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Myanmar/Burma: Sustained EU engagement at UN critical to support human rights reforms

Open letter to the EU and its member states ahead of the COHOM meeting 1-2 September 2014

Amnesty International, FIDH (the International Federation for Human Rights), and its member organization, the Alternative ASEAN Network on Burma (ALTSEAN-Burma) today call on the European Union (EU) and its member states to ensure continued international engagement on the human rights situation in Myanmar by again introducing a resolution on the country at the upcoming United Nations General Assembly (UNGA) in October 2014. A failure to retain a robust UNGA resolution on Myanmar would endanger progress on human rights, which has increasingly come under threat this year.

For the past 23 years, the UNGA resolution on the human rights situation in Myanmar has been a critical force demonstrating the international community's support for human rights in Myanmar. The EU has historically played a key role in these discussions, sponsoring the resolution which has included important recommendations concerning the country's human rights challenges.

Amnesty International, FIDH, and ALTSEAN-Burma recognize the EU's potential to influence progress on human rights in Myanmar. The recently launched EU-Myanmar Human Rights Dialogue offers an important opportunity for engagement on human rights, as has the adoption of public positions by European institutions and representatives on a number of key concerns.¹ However, the human rights situation in Myanmar remains serious. Myanmar is failing to make progress in several important areas and has slid back worryingly in others, just over a year before the country is due to hold general elections. These concerns demonstrate the need for sustained EU engagement at the multilateral level, including through support for a UNGA resolution.

Freedoms of expression, association, and peaceful assembly remain severely restricted in Myanmar. President Thein Sein failed to keep his promise to release all prisoners of conscience by the end of 2013. So far in 2014, scores of human rights defenders, political activists and farmers have been arrested or imprisoned simply for the peaceful exercise of their human rights; at least 70 political prisoners - including prisoners of conscience - remain behind bars. Media reforms have also been undermined by the arrest and imprisonment of journalists.

The situation in Myanmar's ethnic minority areas has also deteriorated in 2014. Violations of international humanitarian and human rights law continue in Kachin and Northern Shan states. Unlawful killings, torture and other ill-treatment, arbitrary detentions, rape and other crimes of sexual violence and forced labour - in particular by the Myanmar security forces - continue to be reported. However, impunity persists for such violations, with perpetrators rarely, if ever, brought to justice.

The situation of the Rohingya - described by the UNGA as of "serious concern" in 2013 - has continued to deteriorate in 2014. International organizations have been prevented from providing essential humanitarian aid, including life-saving medical assistance, to thousands of displaced Rohingya. At least 137,000 people, mostly Rohingya, remain displaced following widespread anti-Muslim violence in 2012. The authorities have also failed to take effective steps to protect Rohingya from attacks, and to conduct independent, credible investigations into instances of violence against them. The January 2014 reported killings of 48 Rohingya in Du Chee Yar Tan village, Maungdaw township in Rakhine state and the subsequent failure of the Myanmar authorities to adequately investigate and bring those responsible to justice is a deeply disturbing example. Furthermore, discriminatory laws and policies remain in effect, depriving the Rohingya of many of their human rights.

We note that many of these concerns were raised with the Myanmar authorities in the most recent UNGA resolution in December 2013.² However, the Myanmar authorities have failed to fully implement any of the recommendations included in the resolution. In particular, the failure to sign an agreement for the establishment and operationalization in Myanmar of an office of the UN High Commissioner for Human Rights with a comprehensive mandate to protect and promote human rights - despite repeated promises by the Government of Myanmar - further underscores the need for sustained international engagement through the UNGA.

Given the ongoing serious human rights situation in Myanmar, the EU's continued engagement, including through the UNGA, remains crucial. Only when there has been genuine and sustained progress on human rights, based on concrete and measurable benchmarks (such as those set by the EU Council Conclusions on Myanmar in April 2013³), should the EU and its member states consider discontinuing the UNGA resolution. Until such time, it is imperative for the EU to continue being a leader in the international community and reiterate its calls for genuine human rights improvements in Myanmar through the UNGA resolution.

Amnesty International, FIDH, and ALTSEAN-Burma therefore strongly urge the EU, as the main sponsor, to again introduce a resolution on the human rights situation in Myanmar at the 69th session of the UNGA. We urge the EU to ensure the resolution addresses the many key human rights concerns that remain in Myanmar, including the situation of ethnic minorities such as the Rohingya and the Kachin, the ongoing persecution of human rights defenders and activists, and the lack of accountability for human rights violations.

¹ "Statement by EU High Representative Catherine Ashton on the release of prisoners of conscience in Myanmar", 31 December 2013, available at: http://eeas.europa.eu/statements/docs/2013/131231_02_en.pdf; "Statement by EU High Representative Catherine Ashton following the adoption of 2013 UNGA resolution on human rights situation in Myanmar", 21 November 2013, available at: http://eeas.europa.eu/statements/docs/2013/131121_02_en.pdf. See also "European Parliament resolution of 13 June 2013 on the situation of Rohingya Muslims (2013/2669(RSP))", available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2013-0286+0+DOC+XML+V0//EN&language=EN>; and "Joint Statement by Kristalina Georgieva, EU Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, and Andris Piebalgs, EU Commissioner for Development", 27 March 2014, available at: http://europa.eu/rapid/press-release_STATEMENT-14-87_en.htm.

² See Resolution adopted by the General Assembly on 24 December 2012: Situation of human rights in Myanmar, UN Doc: A/RES/67/233. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/67/233.

³ EU Council Conclusions on Myanmar/Burma, 22 April 2013, available at: http://www.europa.eu/articles/en/article_13427_en.htm.