



European Trade Union Confederation (ETUC)
Confédération européenne des syndicats (CES)

Brussels, 2 August 2011
BS/TJ/sw

Baroness Catherine Ashton
High Representative for Foreign Affairs and Security Policy and Vice-President of the
Commission
European Commission
BE-1049 Brussels

Letter sent by e-mail: catherine.ashton@ec.europa.eu

Burma/Myanmar

Dear Ms Ashton,

We understand that the EEAS is leading current discussions about the EU's position regarding the 21st General Assembly Resolution on Burma. I am writing to ask that the EU should now ensure that the establishment of a UN Commission of Inquiry be included in the Resolution.

In 2010, the United Nations General Assembly (UNGA) Resolution on Burma/Myanmar once again called on the government of Burma to respect international law. The Resolution stated that the General Assembly, "Expresses grave concern at the continuing practice of arbitrary detentions, enforced disappearances, rape and other forms of sexual violence, torture and cruel, inhuman or degrading treatment or punishment, and urges the Government of Myanmar to undertake without further delay a full, transparent, effective, impartial and independent investigation into all reports of human rights violations, and to bring to justice those responsible in order to end impunity for violations of human rights, and, regretting that previous calls to that effect have not been heeded, calls on the Government to do so as a matter of priority and, if necessary, drawing on the assistance of the United Nations."

This UNGA Resolution was the 20th on Burma and the 18th time the UNGA called for human rights abuses to be investigated. As with previous UNGA Resolutions, the government of Burma wilfully ignored this request. In February 2011, the government of Burma also rejected 16 separate requests for investigations into human rights abuses made at the UN Human Rights Council as part of the Universal Periodic Review. In addition, there have been more than 40 visits to Burma by UN Envoys and Human Rights Rapporteurs, whose calls for change and an end to human rights abuses have also been flouted. This must not be allowed to continue – for the sake of the Burmese people and for the legitimacy of the international system.

In March 2010, the United Nations Special Rapporteur on the Situation of Human Rights in Burma called for a UN Commission of Inquiry (COI) into possible war crimes and crimes against humanity being committed in Burma. The establishment of

a COI is the only way that these crimes committed by the state can be thoroughly investigated. Further, the findings of the COI could help develop a roadmap to ensure that such violations do not take place again. This call is supported by the leader of Burma's democracy movement, Daw Aung San Suu Kyi.

The elections held last year in Burma provide no reason to hesitate as to whether to support a COI. The elections were not free, fair or inclusive, as you stated at the time. They have done nothing to change the situation in the country and the hopes expressed by the Council last April for a peaceful transition to democracy and respect for human rights and fundamental freedoms have not been realised. Credible reports by human rights organisations show that serious human rights abuses continue unabated. Attacks against ethnic minorities have escalated in recent months. The military has targeted several ethnic communities and has subjected the inhabitants to serious human rights violations, such as extrajudicial killing, torture and rape, in addition to forced labour that continues unabated.

I urge you to support the recommendation of the United Nations Special Rapporteur on Burma and support a UN Commission of Inquiry into human rights abuses in Burma/Myanmar and look forward to your response.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B. Ségol', with a long horizontal flourish extending to the right.

Bernadette Ségol
General Secretary