

The Nation: Urgent action needed on rights in Burma

Thursday 16 November 2006, by [MATHIESON David Scott](#) (Date first published: 9 November 2006).

The recently released report by the UN human rights rapporteur for Burma, Paulo Sérgio Pinheiro, detailed how the world has witnessed a regression in the already besieged safety and livelihood of Burma's 54 million people living under one of the world's most repressive military governments.

Over the past three years, Burma's ruling State Peace and Development Council (SPDC) has attempted to cover up the dire state of human rights in the country. Having been denied access to Burma since November 2003, Pinheiro has spent the last year consulting with governments in Southeast Asia and compiling information received from exiled Burmese political and human rights groups. They have clearly told the envoy that state repression has increased, including wide-scale forced labour, land confiscation, arrest of dissidents and the alarming unchecked use of sexual violence by Burmese troops. Most of these abuses occur with official support or are never investigated, further institutionalising the climate of impunity by the Burmese government.

Abuses of basic rights remain rampant. Of particular concern to the rapporteur is "the criminalisation of the exercise of fundamental freedoms by political opponents, human rights defenders and victims of human rights abuses." The report outlines systematic abuses against dissidents, including the extended house arrest of opposition leader Aung San Suu Kyi and the imprisonment of nearly 1,200 activists, with freedom of assembly, movement, expression and the press sharply restricted. Reporters Sans Frontières last week moved Burma further down its annual list of media freedom to 164 in the world (five from the bottom).

In the most strongly worded report of his six-year tenure as the UN's key envoy to Burma, Pinheiro contended that the SPDC has no intention to engage in a genuine democratic transition. Things have got worse because the military government has become more draconian and has stepped up its campaign of crushing peaceful resistance. Several noted dissidents have been arrested in the past month for supporting the UN Security Council debates, and many people have been ordered to join the Union Solidarity and Development Association (USDA), the government's mass-based political movement, which many believe will eventually be the civilian face of the military if it ever steps back from formal governance.

Pinheiro expressed little hope that the long drawn out National Convention to write a new constitution would be sufficiently democratic and inclusive, stating the process "has been marked by a lack of transparency". The convention resumed on October 10 and has already elicited widespread criticism from delegates who have little space for discussion or disagreement, let alone their own ideas. One of the more repressive tools of the National Convention is Law No. 5/96, which prohibits people from criticising the convention or suggesting alternatives. It is this statutory deterrent that has seen many participants arrested or compelled to flee the country for their own safety since the stage-managed forum began in 1993. Open dissent of the convention has been voiced by ethnic leaders who have bravely spoken up in recent weeks on how controlled the process is. There are few who would now dare to take seriously the military's promises of democratisation and national reconciliation, which some optimists in the international community took far too seriously three years ago.

Pinheiro called on the UN system to take “urgent measures” to end the Burmese army’s ten-month counter-insurgency operation in Northern Karen State, which has displaced tens of thousands of civilians and led to the destruction of 232 villages. This scorched-earth campaign to punish civilians is the largest Burmese military operation in ten years, drawing in tens of thousands of troops and has included extra-judicial killings, torture and forced displacement as villages are literally burned to the ground. There are grave concerns about the situation of many people in these areas, as the army has moved in thousands of additional soldiers as the annual harvest approaches. The army routinely destroys fields and food stocks to drive out civilians from declared free-fire zones to deny support to ethnic armed groups. Pinheiro’s report stated that “terrorising or displacement of civilians is often part of a deliberate strategy”.

Starting in late 2005, the UN Security Council began debating the situation in Burma. Pinheiro’s report makes clear that Security Council action could “offer an opportunity to speed up the process of transition towards democracy”. This message and the overwhelming reality of continued abuses and impunity by SPDC forces, should be the primary talking point for the upcoming visit by UN Under-Secretary-General for Political Affairs Ibrahim Gambari in November. Unlike his last visit, when he expressed unfounded optimism that the “door was opening”, Gambari must be unequivocal about what is expected of the generals running the country.

The increase in repression outlined in Pinheiro’s report shows the SPDC’s disregard for any international standards of behaviour, or concern for their population. The intransigent generals who rule Burma must be informed in blunt terms that they can no longer continue with their abuse against their people. They must know that years of patient diplomacy and appeasement have come to an end.

Gentle diplomacy, operated through high-level visits and persuasions, will not work in Burma. If it had any record of success, all persons concerned about the plight of the Burmese people would be huge advocates of engagement. But, judging by Asean’s complete failure to make progress through its policy of constructive engagement, there is no reason for the UN or others to waste time dreaming that high-level visits will make a difference. They won’t. Only consistent pressure from the rest of the world, and in particular Burma’s neighbours and chief allies, will result in change for Burma’s beleaguered people.

P.S.

* From BurmaNet:

<http://www.burmanet.org/news/2006/11/09/the-nation-urgent-action-needed-on-rights-in-burma-david-scott-mathieson/>

* David Scott Mathieson is Burma consultant for New York-based Human Rights Watch.