

## **The European Parliamentary Caucus for Burma (EPCB) Statement on Post-elections Situation in Burma and the European Policy**

*February 15, 2011*

The Executive Committee of the EPCB met on February 14, 2011 in Prague, Czech Republic in order to discuss its strategies and the upcoming revision of the European Common Decision of the European Union.

It is now more than 3 months after the elections in Burma; the EPCB has been following the whole election process with great attention. Already during the election campaign and after publication of the election laws it was clear that international standards for democratic elections would not be followed. The process going on inside Burma after the elections shows that neither the new members of the parliament nor the members of the new government are selected according to democratic procedures and are allowed to perform their duties of representing the will of Burmese citizens.

The new government of Burma is illegitimate, as was the one before it. The elections held in November 2010 were neither free nor fair, and as such the Parliament cannot be said to have a legitimate mandate to speak on behalf of the people of Burma.

The European Parliamentary Caucus on Burma calls on the European Union to recognise that a powerless and rubber stamp Parliament which has been designed by the military dictatorship cannot be a path through which the people of Burma can reach their goal of a democratic and peaceful state where human rights are respected.

### **1. Dialogue with genuine stakeholders in the political process**

We agree with previous official statements made by the European Union that political problems in Burma must be solved through genuine tri-partite dialogue with the military regime, the National League for Democracy, and genuine representatives of Burma's ethnic groups, with the aim of negotiating an agreement on the transition to democracy. We call on the European Union to start actively working to achieve this goal.

The European Parliamentary Caucus on Burma reaffirms its commitment to work to help achieve tri-partite dialogue between the military regime, the National League for Democracy and genuine representatives of Burma's ethnic groups with the aim of negotiating an agreement on the transition to democracy.

We are deeply concerned that Burma's new 2008 Constitution, requiring just one armed force in Burma, will in practice lead to the dictatorship breaking ceasefire agreements and increasing military operations against ethnic civilians and armed forces. We urge the European Union to pay more attention to the situation in ethnic states, and start engaging with ethnic political leadership, including armed ethnic groups, which will, by practical necessity, need to be involved in any future dialogue.

## **2. Political prisoners**

Essential first steps towards this goal must be prioritising the release of all political prisoners, and a nationwide ceasefire, and an end to violence against ethnic minorities by the Burmese authorities. We remind European Union governments that 12 of our fellow MPs, who were elected in 1990, remain imprisoned by the dictatorship.

## **3. Sanctions**

We fully support the recent statement on sanctions by the National League for Democracy. We call on the European Union to agree to the request of the NLD to discuss European Union sanctions. We repeat our call, also made by the National League for Democracy, for clear benchmarks to be met before sanctions can be lifted. Recent calls by some European Union governments for the lifting of some sanctions, based purely on the release of Aung San Suu Kyi, while more than 2,100 political prisoners remain in jail, damages the credibility of the European Union.

The European Union must abide by its policy, which is that sanctions will only be lifted in response to genuine progress. As no such progress has been made, and in fact the dictatorship has introduced a new constitution which legalises its rule and introduces more structures through which it can rule Burma, the EPCB believes that the new 2008 Constitution of Burma represents a significant step in the wrong direction, and consolidates dictatorship. No existing sanctions, economic or otherwise, should be lifted or weakened in any way.

## **4. UN Commission of Inquiry**

The European Parliamentary Caucus on Burma expresses its deep concern at the continued failure of the European Union to publicly support a UN Commission of Inquiry into possible war crimes and crimes against humanity in Burma. As the United Nations Special Rapporteur on the situation of human rights in Myanmar has stated; "failing to act on accountability in Myanmar will embolden the perpetrators of international crimes and further postpone overdue justice."

The failure of the European Union to support a UN Inquiry in effect encourages the dictatorship to continue to believe it can act with impunity, and so continue its abuses. We believe that the active and public support of the European Union for such an Inquiry could lead to a reduction in ongoing abuses, as the dictatorship will fear for the first time that it may be held to account for the crimes it is committing.

The European Parliamentary Caucus on Burma calls on the European Union to announce support for a UN Commission of Inquiry into war crimes and crimes against humanity. The establishment of such an inquiry must be included in the draft UN General Assembly Resolution on Burma for 2011.