

Resolution on Burma

Burma's Critical Human Rights Situation: time for the international community to act !

Presented by SUARAM

Taking note of the 29th March 2010 decision of the National League for Democracy, Aung San Suu Kyi's political party, to boycott the upcoming elections citing the electoral laws as unfair and the fact that the junta has not revised the 2008 Constitution, which was written in a one-sided fashion. The upcoming elections are nothing more than a facade to guarantee the military rule and the institutionalized impunity in Burma;

Considering that since the last FIDH Congress, Burma's already grave human rights situation deteriorated even further. The ruling military regime, the State Peace and Development Council (SPDC) continued its aggression against Burma's ethnic nationalities and violent repression of all dissents. Through its unilaterally drafted constitution and illegitimate and unfair election process, the SPDC has ensured it will maintain absolute control over the country before and after the planned elections;

Considering that throughout 2009 and early 2010, the SPDC committed serious international crimes including extra-judicial killings, enslavement, forced displacement of hundreds of thousands civilians, arbitrary arrest and imprisonment, torture, rape and sexual violence against women, particularly in ethnic nationality areas, persecution of minority groups, and the recruitment of child soldiers. There is evidence that these widespread and systematic abuses are the result of state policy and that the SPDC's crimes constitute war crimes and crimes against humanity;

Welcoming the latest rapport of the United Nations Special Rapporteur on the situation of human rights in Myanmar, Professor Quintana, presented on 15 March 2010, to the Human Rights Council, and its main recommendation to the United Nations to establish a Commission of Inquiry on the international crimes committed in Burma, as advocated by FIDH;

While UN human rights mechanisms and FIDH's partners have continued to document and condemn the SPDC's growing list of abuses, the regime flagrantly denies the abuses. Consistent with its prior actions, the SPDC denied that there were any political prisoners in the country during the UN Special Rapporteur on human rights in Burma Tomás Ojea Quintana's latest visit to Burma. The emblematic sentencing of Aung San Suu Kyi to an additional 18 months of house arrest in a sham trial based on absurd and trumped up criminal charges, in August 2009 showed that the SPDC ensured that she and most of the over 2,100 other political prisoners would not be able to take part in the SPDC's 2010 elections. In addition, since January 2009, 111 people were sentenced by SPDC to up to 104 years in prison based on laws that repress freedom of speech and freedom of association.

Expressing its grave concern at the current situation and its fear that ahead of the upcoming elections, the Burmese military regime will proceed to more violent repression against political dissidents and human rights defenders and further attacks against ethnic minority groups in Burma;

Recognizing that democratic reform and genuine change in Burma will come only if there is respect for human rights and genuine national reconciliation, and that the human rights situation in Burma has an impact on all countries in the region, **FIDH's Congress:**

Expresses strong support for all of Burma's human rights defenders, in Burma and in neighbouring countries;

Urges NGOs from all countries to:

- Form a united front against the SPDC's ongoing and systematic violations of human rights;
- Closely monitor and condemn those governments who ignore the SPDC's human rights abuses for political or economic gain;
- Support Burma's democracy movement by initiating and maintaining contact with pro-democracy groups inside and outside of Burma and providing them with needed assistance;
- Join FIDH in its fight against impunity in Burma and in its international advocacy on the establishment, by the United Nations, of a Commission Of Inquiry, ahead of the upcoming 65th session of the United Nations General Assembly, next autumn.

Urges the State Peace and Development Council of Burma to:

- Respect its obligations pursuant to domestic and international human rights law, including all treaties to which it is party;
- Cease any hostilities against ethnic nationality groups;
- Release all political prisoners;
- Engage in genuine tripartite dialogue with pro-democracy forces and ethnic nationality groups, including an inclusive review of the 2008 constitution.

Urges the United Nations and national governments to:

- Support all of Burma's human rights defenders and its democratic movement;
- Call on the SPDC to release all political prisoners, cease hostilities with ethnic nationality groups and to engage in genuine tripartite dialogue with all key stakeholders;
- Call for an international arms embargo on Burma;
- Call for a UN organ mandated Commission of Inquiry into crimes against humanity and war crimes in Burma;
- Reject the regime-organised elections.