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Dr Surin Pitsuwan
Secretary-General of ASEAN
ASEAN Secretariat
70A, Jalan Sisingamangaraja
Jakarta 12110
Indonesia

16 May 2008

Your Excellency,

**OPEN LETTER TO THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS
(ASEAN) FOREIGN MINISTERS' SPECIAL MEETING ON 19 MAY 2008**

On the occasion of the special meeting in Singapore of ASEAN foreign ministers on 19 May 2008, I appeal to ASEAN member states urgently to take action with regard to the situation in Myanmar. Amnesty International has welcomed the important contributions thus far of ASEAN and some of its members in the wake of Cyclone Nargis, but believes that without immediate further action by ASEAN, the humanitarian disaster created by the cyclone and the deliberate obstruction to aid by the Myanmar authorities will result in further massive human rights violations putting at risk the lives and health of hundreds of thousands of people.

Following the deaths and devastation caused by Cyclone Nargis two weeks ago, the Myanmar authorities have not only dismally failed to provide much needed relief to their own population, but have also blocked emergency humanitarian assistance and disaster relief experts from reaching those most in need. This is a blatant violation of Myanmar's international human rights obligations as well as the ASEAN Charter. Humanitarian agencies estimate that no more than one third of up to 2.5 million survivors of the cyclone had received necessary relief and emergency assistance 14 days after the disaster.

As you are aware, according to the ASEAN Charter, one of the association's purposes is "to promote and protect human rights and fundamental freedoms" (Article 1). Other purposes include to "enhance the well-being and livelihood of the peoples". ASEAN member states are also committed to acting in accordance with the principle of "respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice" as well as "upholding the United Nations Charter and international law" (Article 2).

The Myanmar authorities have shown disregard for their people by impounding aid, raising roadblocks, and denying visas to humanitarian workers and relief experts or blocking them from the disaster area. Amnesty International has received reports of government troops forcibly and arbitrarily evicting cyclone survivors from their makeshift camps. We are also very concerned about reports of discriminatory practices in distribution of humanitarian assistance against the Karen ethnic group, who constitute a significant proportion of the Irrawaddy delta population.

Reports from inside the country also suggest that some aid has been siphoned off and sold rather than being distributed to the victims. It has also been reported that cyclone survivors in South Dagon township in Yangon have been ordered out of a community hall shelter so that it can be used as a polling station for the postponed constitutional referendum on May 24.

Amnesty International cannot verify these reports, as independent observers are banned from the worst affected areas, but we have been campaigning against widespread and systematic human rights violations in Myanmar for decades, and there is ample evidence of the Myanmar authorities engaging in the forcible displacement of populations and perpetrating gross and systematic human rights violations against the Karen and other ethnic minorities.

Amnesty International welcomes steps already taken by ASEAN, including the formation of an ASEAN fact finding mission to Myanmar, the visit to the country earlier this week by Thai Prime Minister Samak Sundaravej, seeking to broker an agreement on access for international expertise, and statements by individual member states, including Singapore and Indonesia, urging Myanmar's government to facilitate delivery of humanitarian assistance. We also welcome efforts by individual ASEAN member states, both in providing aid and in pressuring the Myanmar authorities to cease obstructing aid operations.

However, the situation is dire and the actions of the Myanmar authorities demonstrate all too clearly the immediate need to step up the pressure on the country's leaders in order to avoid further deaths and unnecessary suffering. ASEAN and its member states have a key role in pressing the Myanmar government to urgently ensure that those with the required expertise get immediate access to all the victims in the disaster area, without discrimination, and based on need.

We call on you to redouble your efforts to press the Myanmar government specifically to:

1. immediately remove barriers to the entry of disaster response experts and needed supplies into Myanmar and all affected areas, including by waiving visa and customs restrictions.
2. remove as a matter of urgency all barriers to the entry of relief workers and of urgently needed humanitarian assistance to the worst-affected areas, including through the use of appropriate transport vehicles;
3. ensure the provision of humanitarian aid throughout the affected areas without discrimination or political considerations;
4. allow independent local and international observers to monitor the provision of humanitarian assistance.

Amnesty International trusts that ASEAN and ASEAN member states will exercise their responsibilities and all their influence to insist that Myanmar cooperates immediately and fully with international efforts to provide life-saving humanitarian assistance and uphold the human rights of the people of Myanmar.

Yours sincerely,

Irene Khan
Secretary General

CC: Ministers of Foreign Affairs of:

Brunei, Cambodia, Indonesia,
Lao People's Democratic Republic,
Philippines, Malaysia, Singapore,
Thailand, Viet Nam