

**Briefing to the Security Council**

**by Mr. Ibrahim Gambari,**

**Special Adviser to the Secretary-General on Myanmar**

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Mr. President,

Thank you for this opportunity to brief the Security Council on my latest visit to Myanmar from 6 to 10 March 2008 in the implementation of the good offices mandate entrusted to the Secretary-General by the General Assembly. As per usual practice, I have already reported to the President of the General Assembly and would like to refer you to the press release issued yesterday by his office in this regard.

At the outset, I would like to thank the Government and people of Myanmar for the hospitality extended to me and my delegation during our five-day visit. In particular, I wish to put on record my gratitude for the Government's efforts in bringing forward my visit from mid-April to early March and extending my stay by one day.

Since assuming responsibility for the Myanmar dossier, I have never been under any illusion that the engagement process will be smooth sailing. Indeed, over time, my engagement with my interlocutors has been difficult, complex, frustrating, but nevertheless incremental and continuing. This is invariably the nature of the good offices role of the Secretary-General.

In terms of programme of my last visit, I am grateful to the Myanmar authorities for having granted most of the meetings I requested, including twice with the Government Authoritative Spokesperson Team representing the State Peace and Development Council and composed of the Ministers of Foreign Affairs, Information and Culture; with the Planning and Health Ministers, and the Deputy Foreign Minister; and with the Referendum Convening Commission and the Constitution Drafting Committee. I also met twice with Daw Aung San Suu Kyi, and with political parties, including the National League for Democracy (NLD), the National Unity Party (NUP), and the Pa'o National Organization, as well as with the Union Solidarity and Development Association (USDA). In addition, I met twice with the UN Country Team on UN premises and with the Diplomatic Corps at the beginning and at the end of my visit, as well as with the ICRC. Unlike last time when I stayed mostly in Naypyitaw, the Government arranged for me and my delegation to stay in a hotel in Yangon throughout our visit.

I regret that I was not able to meet the senior Government leadership and other parties, including the "88 Generation" group, 1990 MPs-elect, and representatives of ethnic minority groups. Moreover, whereas each of my previous visits produced some result that could be built upon it is a source of disappointment that this latest visit did not yield any immediate tangible outcome. Nonetheless, it was an opportunity to further discuss some of my earlier recommendations and, in particular, to exchange views on current preparations for the planned

constitutional referendum in May and “multi-party democratic” elections by 2010. I believe that these discussions helped to foster a greater understanding of how the Government of Myanmar could work further with the good offices. In that context, I would like to brief you on the topics of these discussions.

### *Referendum and elections*

With regard to the constitution-making process, the planned referendum and elections, I am pleased to have been able to put on record, with the Government Authoritative Spokeperson Team as well as with the Referendum Convening Commission and the Constitution Drafting Committee, the UN’s views and concerns, as well as specific suggestions for enhancing the credibility of the constitutional and electoral process, including our offer for technical assistance in accordance with the good offices mandate and our suggestion to consider independent monitoring of the process. In this connection, I left with my interlocutors a list of detailed questions and observations prepared by our experts regarding the conduct of the constitution-making process, the referendum and elections, which I hope they will find useful with a view to enhancing the credibility and inclusiveness of the process. My discussion with the Referendum Convening Commission was published in full in newspapers the next morning.

I was given repeated assurances, including at the highest level of Myanmar’s leadership on previous visits, that all political forces in Myanmar will be allowed to freely participate in the referendum and election. The Government further reiterated that the draft constitution was completed based on the principles adopted by the “broadly inclusive process” of the National Convention, and that, based on the precedents of the 1947 and 1974 constitutions, it has “sufficient experience” to organize and conduct a referendum and elections. In this regard, I was given a first published copy of the draft constitution, a copy of the referendum law, and a sample of the referendum ballot paper. I encouraged the authorities to take further steps to ensure that the credibility of the process is enhanced. Such steps should include early and broad dissemination of information (including the referendum rules and regulations in addition to the text of the constitution and the referendum law). The better educated voters are, and the more public space there is for open debate on the draft constitution, the more confidence the process will generate from all political actors and the public at large, and the more the process will be perceived as credible to the outside world.

### *National Economic Forum*

In the socio-economic area, the UN’s recommendation to establish a broad-based National Economic Forum was discussed with the Ministers of National Economic Planning and Development and Health. In their view, sanctions are the primary cause of any socio-economic problems in Myanmar and the central obstacle to the country’s development. Technically, therefore, they consider the utility of the proposed Forum or similar proposals as limited since in their view such vehicles would only produce a “distorted” diagnosis for Myanmar. Nonetheless, the Government in subsequent discussions expressed interest in finding areas of convergence in this area with a view to addressing its concerns as well as the challenges facing the country. To that end, the UN stands ready to continue to work together with its Myanmar partners to develop existing and new ideas.

## *Dialogue*

With regard to the dialogue between the Government and Daw Aung San Suu Kyi, I regard the fact that I was granted a second meeting with her as an indication that the Government remains interested in maintaining this channel of communication and as a sign of willingness by the authorities in recognizing the value of the UN's role to help facilitate substantive dialogue. It is also important to recognize the steps the Government has taken in appointing a Liaison Minister with Daw Aung San Suu Kyi and the several meetings they have held so far. On her part, Daw Aung San Suu Kyi has already signaled her willingness to cooperate with the Government in the interest of the nation and she continues to expect the UN, through the good offices mission, to help facilitate a substantive and time-bound dialogue to that end. The role of the UN good offices in this regard therefore appears relevant to both sides. With a view to advancing the ongoing discussions between them, I have proposed that the Government consider raising the level of the interlocutor on its side, and have stressed that no dialogue can be complete unless Daw Aung San Suu Kyi is released and treated as a partner in dialogue. In my meetings with her, Daw Aung San Suu Kyi asked me to report that she is in good health and in good spirits.

## *Engagement*

On balance, the process of engagement and dialogue continues between the UN and the Government of Myanmar. In addition to the positive steps it has taken in the wake of the September crisis, the Government's ongoing cooperation with the ILO – which resulted on 26 February in a one-year extension of the supplementary understanding between Myanmar and the ILO to address forced labour complaints – and the fact that it has agreed to receive delegations from the ICRC and the EU, can be seen as further evidence of Myanmar's readiness to continue engagement with the UN and the international community. In this context, and based on my last exchange with the Authoritative Government Spokesperson Team and messages conveyed privately, I have reason to believe that the Government attaches importance to the mission just concluded and continues to see value in the Secretary-General's good offices as offering the best prospect for further cooperation through mutual trust and confidence and constructive suggestions. This position was again reiterated in a letter dated yesterday from the Permanent Representative of Myanmar addressed to me.

## *Observations*

Mr. President,

This was my third visit to Myanmar since my appointment as Special Adviser to the Secretary-General less than a year ago. This latest mission confirms that the principles of engagement that have guided our efforts so far and which have been broadly endorsed, including by the members of this Council, remain as relevant as ever. As a process, the Secretary-General's good offices is inevitably subject to ups and downs. That is why despite the lack of immediate tangible results, this latest visit should be assessed within the broader context of our efforts over the past two years. Only two years ago, high-level dialogue between the UN and Myanmar was non-existent. Similarly, only six months ago, there was no mechanism for promoting dialogue between the Government and Daw Aung San Suu Kyi.

Furthermore, by the time the Secretary-General's good offices role resumed in 2006, Myanmar was still at the first step of its roadmap. Since then, the National Convention has laid down the principles to be enshrined in a new draft constitution. Subsequently, a Constitution Drafting Committee was established which completed the task of drafting the draft constitution. On 9 February, for the first time, the Government announced a timeline for the implementation of its roadmap: a nation-wide referendum on the draft constitution to be held in May, which will be the fourth step in the roadmap, followed upon ratification, by multi-party democratic elections in 2010, the fifth step. This would be the first general election in twenty years.

With the Government clearly committed to implementing its roadmap, the UN has consistently argued that a credible and inclusive process can and should offer realistic prospects for advancing the shared objectives of sustainable peace, national reconciliation, democracy and respect for human rights in Myanmar. That is why it is in Myanmar's interest to ensure that the upcoming referendum and elections are as credible and inclusive as possible, in accordance with international norms and standards. And that is why it is incumbent on all sides to be forward-looking and make the most of the opportunities before them by demonstrating maximum flexibility to make the process work in the interest of all the people of Myanmar.

But while the referendum and elections are milestones in any transition to civilian and democratic rule, they are not ends in themselves. It is important to remember that Myanmar is a country which has experienced nearly sixty years of armed conflict between the Government and multiple armed opponents, that there remain more than two dozen armed groups in the country, and that the Government and the large majority of armed groups have agreed to ceasefires in the past fifteen years. In order to succeed, any formal process requires political conditions that are conducive to ensuring broad and free participation in the country's transition, so that all can become stakeholders in their country's future. That is why it is in Myanmar's interest for the Government and Daw Aung San Suu Kyi, as well as other relevant parties, to be able to engage without delay in a substantive and time-bound dialogue, so that the foundations for achieving inclusive national reconciliation and democracy can be laid today. That is why it is also in the national interest for Myanmar to develop now the instruments for sustainable development, without which there can be no durable peace and stability.

Mr. President,

The United Nations recognizes that, ultimately, the Government and people of Myanmar are responsible for their country's future. How it chooses to exercise its sovereignty – in isolation from or in partnership with the international community – is therefore up to Myanmar. The United Nations, through the Secretary-General's good offices and with the support of the international community, will continue to seek to work as partners with the Government and people of Myanmar. I therefore look forward to our continue dialogue and engagement with a view to strengthening our cooperation through tangible results.

Over the past two years, the unique comparative advantages of the Secretary-General's good offices have been demonstrated in various ways: the United Nations remains the only international actor to maintain face to face dialogue with Myanmar's leaders on the need for further efforts towards national reconciliation, democracy and human rights; the United Nations is the only outsider to maintain access to both the Government and Daw Aung San Suu Kyi and to act as go-between between the two; and the United Nations is Myanmar's "preferred

interlocutor” for engaging with the international community and the region. That is why now is the time for the international community as a whole to remain united in support of the Secretary-General’s good offices to ensure that Myanmar’s interests and concerns are addressed in a way that is both credible to its own people and acceptable to the international community.

In pursuing the good offices role on behalf of the Secretary-General, I consider it my underlying responsibility to press the Myanmar authorities on the critical and very thorny issues. Hence, I approach every encounter with the Myanmar authorities with one goal in mind; to sustain the process we have began, to continue to prod the Myanmar authorities to constructively engage the domestic political interests, notably the opposition, with a view to moving the political process forward, and to encourage them to respond in a tangible manner and in ways that the international community will deem meaningful and progressive towards the realisation of the objectives that we all share: a peaceful, prosperous, democratic Myanmar with full respect for the human rights of its people.

Encouraging the Myanmar authorities to reverse a policy mind set that has lasted this long can be challenging, but it is imperative that we continue to do so with persistence and patience, and with legitimate expectations of tangible results from the process of engagement.

Thank you Mr. President.