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() That's why a growing segment of the international aid community is urging Western powers -- especially the United States -- to use more robust measures to send aid and the workers to administer it into Myanmar. They cite a rarely tested U.N. doctrine called "**the responsibility to protect**," which lays out the case for collective intervention, even by force, under the U.N. Charter when states fail to secure the basic rights of their own citizens. Myanmar is a textbook case to apply the **responsibility to protect**, these advocates argue -- and the time to do it is now.

How to Protect?

The **responsibility-to-protect** doctrine has existed for a relatively short time. At the 2005 U.N.-sponsored World Summit in New York, 150 heads of state endorsed the doctrine, which spelled out four human rights violations that would justify internationally backed trespasses against traditional sovereignty, up to and including the use of force: genocide, war crimes, ethnic cleansing and crimes against humanity. Advocates of intervention in Myanmar argue that the junta's conduct is a crime against humanity. "The deliberate refusal to provide aid to hundreds of thousands of people is a criminal act," said Anne-Marie Slaughter, dean of the Woodrow Wilson School of Public and International Affairs at Princeton University.

But others look askance at such proposed expansions of the doctrine's reach. "If read explicitly, the **responsibility-to-protect** doctrine would have individual nations transferring decision-making over whether or not to intervene over to the international community," said Steven Groves, a fellow at the Heritage Foundation. "Eventually, ideas that were once options would become binding obligations."

While American diplomats do support the concept of a free-standing global **responsibility to protect**, they insist the U.N. Security Council should determine when it applies, on a case-by-case basis. The United States occupies a politically sensitive position in the debate. Even though the **responsibility to protect** wasn't yet in force during the 2002 invasion of Afghanistan or the 2003 invasion of Iraq, U.S. officials frequently have cited humanitarian rationales for those violations of state sovereignty.

Indeed, the humanitarian case for the overthrow of Saddam Hussein became the controlling argument once no weapons of mass destruction were found in U.S.-occupied Iraq. Critics of the doctrine say the precedent the United States set raises questions about whether aggressor nations could use the doctrine as a sort of high-minded fig leaf to shield unsavory geopolitical designs.

"A lot of countries believe this is regime change under another name," said Don Steinberg, deputy president for the International Crisis Group, a non-governmental organization. "Many

countries in the developing world, despite having signed on to the concept, believe it will only be used against small countries that cannot resist international intervention."

Meanwhile, the U.N. Security Council -- the body charged with approving the doctrine's application -- has chafed at bringing it to bear on Myanmar. Last week, when French Foreign Minister Bernard Kouchner -- co-founder of the international health aid group Medecins Sans Frontieres -- called on the Security Council to support a draft plan to use the doctrine to speed aid to Myanmar, a familiar cohort of countries -- China, Indonesia, Libya, Vietnam and South Africa -- blocked it, according to a senior French diplomat.

Possible Inroads

Would-be donors of Western aid are meanwhile lobbying the Association of Southeast Asian Nations, or ASEAN, to make inroads with Myanmar, a member state. ASEAN states will gather at a U.N.-sponsored emergency meeting this week to discuss what else might be done to force the junta's hand. Even if outside states somehow secure unobstructed aid deliveries in Myanmar, they will still face major logistical challenges.

"The question is: Can you put the person on the ground with the expertise to provide inoculation against diseases and build shelters?" said Edward Luck, special adviser to U.N. Secretary-General Ban Ki-moon. Luck says he welcomes robust debate on the doctrine and its proper application -- but that it won't supply what all outside parties most urgently want: safe passage for aid workers. "You can't do that from the air, and you can't do that at the point of a gun" without jeopardizing lives and the entire aid operation, he said.

"Put yourself in the Pentagon's shoes. . . The Burmese cyclone poses no threat to the United States whatsoever; it's a pure humanitarian operation," said Joel Charny, vice president for policy at Refugees International. "But by doing it without the permission of the Burmese government, you're potentially turning it into a security problem."

The finer points of aid delivery also pose obstacles that didn't exist in Kosovo or Somalia, the two nations where humanitarian intervention formed the basis for the doctrine's approval.

There's no sure way to secure the safety of aid workers from Myanmar's military once they've made it into the country, some critics note. Nor will the crisis subside with simple air drops of food and medical supplies, as more laissez faire-minded advocates have suggested. Indeed, a central challenge in aid delivery is keeping supplies out of the hands of Burmese government officials to the greatest extent possible, since they've already been implicated in some thefts of supplies, according to the international advocacy group Human Rights Watch. ()

Even those urging a robust U.N. intervention in Myanmar caution that **responsibility to protect** should not entail military action. "You have to weigh the balance of consequences in terms of the people you are aiming to protect," Slaughter said. "I can't imagine at this point a military invasion that would actually make the situation better." In lieu of such measures, she and others argue that the doctrine should focus on coercive diplomacy, such as targeted sanctions, international court proceedings or the threat of eviction from ASEAN.

But others argue that the semantic debate is only complicating the problem. "The whole discussion is a dead end," said Charny. "The debate isn't changed by having '**responsibility to protect**' in the world summit document. The question is still: What's the most responsible way that we can respond to the Burma emergency to get aid to the Burmese people?"

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