

THE NUCLEAR AGE PEACE FOUNDATION CALLS FOR UN SECURITY COUNCIL ACTION ON THE 2008 MYANMAR CONSTITUTION'S REMOVAL OF ALL CIVILIAN GOVERNMENT CONTROL OVER THE MILITARY

ON NOVEMBER 30, 2012 the President of the Nuclear Age Peace Foundation, Dr. David Krieger, alerted United Nations Security Council members to the security risks raised by the 2008 Myanmar constitution, which denies the civilian government any power to control the military.

The 2008 constitution establishes the "Union of the Republic of Myanmar" as a "sovereign" civilian state, while at the same time guaranteeing the Defense Forces (the military) autonomous legal status outside the reach of the "sovereign" state.

The very definition of "sovereignty" or of a "sovereign" state like the Union of the Republic of Myanmar, assumes that the state has complete legal authority over the military and over constitution amendment processes

Dr. Krieger states that this singular constitutional structure "leaves the Myanmar government unable to comply with, *inter alia*, Security Council Resolution (SCR) 1540 or SCR 1874, or any of its obligations under the UN Charter, Geneva Conventions, Genocide Convention, and the Non-Proliferation Treaty." UN Security Council Resolutions 1540 and 1847 deal with Weapons of Mass Destruction (including nuclear weapons) and the prohibition of support to North Korea for WMD-related programs.

The Nuclear Age Peace Foundation, which has 55,000 members and consultative status at the UN, requestED that the Security Council advise Myanmar to amend its Constitution to ensure civilian control over the military in order to be able to comply with its legal obligations as a member of the United Nations under Article 25 of the UN Charter.

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