

WASHINGTON — Two top former human rights officials of the United Nations on Tuesday urged the European Union to support the establishment of a UN Commission of Inquiry to investigate war crimes and crimes against humanity in Burma, as recommended by the UN Special Rapporteur on the Situation of Human Rights in Burma.

The request was made by Paulo Sergio Pinheiro of Brazil and Yozo Yokota of Japan, who served as the special rapporteurs on the Situation of Human Rights in Burma in (2000-2008) and (1992-1996), respectively, in a letter to Catherine Ashton, the high representative of the EU.

“As former UN special rapporteurs on human rights in Myanmar [Burma], it is our firm conclusion that the pattern of human rights violations perpetrated by the military regime in Burma/Myanmar is severe, widespread and systematic, and directed at civilians, and may therefore violate international human rights and humanitarian laws,” Pinheiro and Yokota said.

“As the current special rapporteur has concluded, the abuses are a matter of state policy and there is more than sufficient evidence to justify the creation of such a Commission of Inquiry,” the letter said.

Pinheiro and Yokota also urged that the EU should propose the commission in a forthcoming UN General Assembly resolution. “It is essential to send a strong message to the regime ahead of the elections that the international community will not continue to tolerate its violations of international humanitarian law and that impunity must end,” they wrote.

The letter noted that evidence of the widespread and systematic use of forced labor, rape as a weapon of war, the forcible conscription of child soldiers, religious persecution, torture and killings is well documented and has been presented by many respected human rights organizations including Amnesty International, Human Rights Watch, International Federation of Human Rights (FIDH) and Christian Solidarity Worldwide (CSW), among others.

Copies of the letter were sent to the government of Belgium, the current president of the Council of the European Union, foreign ministers of EU member states and permanent representatives of EU member states to the United Nations in New York and Geneva.

“Since 1996, over 3,500 villages in eastern Burma alone have been destroyed, and at least half a million people internally displaced. Hundreds of thousands have been forced to flee to the borders of neighboring countries, and beyond. These violations of international humanitarian law have been documented by the UN in numerous resolutions by the General Assembly and Human Rights Council, and in our own and other reports of Special Rapporteurs,” the letter said.

The two former UN officials said the new Constitution, which will come into force after the regime’s elections in November, contains a clause providing blanket immunity for all crimes, past, present and future, committed by the military, and guarantees the military a quarter of the parliamentary seats.

“The election laws issued earlier this year, the recent de-registration of Aung San Suu Kyi’s

party, the National League for Democracy, and the regime's decision to exclude many ethnic populations and parties from participating, mean that the forthcoming elections offer little hope of meaningful change in Burma. The elections, in our opinion, will perpetuate military rule and result in continuing human rights violations," they said.

So far, 13 nations have expressed their support for the establishment of the UN Commission of Inquiry in Burma, including the United States, United Kingdom, France, Czech Republic, Slovakia, the Netherlands, Hungary, Ireland, Lithuania, Australia, New Zealand, Canada and Estonia, which became the 13th supporter on Saturday.

Aung Din of the US Campaign for Burma said the European Union is the major author of the Burma draft resolution at the UN General Assembly and it has been working on a draft in Brussels since September.

Pro-democracy activists including the US Campaign for Burma are pushing the EU to include the language, "calling for the secretary-general to establish a Commission of Inquiry to investigate human rights violations in Burma" in the draft resolution, which will be submitted to the UN General Assembly soon.

So far, the EU hasn't agreed to the proposal.