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fidh

Fédération internationale des ligues des droits de l'Homme

ORGANISATION INTERNATIONALE NON GOUVERNEMENTALE AYANT STATUT CONSULTATIF AUPRES DES NATIONS UNIES, DE L'UNESCO,
DU CONSEIL DE L'EUROPE ET D'OBSERVATEUR AUPRES DE LA COMMISSION AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

International Federation
for Human Rights

Federación Internacional
de los Derechos Humanos

الفيدالية الدولية لحقوق الإنسان

Member States of the
United Nations Security Council

Paris - New York, November 11th 2009

Re: The Security Council should address the situation in Burma and the protection of civilians in armed conflict.

Excellencies,

The International Federation for Human Rights (FIDH) is writing to you to urge the United Nations Security Council to address the gravity of the situation in Myanmar/Burma. As you may recall, Tomás Ojea Quintana, the Special Rapporteur on the situation of human rights in Myanmar, in addressing the 64th session of the United Nations General Assembly expressed his concerns that the widespread and systematic violations of civilians' rights continue in Myanmar/Burma. Moreover, Mr. Quintana urged the General Assembly to act against impunity in the country by putting in place measures to establish responsibility for these violations.

The human rights violations, potentially amounting to crimes against humanity and war crimes¹, perpetrated by the State Peace and Development Council (SPDC) are escalating in number and taking place in a context where the junta enjoys complete impunity and is gaining legitimacy in the eyes of the international community merely for undertaking superficial, cosmetic reforms. At the same time, the new constitution of Burma will only further entrench the power of the SPDC while it refuses to undertake any actions in favor of national reconciliation.²

The United Nations Human Rights special procedures, including the UN Special Rapporteur, have cited the destruction of over 3,000 ethnic minority villages, the conscription of tens of thousands of child soldiers, the forced displacement of over one million refugees and internally displaced persons, and the widespread



and systematic rape of women in the ethnic minority regions of the country. The Security Council has made numerous condemnations of these same crimes: The Resolutions 1265, 1296 and 1674 for Protection of Civilians in Armed Conflict, Resolutions 1325, 1820, 1888 and 1889 on women and peace and security and against sexual violence in conflict, and Resolutions 1612 and 1882 on Children and Armed Conflict, all of them provide an international legal framework to address those crimes allegedly perpetrated in Burma.

Abuses are taking place in the country in total impunity while the United Nations Security Council has passed resolutions against these crimes. On November 11, 2009 the Security Council will revisit the issue of protection of civilians during armed conflict. FIDH requests the member States of the Security Council to take urgent and proper action in response to the violations occurring in Burma in the context of the armed conflict taking place in the ethnic minority areas on the occasion of this meeting. FIDH firmly believes that it is the responsibility of the Security Council to address the specific instances of these crimes occurring in countries such as Burma, and to move beyond discussing them in a merely thematic manner.

We sincerely hope that you will take into consideration these concerns, and we remain

Sincerely yours,

Souhayr Belhassen
President

(Endnotes)

1 See FIDH - BLC- ALTSEAN-Burma report entitled “Burma: An International Commission of Inquiry more urgent than ever”, can be downloaded at <http://www.fidh.org/IMG/pdf/bu08.pdf>

2 See ALTSEAN - Burma report on 2010 Elections : a recipe for continued conflict on : <http://www.altsean.org/Reports/2010Electionsbis.php>

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