

Burma: Joint Letter from Ethnic Nationalities Civil Society Organizations Regarding Foreign Military Engagement with the Burmese Military

17 October 2013

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20005

The Right Honourable David Cameron MP
Prime Minister of the United Kingdom
10 Downing Street
London SW1A 2AA

The Right Honourable Tony Abbott
Prime Minister of the Commonwealth of Australia
PO Box 6022,
Parliament House
Canberra, ACT 2600

Dear President Obama, Prime Minister Cameron, and Prime Minister Abbott,

We, the undersigned 133 ethnic nationalities civil society organizations, are writing to express our concerns and reservations about your countries' military engagement with the Burmese military.

We appreciate the concern the United States, United Kingdom, and Australia have shown over the years for the human rights violations the Burmese military has committed against us, as well as your support for our pursuit of genuine democracy and national reconciliation. While your intentions may be genuine, we are deeply concerned that your current approach to military-to-military relations will neither prove beneficial to our mutual goals of ending the Burmese military's perpetration of human rights violations against us, nor bring us closer to national reconciliation. We urge you not to pursue military-to-military engagement without taking into consideration our concerns.

Our organizations represent a diverse consortium of Burma's ethnic minorities – which make up 40% of Burma's population - who have endured decades of oppression and persecution under Burmese military rule. We have been forced to endure unimaginable atrocities at their hands. They have destroyed our villages, stolen our land, forced us to serve as their slave labor, to carry their equipment as they hunt down, torture, kill, and enslave our fellow ethnic brothers and sisters, and rape, gang-rape, and sexually assault our women and girls. There is not a family amongst us who has not lost a loved one or survived an atrocity committed by the Burmese military. We know the Burmese military intimately, like no one else could. We speak of the past, and we speak of the present. We do not want this to be our future. Now more than ever, the US, UK and Australia must honor their commitment to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and protect the rights of the ethnic minorities in Burma.

Every military in the world should be trained on international human rights law, the Geneva Conventions, and international humanitarian law, but it is not a lack of legal expertise that leads the

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Burmese military to violate these international laws. It is important to understand the Burmese military does not commit human rights abuses accidentally, out of ignorance, because they do not know any better, or because they are not properly trained. Burmese military leadership orders their officers and soldiers to violate our human rights precisely because that is the objective they aim to achieve. The Burmese military wants to control our land and resources but more so they want to destroy our culture, break our spirit, break our desire for self-determination, demoralize us, and wear down our resistance until we break and agree to their rule.

Training junior officers and soldiers does not address the main problem - that soldiers are committing human rights abuses on the orders of their military and political leaders. Even if soldiers do receive human rights training, it will be impossible and even illegal for them to apply such training. Regardless, human rights violations will continue because the Burmese military command will continue to use proxy militias to carry out attacks and human rights abuses in thinly veiled attempts to conceal official involvement. Violations will also continue to be perpetuated by army involvement in policing and security provision efforts throughout Burma.

The Constitution of Burma is not democratic. It gives the military a dominant role in all levels of government. Nearly every repressive law introduced by past dictatorships remains in place, and new laws introduced since Thein Sein became President do not meet international human rights standards. Unless military engagement preconditions revision of the Constitution, even if soldiers are trained to defend the rule of law, they are in effect being trained to defend a constitution that does not protect human rights and to enforce repressive laws.

Despite international perceptions that some of Burma's political leaders are interested in reform, the Burmese military could not be characterized in such a light. The main reforms in which the military is interested are economic reforms, not democratic reforms. This prioritization greatly benefits the Burmese military leadership, whose large economic interests and holdings ensure they profit enormously from seizing our land and resources. Failure to remove the financial incentive the Burmese military receives from confiscating our land and resources undermines the United States, United Kingdom, and Australian governments' intent to promote human rights and reform in Burma through foreign investment.

The Burmese military's lack of commitment to democratic reform is evident in its continuing attacks against ethnic minorities and its failure to work honestly toward a genuine peace. The military broke a 17-year-old ceasefire with the Kachin Independence Organization (KIO) in June 2011 and continues to ignore requests to stop the attacks, which have displaced 100,000 people. The military has violated multiple ceasefires that the government has signed with the Karen, Mon, and Shan, and continues to commit war crimes and crimes against humanity. Despite statements expressing an interest in national reconciliation by peaceful means by President Thein Sein, Minister Aung Min, and others in the Burmese government, the Burmese military itself has expressed no indication that they are remotely interested in genuine reform and changing their violent practices.

The most obvious first step toward ending human rights abuses by the Burmese army would be for the Burmese government and the Burmese military to publicly acknowledge that human rights abuses have and continue to be committed by the Burmese army. Neither President Thein Sein, government ministers, nor military leaders have ever directly publicly admitted that human rights abuses were committed and continue to be committed at the hands of the military. It is extremely rare for any

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soldier to be held accountable in any way for any human rights abuses, and soldiers committing human rights abuses thus continue to act with impunity. The military's failures to admit human rights abuses and hold perpetrators accountable demonstrate a serious lack of commitment to genuine reform and reconciliation.

If the United States, United Kingdom, and Australia are truly interested in helping us convince the Burmese military to stop committing human rights abuses against us, to agree to civilian control over the military, to divest their economic holdings, and to agree to amend the constitution to create a federal union of Burma, then we urge you to implement the following recommendations regarding military-to-military engagement.

The Burmese military wants a relationship with your militaries and the legitimacy and prestige you have given them with this relationship. We thus urge you to use this interest as leverage to attain concrete genuine reform.

Preconditions to Military Engagement, including human rights training:

- Require the Burmese military to demonstrate a genuine interest in reform by stopping all attacks throughout the country in both ceasefire and non-ceasefire areas, withdrawing from conflict zones (i.e. halting construction and any reinforcement of army camps, and relocating military bases), sending soldiers back to barracks (i.e. halting the use of soldiers in economic development projects), adhering to the conditions of ceasefire agreements, and signing a code of conduct;
- Require the Burmese government and the Burmese military to publicly acknowledge that human rights abuses have and continue to be committed by the Burmese military and commit to a zero tolerance policy;
- Require the Burmese military to establish, with international support, an independent military police force that will investigate allegations of human rights abuses by soldiers, and the creation of an open judiciary process where such soldiers are given fair trials and sentences.

Preconditions to Military Engagement, besides human rights training:

- Require the Burmese military to agree to amend the constitution to provide for civilian control of the military and national reconciliation, and to establish legitimate justice and accountability mechanisms;
- Require the Burmese military cease all economic activity.

Specific criteria for Military Engagement:

- Human rights training should include international human rights law, civilian control of the military, and justice and accountability mechanisms both through the chain-of-command and civilian authority;
- No engagement, meetings, or trainings should take place outside of Burma;
- US, UK, or Australian government civilian leadership should be present to reinforce the notion of civilian authority over the military;

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- Burmese government civilian leadership should be present to receive training on civilian oversight of the military;
- Engagement with the Burmese military should be pursued in tandem with engagement with the ethnic armed groups;
- Do not provide any trainings that enhance the Burmese military's attack capabilities against ethnic nationalities.

Given the intransigence of the Burmese military toward reform, it is vital that all potential opportunities to end the suffering of our communities and bring about national reconciliation be utilized as best as possible. The Burmese military values engagement with the US, UK, and Australian militaries and the legitimacy it portrays. Allowing military engagement with the Burmese military without requiring the Burmese military to demonstrate an interest in reform and to adhere with our preconditions conveys an undeserved legitimacy on the Burmese military and will jeopardize our efforts to persuade the Burmese military to agree to national reconciliation. We urge you to heed our recommendations; do not waste this opportunity to secure our safety, our lives, and our future.

Sincerely,

Organizations Names, Locations:

Anglican Karen Church, TN, USA

Assistance Association for Political Prisoners – Burma/Thailand

Australian Karen Organization Inc., Australia

Back Pack Health Worker Team, Burma/Thailand

Bowling Green Karen Baptist Church, KY, USA

Bridging Rural Integrated Development and Grassroots Empowerment, Burma

Burma Community Rangers Organization, CO, USA

Burma Issues, Burma/Thailand

Burma Medical Association, Burma/Thailand

Burma Partnership, Burma/Thailand

Burmese Ethnic Based Community Organization Of Jacksonville, FL, USA

Burmese Rohingya Community In Australia, Australia

Burmese Rohingya Organization UK, UK

Burmese Women's Union, Burma/Thailand

Campaign Action Coordination Team, Burma

Chin Human Rights Organization, Canada

Committee of Internally Displaced Karen People, Burma/Thailand

Country-side Karen Community of Georgia, GA, USA

Dallas-Fort Worth Kachin Baptist Church, TX, USA

Denmark Karen Organization, Denmark

Eastern Naga Development Organization, Burma

Ebenezer Karen Church, Dallas, TX, USA

Equality Myanmar/Human Rights Education Institute of Burma, Burma/Thailand

Ethnic Community Development Forum, Burma/Thailand

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Euro Kachin Network, Europe
Finland Karen Culture Association, Finland
Generation Wave, Burma
Houston Kachin Community, TX, USA
Htoi Gender and Development Foundation, Burma
Human Rights Foundation of Monland, Burma/Thailand
Indiana Karen Baptist Fellowship, IN, USA
Joint Action Committee for Democratic Burma, Australia
Jury's Orphanage, Thailand/Burma
Kachin Alliance, USA
Kachin Association Norway, Norway
Kachin Association of Australia, Australia
Kachin Baptist Church of Georgia, GA, USA
Kachin Canadian Association, Canada
Kachin Catholic Community, Austin, TX, USA
Kachin Catholic Community, TX, USA
Kachin Christian Association of America, Los Angeles, CA, USA
Kachin Christian Fellowship of Utah, UT, USA
Kachin Community of Denmark, Denmark
Kachin Community of Indiana, IN, USA
Kachin Community of Louisiana, LA, USA
Kachin Community of Mississippi, MS, USA
Kachin Community of Tennessee, TN, USA
Kachin Community Sweden, Sweden
Kachin Community the Netherlands, the Netherlands
Kachin Community UK, UK
Kachin Community, Los Angeles, CA, USA
Kachin Culture and Literature Association of San Francisco Bay Area, CA, USA
Kachin Development Foundation, FL, USA
Kachin Development Network Group, Burma/Thailand
Kachin Development Society of Nebraska, NE, USA
Kachin Literature and Culture Community, Singapore
Kachin National Organization (UK), UK
Kachin Peace Network, Burma
Kachin Women Association Thailand, Burma/Thailand
Karen American Organization of Connecticut, CT, USA
Karen Association of Iowa, IA, USA
Karen Community Association UK, UK
Karen Community Norway, Norway
Karen Community of Canada, Canada
Karen Community of Kansas City, KS, USA

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Karen Community of Minnesota, MN, USA
Karen Community of New Bern, NC, USA
Karen Community Association of Wisconsin, WI
Karen Community Society of British Columbia, Canada
Karen Environmental and Social Action Network, Burma/Thailand
Karen Human Rights Group, Burma/Thailand
Karen National Community Netherlands, Netherlands
Karen Office of Relief and Development, Burma/Thailand
Karen Teacher Working Group, Burma/Thailand
Karen Women Empowerment Group, Burma
Karen Women's Organization, Burma/Thailand
Karen Youth Organization, Burma/Thailand
Karenni Civil Societies Network, Burma/Thailand
Karenni Federation of Australia Inc., Australia
Karenni National Women's Organization, Burma/Thailand
Karenni National Youth Organization, Burma/Thailand
Kaung Rwai Social Action Network, Burma
Kayan National Development Foundation, Burma/Thailand
Kayan Women's Organization, Burma/Thailand
Kuki National Organization, Burma
Kuki Students Democratic Front, Burma
Kuki Women's Human Rights Organization, Burma
Lahu National Development Organization, Burma/Thailand
Lahu Women's Organization, Burma/Thailand
Louisville Karen Community, KY, USA
Methodist Karen Church, TN, USA
Michigan Kachin Community, MI, USA
Mid-Atlantic Kachin Christian Fellowship, PA, USA
Mon National Council (MNC), Australia
Mon Youth Progressive Organization, Burma/Thailand
Nationalities Youth Forum, Burma/Thailand
New Myanmar Foundation, Burma
New Zealand Kachin Community, New Zealand
New Zealand Karen Association, New Zealand
NINGTAWN, Kachin Education Support Group, Burma
Overseas Mon Women's Organization, Burma/Thailand
Overseas Mon Coordinating Committee, USA
Palaung Women's Organization, Burma/Thailand
Pan Kachin Development Society, Burma/Thailand
Pa-O National Liberation Organization, Burma/Thailand
Pa-O Women's Union, Burma/Thailand

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Pennsylvania/ New Jersey Kachin Fellowship, PA, USA
People's Defense Force, Burma/Thailand
Phoenix Kachin Community, AZ, USA
Queensland Kachin Community, Australia
Rakhine Women's Union, Burma/Bangladesh
Rockford Karen Baptist Church, IL, USA
Shan Herald Agency for News, Burma/Thailand
Shan Human Rights Foundation, Burma/Thailand
Shan Sapawa Environmental Organization, Burma/Thailand
Shan Women's Action Network, Burma/Thailand
Shan Youth Power, Burma/Thailand
Students and Youth Congress of Burma, Burma/Thailand
Social and Health Development Association, Thailand
Ta'ang Students and Youth Organization, Burma/Thailand
Tavoyan Women's Union, Burma/Thailand
Tavoyan Youth Organization, Burma/Thailand
Texas Kachin Baptist Church, TX, USA
United Ethnic Nationalities Association, CA, USA
United Kachin Association-Dallas, TX, USA
United Lahu Youth Organization, Burma/Thailand
Utica Karen Community, NY, USA
Washington Kachin Fellowship Committee, USA
Women and Child Rights Project, Burma/Thailand
Women Initiatives Network for Peace, Burma
Women Peace Network-Arakan, Burma
Women's League of Burma, Burma/Thailand
Women's Rights & Welfare Association of Burma, New Delhi, India

CC:

John Kerry, US Secretary of State
Chuck Hagel, US Secretary of Defense
William Hague MP, UK Secretary of State for Foreign and Commonwealth Affairs
Philip Hammond MP, UK Secretary of State for Defence
Julie Bishop, Australian Minister for Foreign Affairs
David Johnston, Australian Minister for Defence