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End Burma's System of Impunity

By Paulo Sergio Pinheiro

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SAO PAULO, BRAZIL — The Nobel Peace Prize laureate, Daw Aung San Suu Kyi, has spent 13 years under house arrest in Myanmar. This week, the Burmese junta is likely to extend her detention for up to five years under the trumped-up charge of allowing a visitor into her compound.

During eight years as United Nations Special Rapporteur on Myanmar, I repeatedly called on the Burmese junta to release Mrs. Aung San Suu Kyi and Burma's 2,100 other political prisoners, to no avail. It is imperative that she be released immediately for the country's process of reconciliation to move forward.

But while Suu Kyi has deservedly received a great deal of international attention over the past two decades, Myanmar's ethnic minorities — more than one-third of the population — have suffered without international outcry. For Myanmar's process of national reconciliation to be successful, the plight of the minorities must also be addressed.

Over the past 15 years, the Burmese Army has destroyed over 3,300 villages in a systematic and widespread campaign to subjugate ethnic groups. U.N. reports indicate that Burmese soldiers have frequently recruited child soldiers, used civilians as minesweepers and forced thousands of villagers into slave labor.

An official policy of impunity has empowered soldiers to rape and pillage. According to one account, in December 2008 a Burmese soldier marched into an ethnic Karen village in eastern Myanmar and abducted, raped and killed a 7-year old girl. Authorities refused to arrest the soldier; instead, officers threatened the parents with punishment if they did not accept a cash bribe to keep quiet.

In 2002, I received a report about 625 women who were systematically raped in Myanmar's Shan State over a five-year period. There was not a single account of successful prosecution.

I repeatedly documented the military's many abuses in reports to the U.N. General Assembly and the U.N. Commission on Human Rights. My work is only



one example of U.N. efforts in Myanmar — since 1990, U.N. representatives have visited the country 37 times in an attempt to facilitate dialogue and promote human rights.

They have exhausted all domestic and diplomatic remedies without achieving human rights protection and national reconciliation in Myanmar. And while the U.N. General Assembly and the U.N. Human Rights Council have passed over 35 resolutions regarding Myanmar, the U.N. Security Council has yet to pass a single one. The United Nations will not be successful until the Security Council acts to directly address our stagnant efforts.

It is clear that the attacks in Myanmar will continue. It is equally evident that the country's domestic legal system will not punish those perpetrating crimes against ethnic minorities.

It is time for the United Nations to take the next logical step: The Security Council must establish a commission of inquiry into crimes against humanity and impunity in Myanmar. The Security Council took similar steps with regard to Rwanda, Bosnia and Darfur. The situation in Myanmar is equally as critical. Creating a commission of inquiry will accomplish three important goals:

First, it will make the junta accountable for its crimes with a potential indictment by the International Criminal Court. Second, it will address the widespread culture of impunity in Burma. Third, it has the potential to deter future crimes against humanity in Myanmar.

For two decades, ethnic minorities in Myanmar have suffered while our diplomatic efforts failed to bear fruit. The time has come for the Security Council to act.

Paulo Sergio Pinheiro was the United Nations special rapporteur on human rights in Myanmar from 2000 to 2008.

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