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From: *Women's League of Burma* <wlb@womenofburma.org>
Subject: *It's Time for the UN to Act on Burma: Women's Groups Around the World Call on the UNSC to Prosecute Senior General Than Shwe*
To: *wlb@womenofburma.org*
Date: *Friday, August 7, 2009, 1:38 AM*

Media Release

Embargo till 12 noon on 7th August Thailand STD Time

It Is Time for the United Nations to Take Strong Action on Burma

Women's Groups around the World Call on the UNSC to Prosecute Senior General Than Shwe at the International Criminal Court

7 August, 2009

The Women's League of Burma (WLB) joined by sixty four leading women's organizations sent a letter to the Secretary General and members of the United Nations Security Council calling for the prosecution of Senior General Than Shwe at the International Criminal Court (ICC), and an immediate end to the longstanding impunity that has been afforded to the brutal military junta in Burma.

The letter states that:

Well-documented reports of past violations, continued systematic repression, and an incapacitated judicial system stand as solid witness to the necessity of strong international intervention. We call for the UN Security Council to start with a Commission of Inquiry to investigate the horrific campaign of terror by the military regime and to refer Senior General Than Shwe and his cronies to the international Criminal Court for all crimes including for the imprisonment of Nobel Laureate Daw Aung San Suu Kyi in violation of international law.

The Secretary General's historic Report on July 15, 2009 on Security Council resolution 1820 makes clear that gender crimes by the military in are covered by the firm legal mandates of Security Council resolution 1820. These include the rights to criminal accountability, the prohibition of any amnesty for the military, and in this case an ICC referral.

The report discusses in two places and these words speak volumes.



At page 7:

In Myanmar, recent concern has been expressed at discrimination against the min or ity Muslim population of Northern Rakhine State and their vulnerability to sexual violence, as well as the high prevalence of sexual violence perpetrated against rural women from the Shan, Mon, Karen, Palaung and Chin ethnic groups by members of the armed forces and at the apparent impunity of the perpetrators.

At page 9:

In , women and girls are fearful of working in the fields or traveling unaccompanied, given regular military checkpoints where they are often subject to sexual harassment.

At page 10:

Furthermore, in countries such as Afghanistan, C#—te d'Ivoire, the Democratic Republic of the Congo, Iraq, Kosovo, Liberia, Myanmar, Nepal, Sierra Leone, the Sudan and Timor -Leste, the effective administration of justice is hampered not only by a lack of capacity, but also by the fact that some justice officials do not give serious consideration to reports of sexual violence.

At page 12:

In , although there has been documentation and identification of military personnel who have committed sexual violence, including relevant dates and battalion numbers, disciplinary or criminal action is yet to be taken against the alleged perpetrators.

Accordingly, UN Security Council resolution 1820 affirms the urgent need to end impunity and protect civilians in conflict and post conflict situations. Impunity f or sexual violence committed during conflict perpetuates impunity and WLB calls on the Security Council to act on the mandate of UN Security Council resolution 1820 and halt the systemic use of rape and other sex crimes against the ethnic women of who have been brutalized for decades with no redress or reparations.

This letter is being issued to coincide with the open debates at the Security Council on the Secretary General's Report, and underscores that for the women of debate must lead to immediate action and the only access f or justice f or them is the ICC.

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