclusive interest. All supported the Secretary-General’s good offices to promote political change and wanted to see a better future for the beleaguered people of Burma-Myanmar. The Council’s disagreement, therefore, was one of competence. He urged the Council to continue its consideration of the
situation in Burma-Myanmar, which was not an impediment to consideration by any other part of the United Nations family.

The United States representative, expressing deep disappointment at the Council’s failure to adopt the draft resolution, said the text would have been a “strong and urgently needed” statement about the need for change in Burma. Its military regime arbitrarily arrested, tortured, raped and executed its own people; waged war on minorities within its own borders and built itself new cities, while looking the other way as refugee flows increased, narcotics and human trafficking grew; and communicable diseases remained untreated. While the deteriorating humanitarian and political situation in Burma affected, first and foremost, the people of Burma, it also posed risks to peace and security beyond its borders. All Council members needed to use all their influence to press the Burmese regime for change.

Saying his country did not pose a threat to international peace and security, Myanmar’s representative noted that, while there were many issues that demanded the Council’s immediate and undivided attention, his country was “by no stretch of imagination” among them. Myanmar had, in fact, been able to contribute to regional stability by bringing to a virtual end the insurgency that had plagued the country for almost five decades. Of 18 major insurgent groups, 17 had not returned to the legal fold. Had it been adopted, the draft would also have clearly exceeded the Council’s mandate and undermined its authority and legality.

The Council decided to include the item of Myanmar on its agenda last September, with a procedural vote in which no member had the right to veto. The decision was carried by a vote of 10 in favour to 4 against (China, Congo, Qatar, Russian Federation), with 1 abstention (United Republic of Tanzania), with the intention of considering the matter shortly after 19 September. No such meeting took place during 2006.

Also speaking today were the representatives of South Africa, Indonesia, Qatar, Italy, Congo, Ghana, Belgium, Slovakia, France and Panama.

The meeting began at 4:02 p.m. and adjourned at 5:04.

Background

The Security Council met this afternoon to take action on a draft resolution on the situation of Myanmar. Following is the complete text under consideration:

“The Security Council,


“Recalling action by the General Assembly to establish the “good offices” mission of the Secretary-General, and in this regard expressing strong support for the continuing efforts of the Secretary-General and his representatives,

“Welcoming the visits of the Under-Secretary-General for Political Affairs to Myanmar in May and November 2006 at the invitation of the Government of Myanmar, and expressing its full support for the requests the Under-Secretary-General made to the Government of Myanmar for release of political prisoners, a more inclusive, transparent and meaningful political process, free and unhindered humanitarian access, the cessation of hostilities in Karen State, and an agreement with the International Labour Organization to address forced labour complaints,
“Welcoming the efforts of United Nations agencies engaged in Myanmar, including the Food and Agriculture Organization, the International Organization for Migration, UNAIDS, the United Nations High Commissioner for Refugees, UNICEF, the United Nations Office of Drug Control, the World Food Programme and the World Health Organization,

“Welcoming efforts by the Association of Southeast Asian Nations (ASEAN) to expedite a peaceful transition to democratic rule, and noting the call for early release of political detainees in Myanmar contained in the Joint Communiqué of the 39th ASEAN Ministerial Meeting of 25 July 2006 and reiterated at the Asia Europe Meeting (ASEM VI) in Helsinki in September 2006,

“Expressing deep concern at the slow pace of tangible progress in the process towards national reconciliation in Myanmar and at the continuing detention of political prisoners, including the prolonged house arrest of Daw Aung San Suu Kyi, and emphasizing that an inclusive National Convention offers an opportunity for effective dialogue,

“Deploring the continued attacks by members of the Myanmar military in ethnic minority regions on civilians, including women and children, and in particular the attacks on civilians in Karen State that have led to increased numbers of internally displaced people and refugee flows,

“Recalling A/Res/61/232 (2006) of the General Assembly, and in this regard expressing deep concern at large-scale human rights violations in Myanmar, as cited in the report of the Special Rapporteur of 21 September 2006, including violence against unarmed civilians by the Myanmar military, unlawful killings, torture, rape, forced labour, the militarization of refugee camps, and the recruitment of child soldiers,

“Expressing deep concern that the restrictions by the Government of Myanmar on humanitarian actors contribute to increased hardship for the civilian population, particularly those who are most vulnerable and live in remote and conflict-ridden areas,

“Expressing deep concern also at the transnational risks posed by the situation in Myanmar, in particular, HIV/AIDS, Avian Flu, and trafficking in narcotics and people,

“Welcoming the establishment of the Three Diseases Fund to tackle the problems of HIV/AIDS, tuberculosis and malaria,

“Welcoming also the progress made by the Government of Myanmar in reducing opium production, and encouraging Government efforts to reduce the production and cross-border shipments of all illicit narcotics, including heroin and methamphetamines,

“Underlining the need for tangible progress in the overall situation in Myanmar in order to minimize the risks to peace and security in the region,

“1. Expresses strong support for the efforts of the Secretary-General and his representatives to implement his “good offices” mission, and welcomes the continuing efforts of all relevant United Nations agencies in this regard;

“2. Urges the Government of Myanmar to respond in a concrete, complete and timely manner to the efforts of the Secretary-General to enable him to fully implement his “good offices” mission;

“3. Calls on the Government of Myanmar to cease military attacks against civilians in ethnic minority regions and in particular to put an end to the associated human rights and humanitarian law violations against persons belonging to ethnic nationalities, including widespread rape and other forms of sexual violence carried out by members of the armed forces;
“4. Also calls upon the Government of Myanmar to permit international humanitarian organizations to operate without restrictions to address the humanitarian needs of the people of Myanmar;

“5. Further calls on the Government of Myanmar to cooperate fully with the International Labour Organization and its representatives in the eradication of forced labour;

“6. Calls on the Government of Myanmar to begin without delay a substantive political dialogue, which would lead to a genuine democratic transition, to include all political stakeholders, including representatives of ethnic nationality groups and political leaders;

“7. Also calls on the Government of Myanmar to take concrete steps to allow full freedom of expression, association, and movement by unconditionally releasing Daw Aung San Suu Kyi and all political prisoners, lifting all constraints on all political leaders and citizens, and allowing the National League for Democracy (NLD) and other political parties to operate freely;

“8. Requests that the Secretary-General report to the Council within six months from date of adoption of this resolution on the situation in Myanmar.”

Statements before Action

Explaining his position before the vote, WANG GUANGYA (China) said he was firmly opposed to adopting the draft resolution on Myanmar and had engaged in extensive consultations with all members. Regrettably, China’s suggestions had failed to prevail. “Today’s meeting is the last option that China wishes to see,” he said. While Myanmar was undeniably faced with many challenges in political, economic and social areas, no country was perfect. China, therefore, supported the continuing efforts of Myanmar’s Government and all parties in the country for inclusive dialogue and national reconciliation.

The international community and the Association of South-East Asian Nations (ASEAN) had made many recommendations, which could serve as important parameters for improving the situation in the country, he said. China expected Myanmar’s Government to give due consideration to those recommendations, listen to the call of its own people and speed up the process of dialogue and reform so as to achieve prosperity for its nation and contribute to peace, stability and development in South-East Asia.

He said China supported the Secretary-General’s good offices under the General Assembly’s mandate. While the United Nations Secretariat was in a transitional period, China supported the Secretary-General’s appointment of his Special Representative for Myanmar as soon as possible. China was also looking forward to another visit by Under-Secretary-General Gambari to the country. As he had emphasized in his last briefing to the Council in November, the Secretary-General’s good offices were a process of dialogue and engagement, which required time and patience. China called on the international community and Myanmar’s Government to constructively support the Secretary-General’s good offices and work together to gradually achieve long-term stability and development in Myanmar.

The Myanmar issue was mainly an internal affair of a sovereign State, he said. The present domestic situation in Myanmar did not pose a threat to international or regional peace and security. No one would dispute that Myanmar was faced with a series of grave challenges such as refugees, child labour, HIV/AIDS, human rights and drugs. But similar problems existed in many other countries as well. None of Myanmar’s immediate neighbours, ASEAN members or most Asia-Pacific countries believed that the current situation in Myanmar posed a threat to regional peace and security. As the Council’s primary responsibility was to maintain peace and security, there was no need for the Council to get involved or to take action on the issue of Myanmar. That would not only exceed the council’s mandates but also hinder the discussions by other relevant United Nations agencies.
China, as an immediate neighbour of Myanmar and a Council member from the Asia-Pacific region, had attached no less importance to the situation in Myanmar than anyone else. Although Myanmar’s domestic political process might not have achieved the results expected, progress was undeniably moving on, slowly but steadily. China, together with other countries in the region, wished to see Myanmar enjoy political stability, economic development and ethnic harmony. China had always adopted a reasonable approach and made vigorous efforts to encourage Myanmar’s Government to address its problems step by step. Myanmar’s internal affairs should be handled mainly and independently by Myanmar’s Government through consultation. The international community could offer constructive advice and assistance, but should refrain from any arbitrary interference.

Based on that principled position, China strongly opposed the inclusion of Myanmar on the Council’s agenda and was firmly against adopting a resolution on Myanmar, he said. China, therefore, could not but vote against the draft resolution.

DUMISANI S. KUMALO (South Africa) said he regretted to inform the Council that he would vote against the draft resolution on Myanmar. His Government had taken that decision based on the following three reasons: it believed that the text would compromise the “good offices” of the Secretary-General in dealing with sensitive matters of peace, security and human rights; the draft dealt with issues that would be best left to the Human Rights Council; and, most importantly, it did not fit with the mandate conferred upon the Council by the Charter. Before elaborating on those reasons, he wished to make clear that he did not wish to question, judge or comment on the content of the draft.

For the record, he said he wished to reaffirm his delegation’s concern about the situation in Myanmar. When the General Assembly established the good offices mission of the Secretary-General, it was to make it possible for the United Nations to establish a channel for private and confidential communication. The commendable work done by the Under-Secretary-General for Political Affairs, Ibrahim Gambari, in Myanmar had been accomplished by utilizing the good offices. “This resolution, should it be adopted, may close forever the window of hope and communication opened by Professor Gambari,” he warned.

Overall, the draft contained information that would be best left to the Human Rights Council, he continued. Ironically, should the Council adopt the text, it would mean that the Human Rights Council would not be able to address the situation in Myanmar while the Security Council remained seized with the matter. Finally, the Association of South-East Asian Nations (ASEAN) had said that Myanmar was not a threat to international peace and security. For those reasons, South Africa could not vote in favour of the draft resolution.

REZLAN ISHAR JENIE (Indonesia) said the resolution addressed vitally important issues, but raised several basic questions. The first was a question of substance and procedure. The resolution touched on such issues as democratic transition, human rights, HIV/AIDS and trafficking in narcotics and people. Those issues did not make Myanmar a threat to international peace and security. While they inflicted suffering on the people of Myanmar, they did not make the situation there a clear and present danger to the rest of the world. There was no denying that the situations in other places around the world were much worse and should be given much higher priority on the Council. Other United Nations bodies, such as the Human Rights Council, were more appropriate venues for addressing the problem of Myanmar.

The other basic question was whether the resolution was likely to be effective in achieving its goal, he said. There was no doubt that the proposed resolution was directed at a very important goal, namely the restoration of democratic institutions and practices in Myanmar, justice for the victims of human rights violations and national reconciliation. While Indonesia shared those goals, it was necessary to consider whether the proposed resolution would achieve that goal. As a member of ASEAN, Indonesia had done its best to persuade Myanmar to show concrete and tangible progress towards restoring democracy and human rights. Indonesia had also persevered in engaging Myanmar to restore democracy and demonstrate its respect for human rights. As a member of ASEAN, a neighbouring country and a
Council member, Indonesia must now recognize that the issue of Myanmar was no longer just a bilateral or regional issue, but an international one. That was not a question of solidarity or lack of it, but of principle. Myanmar must respond to the imperative of restoring peace and democracy and respect for human rights.

It was not, he said, a matter of winning or losing in the voting on the Council, but a matter of principle and whether a resolution be effective in addressing the problem and whether the Council was the appropriate body to address it. “This does not mean that we cannot act,” he said. The United Nations must address the problem of Myanmar and so must the regional organization to which both Myanmar and Indonesia belonged. The United Nations and regional organizations could work together to address the situation in Myanmar in accordance with the United Nations Charter. Indonesia, therefore, supported the good offices of the Secretary-General and the recent visit of Mr. Gambari to the country in light of those good offices. For its part, Indonesia would do everything in its power to work within the framework of cooperation between the United Nations and ASEAN to bring about positive change in Myanmar. In light of those considerations, his delegation would abstain on the proposed draft.

NASSIR ABDULAZIZ AL-NASSER (Qatar) noted that today’s matter had been on the agenda of the Security Council for four months after a procedural vote on 15 September 2006. Qatar’s position was in total respect of the Charter and international law, in a manner that preserved international peace and security and encouraged the best solutions for Member States, without interfering in their internal affairs. When a country faced a problem and it was “professionally diagnosed”, it should be referred to the competent United Nations bodies. Admittedly, Myanmar was confronting several internal problems, and those were indeed being discussed in the United Nations, specifically, in the Third Committee, the Economic and Social Council and the Human Rights Council. His delegation fully supported the continuation of the consideration of the Myanmar issue by those bodies, in order to assist the country in overcoming its internal problems. He also urged Myanmar to intensify its efforts to complete its march towards democracy and human rights.

At the same time, he said, the views of Myanmar’s neighbours should not be ignored. Those included the members of the Association of Southeast Asian Nations (ASEAN) and the “Group of 77” developing countries and China, and the non-aligned movement (NAM), which had stated clearly that the issue of Myanmar was internal and did not constitute a threat to international peace and security. The issue was related to internal problems, most of which were challenges that also beset many other countries to differing degrees. He understood the sponsors’ effort to seek to take preventive measures to “cure” that situation. In view of the latest United Nations reports, the case of Myanmar, though difficult, was improving. He supported the good offices of the Secretary-General, and was confident that the matter was under the review of competent United Nations organs. Those efforts should be allowed to bear fruit, and duplication should be avoided. The Security Council’s resources should be otherwise allocated. Given all those considerations, his delegation could not support the text and would abstain.

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VITALY CHURKIN (Russian Federation), speaking in his national capacity, said his country had consistently opposed the consideration of the Myanmar issue in the Security Council. Not denying that Myanmar had been facing certain problems, particularly in the socio-economic and humanitarian areas, the situation in that country did not pose any threat to international or regional peace. That opinion was shared by a large number of States, including, most importantly, Myanmar’s neighbours.

He said that the problems in Myanmar mentioned in the draft resolution were being considered within the framework of other bodies of the United Nations system, particularly the General Assembly and its Third Committee, the Human Rights Council, International Organization for Migration, World Health Organization and other relevant organs. Substitution of their efforts by the Security Council would be counterproductive and would not facilitate the division of labour between the main bodies of the world Organization, which was provided for in the United Nations Charter, or development of their constructive cooperation. “Attempts aimed at using the Security Council to discuss issues outside its purview are unacceptable,” he said. Considering those reasons, he would vote against the draft.
Next, the draft resolution on the situation in Myanmar was defeated by a vote of 9 in favour to 3 against (China, Russian Federation, South Africa), with 3 abstentions (Congo, Indonesia, Qatar).

**Statements after Vote**

ALEJANDRO D. WOLFF (United States) said that the United States was “deeply disappointed by the failure of the Council to adopt this resolution”. It would have been a “strong and urgently needed” statement by the Council about the need for change in Burma, whose military regime arbitrarily arrested, tortured, raped and executed its own people; waged war on minorities within its own borders; and built itself new cities, while looking the other way as refugee flows increased; narcotise and human trafficking grew; and communicable diseases remained untreated. The deteriorating humanitarian and political situation in Burma affected, first and foremost, the people of Burma, and today, the United States reiterated its firm support for them. However, it also believed that the situation there posed risks to peace and security beyond its borders.

On Monday, when the Council met with the Secretary-General, he said that delegations called on the international community — to borrow a phrase from one of his colleagues -- to grasp the challenge of development, security and democracy and human rights in a holistic manner, and for the Council to act in cooperation with the other United Nations organs. The draft just voted on would, in his view, have done just that. It would have contributed to stability in the region by providing its clear support for the Secretary-General’s good offices mission, which was intended to provide a framework for constructive dialogue between the United Nations and the Burmese regime leading to concrete progress.

Mr. Gambari had specifically asked the Council for its support, and the United States was disappointed that today it had been unable to respond to his request, he said. However, while Council members had disagreed over whether the Council should address the situation in Burma, there was no disagreement over the urgent, compelling need for tangible change in Burma. Everyone agreed on the importance of the good offices mission in promoting peaceful change in Burma, and the need for the Burmese regime to take prompt, concrete action on the requests made by Mr. Gambari in his two visits to Burma, specifically: to initiate an inclusive national political dialogue representing all parties and ethnic groups; the release of all political prisoners; the cessation of military violence against ethnic minorities; and the loosening of restrictions on the work of international humanitarian organizations in Burma.

He said he counted on all Council members, including those who did not vote in favour of the resolution, to use all their influence to press the Burmese regime for change. Everyone must recommit to supporting the Secretary-General’s good offices mission and to convince the Burmese leadership to respond in a concrete and positive way to those moderate and achievable goals. If the Burmese leadership chose to take those steps, it would find the United States and other Council members ready and willing to cooperate. “The problems in Burma cannot be ignored,” he stressed. The United States would continue to work throughout the United Nations system to try to address the “deplorable” conditions there.

EMYR JONES PARRY (United Kingdom) expressed regret that the resolution had been rejected despite agreement among members and said he shared the deep concern over the plight of the people of Burma-Myanmar. The continued detention of political leaders, attacks on civilians and restrictions on humanitarian organizations had all exacerbated the situation of the people. All supported the Secretary-General’s good offices to promote political change and wanted to see a better future for the beleaguered people of Burma-Myanmar. The disagreement was one of competence. The situation represented a threat to regional peace and security of the Burmese people. Therefore, the draft, which was within the responsibility of the Council, did not claim an exclusive Security Council interest.
Other organs had a key role to play in tackling the problems affecting the country, including HIV/AIDS, refugees and drugs, he said. The United Kingdom wanted to see a strengthened relationship between the United Nations family and Myanmar, including working towards the Millennium Development Goals and a political process to establish democratic institutions. He hoped that signal would be heard in Myanmar and that there would be a positive response. He urged the Council to continue its consideration of the situation in Burma-Myanmar, which was not an impediment to its consideration by any other part of the United Nations family.

ALDO MANTOVANI (Italy) said he had voted in favour of the draft as his delegation shared the concerns expressed in the text. Those concerns were also reflected in the European Union’s common position on Myanmar. The time had come to call for accelerated progress in a number of areas. A consensual attitude would have been more effective. He called for increased dialogue to achieve the goal that all shared, namely the prosperity of Myanmar and its people.

BASILE IKOUEBE (Congo) noted that last September his delegation had voted against the decision to put Myanmar on the Council’s agenda. That position was in conformity with that expressed by the non-aligned and ASEAN countries, which felt that the situation in Myanmar did not constitute a threat to international peace and security. Today, the Congo could have voted against the text, but had chosen, in a spirit of reconciliation, to abstain in the hope that the co-sponsors of the draft would be able to find other ways of dealing with the problem.

The matter did belong within the United Nations, but within other bodies. He encouraged the Secretary-General’s good offices to improve the situation in the country through dialogue. Mr. Gambari’s mission had helped to see some real encouraging prospects, and the Congo continued to support that process.

NANA EFFAH-APENTENG (Ghana) stressed the need to respect the jurisdiction and competence of each United Nations organ. Only an orderly and disciplined United Nations could carry out its Charter mandate effectively and impartially. After careful consideration, he had voted in favour of inscribing Myanmar on the Council’s agenda. The maintenance of international peace and security in today’s radically changed world necessarily involved addressing cross-cutting and interrelated challenges.

He said that only complementary organs could map out the route to a peaceful and secure world, based on freedom, justice, peace and prosperity for all, in the interest of humanity. In their endeavours, the United Nations organs should never lose sight of the Charter principles or of the Universal Declaration on Human Rights. For those reasons, he had supported the draft, which would have encouraged cooperation with the good offices, and for inclusive dialogue among all stakeholders, as the only way to end the situation in Myanmar. Hopefully, the parties would respond positively to the calls for peace, as outlined in the text.

JOHAN C. VERBEKE (Belgium) said he regretted that the draft had not been adopted. He considered that the Council was the legitimate organ to be seized of the question of Myanmar. The essential objective of the draft, which he had favoured, was to support the good offices. In fact, the text had contained all the elements of support of those good offices. On the one hand, it would have clearly outlined to the Government of Myanmar the expectations of the Security Council and the international community as a whole, especially regarding the resumption of a political dialogue inclusive of all the parties. On the other hand, the text would have identified the practices that should be corrected, including stopping the violent repression of minorities, forced labour and release of political prisoners.

He said that the draft resolution was a necessary appeal to the Government to respond constructively to the proposals made by the Secretary-General. It was essential that his good offices and dialogue continue in the interests of the people of Myanmar and of international peace and security.
DUŠAN MATULAY (Slovakia) expressed his concern that the crisis in Myanmar might grow into an inter-State conflict and envelop the entire region. He had liked the call in the text for a genuine democratic transition and reconciliation and to address other international concerns, such as the human rights abuses and forced labour. He also supported the efforts of regional partners in trying to find a solution, for which he urged the Government to lend its full cooperation. He, therefore, had voted in favour of that non-punitive resolution submitted by the United States and the United Kingdom.

JEAN-PIERRE LACROIX (France) said he had supported the draft resolution and regretted that the Council had not been in a position to adopt it. The situation in Myanmar required that the international community be seriously concerned, and it touched on important aspects of the Council’s work, particularly the ongoing battle between the military and other armed factions. In addition, refugees had gone to Thailand, which had led to border incidents and narcotics trafficking. The Council could not remain indifferent to civilians. Moreover, the blockage of the political process was not sustainable in the long term and could lead to a worsening of the situation and a real risk to stability in the region, which remained fragile. Only a lasting solution that brought together all the parties would be able to offer democracy, peace and development to the country to which all Burmese aspired.

He said he was particularly concerned about the multiplying obstacles placed in the way of United Nations and non-governmental organizations. France would continue, with its partners in the European Union, to follow the situation closely, particularly with regard to human rights and to ensuring that the provisions of Security Council resolutions relating to the protection of civilians and children in armed conflict were respected. He reaffirmed his support for the Secretary-General’s good offices mission and paid tribute to Mr. Gambari.

RICARDO ALBERTO ARIAS (Panama) said Panama had taken up the responsibility of being on the Council not to impose national positions but to act on behalf of the Organization’s Members regarding the maintenance of international peace and security. Given that responsibility, Panama was concerned about the pressure that had been applied in taking a decision on the matter. There had not been a sufficient degree of clarity on the reasons leading up to that decision. The situation had to do with the Council’s mandate, specifically its capacity to act in a preventive manner. It also had to do with the scope and range of Articles 32, 33 and 34 of the Charter. Since the Charter’s adoption, the international situation had changed. It was, therefore, necessary to discuss the functions of the various United Nations bodies in the face of new realities, specifically the functions of the Council.

He added that the draft did not prevent the action of other United Nations bodies, in particular, the Human Rights Council. Panama had cast its vote on the understanding that the draft had the aim of giving support to the Secretary-General’s good offices mission and paid tribute to Mr. Gambari.

U KYAW TINT SWE (Myanmar) said that the Council should be proud of what had transpired today. If there was a justifiable occasion for a negative vote by a permanent member, today was certainly the case. He was gratified that two permanent members, both of whom knew full well the actual situation of his country and one of whom was an immediate neighbour, had chosen to do so. He was most grateful to China and the Russian Federation for their strong position of principle, and greatly appreciative of the four elected members who had either voted against the draft or abstained.

Saying that there were many issues that deserved, in fact, demanded, the immediate and undivided attention of the Security Council, he said that Myanmar was “by no stretch of imagination” among them. Myanmar did not pose any threat to international peace and security. It had been able to contribute to regional stability by bringing to a virtual end the insurgency that had plagued the country for almost five decades. Of 18 major insurgent groups, 17 had not returned to the legal fold. Those forces numbered approximately 100,000. The Karen National Union (KNU) was the only major insurgent group fighting the Government, and even to that group, the Government extended a hand of welcome and had invited them to return to the legal fold. It conducted counter-insurgency campaigns only against those KNU insurgents that were engaged in acts of terrorism.
He said that Myanmar also had close relations with its five neighbours and other countries in the region and beyond. It did not engage in any activities aimed at undermining the peace and security of any country. The Non-Aligned Movement did not consider that Myanmar constituted a threat to international peace and security, and opposed any attempts by a Council member to so categorize Myanmar. Inscribing it on the Council’s agenda, however, was a violation of the Charter under Article 24, and the Movement had again written to the Council President on 8 December reiterating its firm position in that regard. It had also stressed once again the need for the Council to uphold the primacy of and full respect for the Charter in carrying out its duties and responsibilities.

The draft resolution, had it been adopted, would have created a dangerous precedent, he asserted. It would also have clearly exceeded the Charter mandate given the Council and would have undermined that body’s authority and legality. He was glad that the Council had not chosen to adopt it because doing so would also have been acting on information that was “patently false”. The draft resolution had originally portrayed the situation in Myanmar -- particularly, HIV/AIDS, avian flu and trafficking in narcotics and people -- as transnational “threats”. That had later been changed to transnational “risks”. It had also claimed that “the overall situation in Myanmar has deteriorated and poses serious risks to peace and security in the region”.

Nothing could be further from the truth, he said. According to the United Nations Development Programme (UNDP) Human Development Report, Myanmar’s economy had grown at an average of 5.7 per cent over the past 14 years, and it had been elevated from a low human development country to one enjoying medium human development. Allegations concerning HIV/AIDS, avian flu and trafficking had also been proved to be patently untrue by United Nations reports. Moreover, the above-mentioned issues were global challenges that should be addressed with the cooperation of the entire international community. The draft had also made allegations of attacks on ethnic minority regions and civilians, including women and children, particularly the attacks on civilians in Karen State. That was a “complete falsehood”. The civilians who had been victims of the attacks by insurgents had clearly stated that perpetrators of those attacks were members of the Karen National Union.

He said that, as part of the national reconciliation process, the Government had been implementing development activities in the border areas, which were previously inaccessible to the Government because of various insurgencies. The Government had spent more than 65 billion kyats and $550 million in respect of the border areas and ethnic national races. Because of those national reconciliation efforts, the representatives of 17 former insurgent groups had joined the National Convention to draw up the basic principles to be enshrined in the new constitution. Myanmar was also successfully building national unity and, at the same time, laying a firm foundation for a democratic society.

It was claimed that the draft resolution had been aimed at providing strong support to the Secretary-General’s good offices mandate, but the truth was that it would in no way help that mandate, he said. Also, Mr. Gambari’s visits to Myanmar were yielding concrete results, among them, the release of a significant number of political prisoners. The National Convention, the first and crucial step of the country’s seven-step road map, was also essentially complete, he said. Myanmar would continue on the path it had set for itself, and it would resolutely implement the seven-step political road map to its successful completion.

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