



Burma Centre Delhi (BCD)

To restore peace, justice, democracy and human rights in Burma

Memorandum

To

Date: 24th May 2011

Dr. Manmohan Singh
Honorable Prime Minister of India
South Block, Raisina Hill
New Delhi

Subject: *Requesting your kind attention to advocate for restoration of peace, justice, human rights in Burma and in the region*

Respected Sir,

We, the civil society groups would like to bring to your kind attention on the recent “historic political events” occurred in Burma which ranged from 2008 Nargis Constitution, November 2010 Election, release of Burmese democracy movement leader Daw Aung San Suu Kyi, convention of Nay Pyi Taw Parliament to demolition of the State Peace and Development Council (SPDC) and installation of the New Regime, the military controlled civilian uniform type.

We don't recognize these changes as democratization but a prolong militarization because of the fact that it places the military above the law, giving the Supreme Court no jurisdiction over the military forces.

While the world media reports with the factual supports from various sources inside and outside Burma that the country is changing, but in reality that exactly is not happening in the so-called democratic system. Considering this situation in Burma, a Consultation on “Regime change in Burma: Post 2010 Elections and its Consequences” was held on 6 May 2010 in Mizoram between democracy and human rights advocates, activists, civil society organizations and journalists from Northeast India with its main efforts to bring together all the peace loving peoples to discuss for development and restoration of peace and democracy in the region.

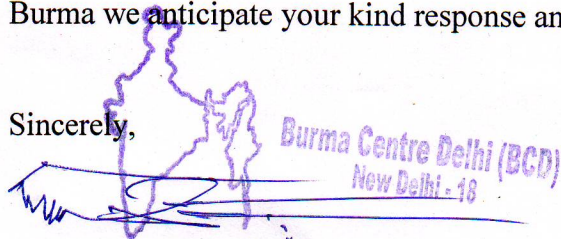
Another concern is the presence of more than 1 lakh Burmese population in India and the burden of over 80,000 Burmese is carried by the state of Mizoram. With goodwill intention of restoring stability, peace, justice and human rights in the region, we adopted the following resolutions during the consultation which we would like to bring to your kind attention and consideration.

- Support Global Arms Embargo against Burma. The Burmese armies used arms to commit genocides against civilians and violent crackdown during peaceful protests.
- Engage the Burmese Government and Aung San Suu Kyi as well as ethnic groups. Burma is ethnically diverse and the failure to address the legitimate rights and aspirations of Burma's ethnic groups is a root cause of instability and dictatorship in Burma.

- The Government of India should allow UNHCR to establish its office in Mizoram or somewhere in Northeast India. The rapid increase of Burmese refugees and migrant workers in Northeast states and Delhi indicates that violations of people's rights are still continuing in Burma even after new civilian type government was installed.
- Proper impact assessments should be conducted before implementation of developmental projects in the region in line with Free, Prior and Informed Consent-FPIC. The consequences of the construction of Kaladan Multi Modal Project will be violation of human rights such as land confiscation, forced relocation, forced labor, sexual abuses, extortion, illegal detention and all types of militarization along the project areas.
- Ensure that any current and future Indian investments in Burma are both fair and responsible, and that there is full local participation in any Indian-supported development projects in Burma. In the past, when developmental projects were implemented in Burma it always involved human rights abuses.
- To continue its support to the Burmese peoples' struggle for democracy and human rights in Burma. India is very important for Burma as a good and close neighbor so India should do more as genuine democracy in the country would better serve the purpose of the two countries.
- Principle of non-refoulment should be applied. Though India is not a signatory to the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol, it hosts and accommodates large number of refugees under the protection of the United Nations High Commission for Refugees (UNHCR). Since India has not yet ratified or acceded to this law, the Burmese refugees in Delhi are treated under the Foreigners Act without clear state's policy which results in risking their lives as they are vulnerable to insincere and unfair conduct of the concern officials.
- Support the United Nations call for a Commission of Inquiry on Crimes against Humanity in Burma. There have been cases of crimes against humanity committed by the military government headed by retired senior General Than Shwe.
- Form a Reconciliation Commission on Burma. The people of Burma need a world's largest democracy like India to advocate for stability and peace, fraternity and justice in the region.

Burma Centre Delhi on behalf of civil society groups would like to thank you and your good office for accepting this memorandum. As we stand for peace, justice and human rights for Burma we anticipate your kind response and prompt action in the above mentioned petition.

Sincerely,



Burma Centre Delhi (BCD)
New Delhi - 16

Dr. Tint Swe
Chairman (Elected NLD MP, 1990)
Burma Centre Delhi

Copy to:

- Home Minister, Government of India
- National Human Rights Commission of India
- United Nations High Commissioner for Refugees
- Embassy of United States of America in New Delhi
- Embassy of Republic of Canada in New Delhi
- Embassy of Australia in New Delhi
- Embassy of Czech Republic in New Delhi
- Embassy of Norway in New Delhi
- Embassy of United Kingdom in New Delhi
- Embassy of Indonesia in New Delhi