



日本ビルマ救援センター



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Dear Foreign Minister,

We write to you regarding the serious human rights situation in Burma. We urge Japan to publicly support the establishment of an International Commission of Inquiry for Burma and to support an annual Burma resolution of the upcoming autumn session of the UN General Assembly which includes a support for a United Nations Commission of Inquiry. This commission should investigate reports of violations of international human rights and humanitarian law in Burma by all parties since 2002, and identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable.

For years, countless UN reports, resolutions, and documents have called for an end to serious human rights abuses and violations of international humanitarian law in Burma. These calls have strengthened following the March 2010 report of the special rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, to the UN Human Rights Council, which recommended the UN to consider the possibility of establishing a Commission of Inquiry. Former UN special rapporteurs, Paulo Pinheiro and Yozo Yokota, also support the establishment of an international Commission of Inquiry.

We urge the government of Japan to publicly support the establishment of an international Commission of Inquiry for Burma, and to actively engage on behalf of a UN resolution that will make it happen. We believe that international calls for a Commission of Inquiry will not have a direct bearing on the elections scheduled for November 7 in Burma, or possible democratic reforms, including greater freedoms for opposition parties or the release of political prisoners. That is, calling for a Commission of Inquiry should not be used or misconstrued as a political tactic or a new agenda for international pressure, but as a measure necessary on its own terms.

Several EU member states such as the United Kingdom, Hungary, and the Czech Republic, as well as the governments of the United States, and Australia have already publicly announced their support for an international commission to investigate crimes in Burma.

The United Nations has established many commissions of inquiry in the past to investigate serious violations of international law, but never with respect to Burma. The UN has issued highly critical human

rights reports on Burma annually for nearly two decades. These reports have demonstrated that serious crimes by government security forces are widespread and systematic, and continue with utter impunity.

The Burmese government and non-state armed groups involved in Burma's long-running internal armed conflicts are bound by international humanitarian law (the laws of war). The Armed Forces of Burma have been responsible for numerous serious violations of international human rights and humanitarian law, including sexual violence against women and girls, deliberate and indiscriminate attacks on civilians, summary executions of civilians and captured combatants, torture, use of child soldiers, attacks on populations' livelihood and food supplies, forced displacement of populations, and use of anti-personnel landmines. Non-state armed groups in Burma also have been implicated in serious abuses, including forced labor, recruitment of child soldiers, and anti-personnel landmine use.

We believe that it is not enough to simply continue to document and publish reports on the human rights situation in Burma. Instead, Japan should play an active and leading role in helping to bring an end to these abuses by supporting an international Commission of Inquiry into violations of international human rights and humanitarian law perpetrated by all parties to Burma's civil conflict: the Burmese army and the more than 30 non-state ethnic armed groups that have operated throughout Burma for decades. Such an inquiry will not only support and protect the victims of serious abuses in Burma and arrest the continuing cycle of impunity, but will also generate support for peace-building and broader respect for human rights in Burma. The judges panel of the Peoples' Tribunal on Crimes Against the Women in Burma conducted in June in Tokyo also recommended the establishment of an international Commission of Inquiry. The victims of serious international crimes in Burma deserve recognition and justice.

For years UN special mechanisms, international human rights NGOs and others have documented and publicly reported on serious human rights abuses in Burma; violations that in some cases amount to war crimes and possible crimes against humanity. It is time for Japan and other like-minded states to ensure that these crimes will be subject to greater international scrutiny and take steps to halt the cycle of impunity in Burma. The establishment of an international Commission of Inquiry is an important first step.

We trust that you will give due consideration to publicly supporting a commission and actively engage to see that it is established during the upcoming autumn session of the UN General Assembly.

Sincerely yours,

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CC:

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