

BURMA: Letter to Secretary Clinton from U.S. NGOs

November 28, 2011

The Honorable Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Clinton,

We would like to express our appreciation for your commitment to Burma's democracy movement led by Nobel Laureate Aung San Suu Kyi, and support your upcoming visit to Burma. This visit is important as it will be the first visit of a U.S. Secretary of State to this Southeast Asia country in 50 years and comes at a critical juncture when the political landscape in the country is transforming from a military dictatorship to a government that, while appearing to be civilian-led, is still dominated by ex-generals and backed by the military who maintain veto powers. We hope the Burmese government will take your visit seriously and respond positively to this gesture, by breaking from its past practice of manipulating and politicizing high-level visits in its favor.

We urge you to take advantage of President Thein Sein's interest in a better relationship with the United States to prioritize securing an end to the egregious crimes against humanity the Burmese Army continues to commit against ethnic minority civilians. When you meet with President Thein Sein, you should intensify the consistent calls made by the international community for the Burmese government to (1) immediately release all remaining political prisoners unconditionally; (2) start meaningful political dialogue with democratic opposition and ethnic representatives for real national reconciliation and the creation of democratic systems that will guarantee democracy, human rights, rule of law, independence of judiciary, and ethnic minority rights; and (3) end civil wars peacefully and allow international humanitarian organizations to have unhindered access to the populations affected by civil wars and natural disasters. These calls were reiterated again in the recent UN General Assembly Resolution on Burma, supported by the United States and adopted by the Third Committee of the UNGA on November 21, 2011 with a vote of 98 in favor, 25 against, and 63 abstentions. We urge you to ask President Thein Sein to implement the recommendations made by the Resolution without further delay.

Since Burma's military regime put on the veneer of civilian government earlier this year, President Thein Sein has also shown an interest in engaging with the United States. In an effort to exhibit his interest in a better relationship with the United States, President Thein Sein agreed to a key issue for the United States by meeting with Aung San Suu Kyi once, releasing a small number of political prisoners, and amending the political party registration law to allow former political prisoners, especially Aung San Suu Kyi, to be part of a political party and participate in elections. We particularly urge you, during your visit, to call publicly upon the Burmese government to expand these movements towards democratic reform by (1) repealing all laws and policies that allow for the arrest and imprisonment of political prisoners; (2) creating a credible mechanism to investigate the torture and death of political prisoners; (3) working with the Union Election Commission to ensure that the recent electoral law

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changes are impartially enforced, former political prisoners can fully participate in the political process, and the upcoming by-elections are held in a participatory, inclusive and transparent manner that is monitored by reputable international election observers; and (4) enacting and meaningfully enforcing laws protecting freedom of expression, assembly, and association that go beyond Article 354 of the 2008 Constitution, which subordinates the freedoms of expression, assembly, and association to laws enacted for country security, prevalence of law and order, community peace and tranquility or public order and morality.

Unfortunately, many of the Burmese government's recent democratic reforms are easily reversible at any time. To date, President Thein Sein has not changed or is unable to change the Burmese Army's actions against the country's ethnic minority population. In the past seven months, there has been a serious surge in human rights violations committed by the Burmese Army in ethnic minority areas, including the largest forced displacement in a decade of over 100,000 new internally displaced persons, renewed armed conflict with three separate decades-old ethnic ceasefire groups in Kachin and Shan States, and increases in the use of rape as a weapon of war, forced labor, and the use of civilians as human shields. This is in addition to decades of attacks against ethnic minority civilians resulting in the displacement and destruction of over 3,700 villages, more than 2 million refugees, and over 500,000 internally displaced persons.

The dialogue between Aung San Suu Kyi and representatives of President Thein Sein is an encouraging development, which the United States government should continue to support. But, we urge you to prioritize reaching out to Burma's ethnic nationality leaders and encouraging the Burmese government to engage in serious high-level discussions with these ethnic nationality leaders. This important call for tripartite dialogue has been supported by the international community since 1994, and is needed to advance national reconciliation and produce true democratic reform.

We also believe that justice is a crucial part of national reconciliation in any country. Burma cannot move forward until there is a cessation in attacks against civilians, the rule of law is realized ensuring that everyone, including the military is not above the law, and the judiciary system is independent, impartial, and effective. We hope you will help President Thein Sein understand that the international community is responsible to make an effort to end war crimes and crimes against humanity in Burma if his government continues to fail to end these atrocities.

As a leader known for advocating 'smart power,' you will have the opportunity during your visit to Burma, meeting with both government and opposition leaders, to strengthen Burma's democracy activists and ethnic minorities and remind the Burmese government of the consequences that will follow from a failure to cooperate with Aung San Suu Kyi, ethnic nationality leaders, and all stakeholders of Burma's democracy movement.

Sincerely,

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Signed by:

(on behalf of organization)

Don Kraus, Chief Executive Officer, Citizens for Global Solutions
Ambassador Nancy Soderberg, President, Connect U.S. Fund
Allison Garland, Project Coordinator, Democracy Coalition Project
Daniel Calingaert, Vice President for Policy and External Relations, Freedom House
Jared Genser, Founder, Freedom Now
Robyn Lieberman, Senior Advocacy Strategist, Human Rights First
E. Robert Goodkind, Chair, Jacob Blaustein Institute for the Advancement of Human Rights
Jerry Fowler, Senior Policy Analyst, Open Society Foundations
Hans Hogrefe, Washington Director and Chief Policy Officer, Physicians for Human Rights
Steven Gumaer, Chief Executive Officer, Partners Relief & Development
Tom Andrews, President, United to End Genocide
Aung Din, Executive Director, U.S. Campaign for Burma

(in personal capacity)

Theodore Piccone, Senior Fellow and Deputy Director for Foreign Policy, Brookings Institution

Copies sent to:

Daw Aung San Suu Kyi, General Secretary, National League for Democracy, Burma
Mr. Thomas Donilon, National Security Adviser, National Security Council
Ambassador Susan Rice, U.S. Permanent Representative to the United Nations, New York
Mr. Daniel Russel, Senior Director for Asia, National Security Council
Ms. Samantha Power, Senior Director for Multilateral Affairs, National Security Council
Mr. Kurt Campbell, Assistant Secretary of State, Bureau of East Asia and Pacific, Department of State
Mr. Michael Posner, Assistant Secretary of State, Bureau of Democracy, Human Rights and Labor, Department of State
Mr. Jake Sullivan, Director of Policy Planning, Department of State
Ms. Cheryl Mills, Chief of Staff and Counselor to Secretary Clinton
Ambassador Melanne Verwee, Ambassador-at-Large for Global Women's Issues, Department of State
Ambassador Derek Mitchell, U.S. Special Representative and Policy Coordinator for Burma, Department of State
Ambassador Eileen Donahoe, U.S. Permanent Representative to the UN Human Rights Council
Ambassador Stephen Rapp, Office of War Crimes, Department of State
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