

Statement by Members of the European Burma Network

European Union Must Include Crimes Inquiry In UN General Assembly Resolution

The undersigned members of the European Burma Network call on the European Union to include the establishment of a UN Commission of Inquiry into war crimes and crimes against humanity in Burma, when it drafts the UN General Assembly resolution on Burma for 2011.

Since the rigged election held in Burma last year, there has been a significant increase in human rights abuses which may constitute possible war crimes and crimes against humanity.

Crimes committed by the Burmese Army since the elections include:

- Mass use of gang-rape against ethnic minority women, and also girls.
- Continued recruitment of child soldiers.
- Increasing collective cases of forced labour, portering, human minesweepers and land confiscation.
- Deliberate targeting of civilians, including mortar bombing civilian villages without warning.
- Continued arrests and torture of political opponents.
- Tens of thousands of refugees and internally displaced people forced to flee increased conflict.

These abuses are likely to increase as Thein Sein, Burma's new President, continues to break ceasefire agreements with armed ethnic groups in Burma. Their proposals for rights and some level of autonomy in Burma's new constitution were rejected by Thein Sein, who was Chairman of the constitution drafting convention. Instead he effectively threatened war unless they joined the Burmese Army as border guard forces, which they have refused to do. He is now in the process of implementing the new Constitution which he crafted, which will inevitably lead to increased conflict and increased violations of international law.

This is why the establishment of a UN Commission of Inquiry cannot wait. Acting to establish a UN Inquiry will help to reduce the scale of abuses taking place and could save lives.



We reject the argument that establishing a UN Commission of Inquiry could damage prospects of dialogue with the dictatorship. It is flawed both in terms of achieving dialogue and improving human rights. It is only where there is a credible threat that the dictatorship has been willing to enter into substantive dialogue, or start taking at least small positive steps. A UN Commission of Inquiry is more likely to improve the chances of dialogue than reduce it.

Since 1992 the UN General Assembly has been calling on the dictatorship to respect international law. The UN General Assembly resolutions on Burma have described at least 15 different human rights abuses which could be classified as possible war crimes and crimes against humanity.

It is not credible for the UN General Assembly to continue to describe and condemn human rights abuses, and continue to call for inquiries, in the full and certain knowledge that the resolution will be ignored.

The 21st United Nations General Assembly Resolution on Burma is an opportunity to take the first step towards ending impunity in Burma and seeing the reductions in human rights abuses for which the Assembly has called in vain for 20 years.

We call on the EU to remain faithful to its own agreements. It has committed itself to actions on the international scene that are guided by the principles of *“democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.”* The EU has the responsibility to its own citizens and the citizens of Burma to act in line with universal values and principles it declares as its own.

With the upcoming UN General Assembly the EU is in a position to lead the multilateral response based on these principles. Failure to include a Commission of Inquiry in the Resolution on Burma not only questions EU commitments but gives a green light to the regime to continue its abuses.

As the UN Special Rapporteur has stated in his report to the General Assembly;

“Failing to act on accountability in Myanmar will embolden the perpetrators of international crimes and further postpone long-overdue justice.”



Organisations signataires :

Actions Birmanie Belgium

Association Suisse Birmanie

Austria Burma Center

Burma Action Ireland

Burma Aktion Germany

Burma Campaign UK

Christian Solidarity Worldwide

CISL

ESP-Stockholm

European Karen Network

Forum of Burmese in Europe (F B E)

Info Birmanie

N C U B - Europe

Norwegian Burma Committee

Open Estonia Foundation

People In Need

Polish Burma Solidarity

Society for Threatened Peoples - Germany

Swedish Burma Committee

