



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

Brussels, 26 avril 2012
BS/TJ/sw

Baroness Catherine Ashton
High Representative of the European Union for Foreign Affairs and Security Policy
European External Action Service
1046 Brussels

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

Burma

Dear Ms Ashton,

In my letter of 21 February, I brought to your attention benchmarks that we believe should be met before sanctions imposed on Burma should be fully lifted. I am now writing in the light of the Council conclusions on Burma/Myanmar taken earlier this week.

The ETUC, together with the International Trade Union Confederation, believes that much work remains to be done. Indeed, Burma is only now at the beginning of a long path towards the establishment of democracy and human rights. The EU must use its leverage to encourage the additional steps it has identified, including the unconditional release of remaining political prisoners and the end of armed conflict with ethnic groups, over the coming year.

We continue to be alarmed by the on-going human rights violations in Burma, including the rights of workers, which continue at alarming levels. Forced labour remains a serious problem despite recent legal reforms and few of those persons responsible for exacting forced labour have faced criminal sanction. Thus, we strongly believe that the reinstatement of EU Generalised System of Preferences is not warranted at this time. And, while a new law on trade unions was enacted and entered into force in March 2012, of the several unions which are supported by the international trade union Movement and the ITUC affiliate FTUB, and which have applied for registration, none have been registered by the authorities.

We appreciate that the EU Common Decision recognises the importance of responsible and accountable investment in Burma following the suspension of sanctions. We agree. However, we urge the EU to do more than merely promote guidelines and principles. As we have seen, voluntary initiatives alone have proved to be highly ineffective tools and would be reckless in the case of Burma. We strongly believe that the EU and member states must require those doing business in Burma to uphold human rights standards.

Thus, in light of the country's still high level of corruption and poor record on human rights, we propose binding requirements to assess and remedy any negative human

rights impact from investments; public reporting; and the creation of effective complaints and dispute-settlement instruments, among others, which are absolutely necessary to ensure that any new trade and investment do not contribute to the country's problems.

These measures are set down in the attached trade union proposal on *Business and Human Rights in Burma*. I would urge you to apply them as part of the engagement and constant review that the Council has decided to undertake.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'B. Ségol', written in a cursive style.

Bernadette Ségol
General Secretary