



# LAST MONTH IN PARLIAMENT

A summary of Burma-related issues  
in the British Parliament and Europe

DEC  
2009

## Westminster Hall Debate About Burma

9 December 2009

The full transcript of the debate is available here:

<http://www.parliament.the-stationery-office.co.uk/pa/cm200910/cmhansrd/cm091209/halltext/91209h0001.htm#09120937000251>

**Mr. Nigel Evans (Ribble Valley) (Con):** It is a delight to serve under your chairmanship, Mr. Hancock.

It is highly appropriate that we are considering the human rights crisis in Burma just one day before we mark the anniversary of the universal declaration of human rights and celebrate international human rights day. Burma is ruled by one of the world's most brutal regimes, which is guilty of every possible violation of human rights. The military regime, known as the State Peace and Development Council, has cruelly suppressed democracy and is perpetrating war crimes and crimes against humanity against many of its people.

The Nobel laureate and democracy leader, Aung San Suu Kyi, led her party, the National League for Democracy, to a remarkable and overwhelming victory in elections held in 1990. Despite the party winning 82 per cent. of the parliamentary seats, 19 years on, most of those who were elected are in jail or in exile. The junta rejected the results, imprisoned the victors and has intensified its grip on power. Aung San Suu Kyi has spent over 14 years under house arrest.

In May this year, her term expired and even under Burmese law, she should have been released. However, the regime found an excuse to keep her under house arrest after an American, John Yettaw, swam across the lake to her home. He went there uninvited, she asked him to leave and he refused. Despite that, she was taken to Insein prison and charged with breaking the terms of her house arrest. A sham trial followed and she was sentenced on 11 August to a further 18 months of house arrest.

**Mr. Lindsay Hoyle (Chorley) (Lab):** I congratulate the hon. Gentleman on securing this important debate. He is right that the charges were trumped up. Does he agree that if it had not been for the American journalist swimming across the lake, the regime would have found other charges to ensure that Aung San Suu Kyi remained in prison for much longer?

**Mr. Mike Hancock (in the Chair):** I am not sure that your pronunciation was quite right, Mr. Hoyle.

**Mr. Evans:** If it was not for that incident, there would have been something else. The one thing that the junta does not want is to see Aung San Suu Kyi released and for her to be free among her own people who want to see her lead the country.

**Mr. Stephen Crabb (Preseli Pembrokeshire) (Con):** Does my hon. Friend agree that if the Burmese regime was in any way serious about political engagement with the United States or its Asian neighbours, it would take the important first step of releasing the political prisoners, Aung San Suu Kyi in particular?

**Mr. Evans:** That is one of the things we want to see. That has to happen before people will take the junta seriously. It is not just Aung San Suu Kyi. As my hon. Friend rightly said, a number of other political prisoners are being detained as we speak.

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**Bob Spink (Castle Point) (Ind):** Does the hon. Gentleman agree that this odious regime is using the mental health system to remove and illegally detain politically active monks who are seeking justice and fairness for the people and for the regime's political opponents?

**Mr. Evans:** Absolutely. I will refer to that later.

Despite being detained, Aung San Suu Kyi has courageously and consistently called for dialogue with her captors. On 20 May this year, from inside Insein prison, she said:

"It is still not too late to achieve national reconciliation."

In September, she wrote to the head of the regime, Senior General Than Shwe, proposing dialogue. May I ask the Minister what the United Kingdom and the European Union are doing to support Aung San Suu Kyi's call for dialogue and to urge the regime to come to the table? Two months ago on 9 October, she met the British ambassador for the first time in at least six years. What was the outcome of that meeting and what attempts are being made by the United Kingdom to secure further such meetings?

Aung San Suu Kyi has stated clearly to the regime that she would like to work with it to

"create conditions conducive to lifting of sanctions on Burma".

Let us be clear that the conditions conducive to lifting sanctions do not yet exist. The United States has made it clear that it will maintain existing sanctions while pursuing high-level engagement, until there are clear and tangible signs of meaningful progress. Does the Minister agree with me that the European Union should not lift any sanctions unless and until all political prisoners, including Aung San Suu Kyi, are released; a nationwide ceasefire against ethnic nationalities is declared; and a meaningful and irreversible process of tripartite dialogue between the regime, the National League for Democracy and the ethnic nationalities is begun? Furthermore, does he agree that unless the regime ends its campaign of brutality against the ethnic nationalities, the next European Union common position on Burma should tighten sanctions, including the introduction of new targeted financial sanctions such as a ban on insurance companies, which would affect some of the sectors from which the regime benefits most?

**Mr. Brooks Newmark (Braintree) (Con):** My hon. Friend is talking about engagement, but would it not be best to talk to our friends in the Chinese embassy in this country to try to get the Chinese Government to put pressure on the Burmese regime, with which it has a close relationship?

**Mr. Evans:** I am grateful for my hon. Friend's comments. There is no doubt that China is a superpower and has an influential role to play. I believe that it abdicates its responsibility when it fails to do so. I hope that in the coming months, we will see China play a more positive role in trying to ensure that Aung San Suu Kyi and the other political prisoners are released in Burma.

**Mr. Hoyle:** Further to that point, here we have the evil regime in China propping up the regime in Burma. In fairness, we could ask the people of Tibet just how good China is. I do not hold out much hope. It is also interesting that the largest democracy in the world, India, also supports this evil regime. Does the hon. Gentleman agree that we could do more through the Commonwealth to put pressure on India to stop supporting Burma?

**Mr. Evans:** I have made reference to China and will refer to India as well. As the hon. Gentleman rightly says, it is the largest democracy in the world and a leading member of our Commonwealth, of which we are just one member. I hope that India uses its immense influence in the region to bring about the release of Aung San Suu Kyi and the other 2,000 political prisoners in Burma, which include 200 Buddhist monks.

Some political prisoners have been sentenced to extraordinary terms, some to 65 years or more. Several prominent political prisoners need urgent medical treatment, but have been denied it by the regime. In particular, there is an immediate need for medical treatment for U Gambira, who has contracted malaria in Kale prison in Sagaing division; Min Ko Naing, who is suffering from a severe eye condition and high blood pressure; and Zaw Htet Ko Ko, who is suffering from serious gastric problems. What steps is the Minister taking to urge the authorities in Burma to ensure that all prisoners receive proper medical treatment? What

steps is he taking to highlight the plight of political prisoners and to make their release a priority?

I have mentioned the plight of the ethnic nationalities. Let me describe it in more detail. The State Peace and Development Council is pursuing a campaign of ethnic cleansing. In eastern Burma, more than 3,300 villages have been destroyed and more than a million people internally displaced since 1996. Rape as a weapon of war, forced labour and the use of human minesweepers are widespread and systematic. Burma has the highest number of forcibly conscripted child soldiers in the world. Those are crimes against humanity.

This year, the Burma army has intensified its attacks in Karen state, driving thousands across the border into Thailand. Women and children are among the victims. For example, on 26 August a Karen woman, Ma Khin Kyi, was shot and severely wounded in the neck, jaw and mouth. Relief teams who provided assistance said that she was unlikely to survive because she was unable to eat or drink. On 27 December 2008, the body of a seven-year-old girl was found near her home after she had been raped and shot dead by a soldier from the Burma army.

The Karen are not the only ethnic group that has faced such offensives. In August, more than 10,000 people were driven from their homes in Shan state. At least 100 were arrested and tortured, and at least three people were killed. One woman was shot while trying to retrieve her possessions from a burning house and her body was thrown into a pit latrine. Another woman was gang-raped in front of her husband. On 3 August, soldiers from Light Infantry Battalion 514 attacked and beheaded a 29 year-old woman.

In Chin State, the people face severe religious persecution, as documented by Christian Solidarity Worldwide in the report, "Carrying the Cross," which was published two years ago. The Chin's suffering is compounded by a chronic food shortage that the regime has done nothing to address. The plight of the Kachin people should not be ignored. The Kachin have a ceasefire with the regime, but still the abuses continue. The Rohingya are primarily Muslim people and are denied citizenship, despite having lived in northern Arakan state for generations.

**Bob Spink:** The hon. Gentleman is at a particularly moving part of his speech. I have actually been in the jungle and have met the Burmese, the Karen, the Kachin and the Chin ethnic groups. I have seen the evidence of these atrocities-many more than he has outlined for us-and I have met the Myanmarian. There are more than 100,000 refugees in the Thai border refugee camps. I can testify to the accuracy of the odious statements that he is making.

**Mr. Evans:** I am grateful for that contribution, and for the documentation that Baroness Cox has sent me. She visited Mizoram and the people of Chinland from 15 to 30 November 2009, and she has presented me with a very moving report about the atrocities that are taking place in Burma.

A new report, "Crimes in Burma", has been published by the Harvard Law School and was commissioned by five of the world's leading jurists, including the former deputy prosecutor of the International Criminal Tribunal for the Former Yugoslavia, Sir Geoffrey Nice QC, and Justice Richard Goldstone. That report concludes that

"there is a prima facie case of international criminal law violations occurring that demands UN Security Council action to establish a Commission of Inquiry to investigate these grave breaches further".

The jurists conclude that these violations

"may amount to war crimes, as well as crimes against humanity".

The report draws almost exclusively on the UN's own statements. By the UN's own admission-in resolutions of the General Assembly, the Human Rights Council and the International Labour Organisation and in reports by four consecutive special rapporteurs-the human rights violations in Burma are "systematic and widespread". In 1998, the then special rapporteur stated that the violations by the regime

"have been so numerous and consistent over the past years as to suggest that they are not simply isolated or the acts of individual misbehaviour by middle and lower-ranking officers but are rather the result

of policy at the highest level, entailing political and legal responsibility.”

In 2006, his successor reached a similar conclusion. Last month, the UN General Assembly passed a resolution calling on the regime in Burma

“to take urgent measures to put an end to violations of international human rights and humanitarian law, including the targeting of persons belonging to particular ethnic groups, the targeting of civilians by military operations, and rape and other forms of sexual violence, and to end impunity.”

The resolution also calls on the regime to end the

“systematic forced displacement of large numbers of persons within their country and other causes of refugee flows into neighbouring countries.”

Will the Minister agree that the violations in Burma amount to violations of international law and may qualify as war crimes and crimes against humanity? Will he announce today that the United Kingdom will work to establish a UN commission of inquiry to investigate these crimes?

In 2008, a new constitution was introduced in a sham referendum. The new constitution guarantees the military a quarter of the seats in parliament, disqualifies Aung San Suu Kyi from the presidency, and excludes former political prisoners from contesting elected office. The constitution has been described by the General Secretary of the Karen National Union as a

“death sentence for ethnic diversity”.

As the regime plans to hold elections next year, will the Minister agree that, unless the constitution is revised through an inclusive process, the elections will offer no hope of freedom or human rights and will simply enshrine military rule?

The military regime in Burma is widely regarded as among the worst in the world. The regime spends more than 40 per cent. of its budget on the military, and less than \$1 per person per year on health and education combined. I welcome the leadership that the United Kingdom-particularly the Prime Minister-has given on the issue of Burma over the past two years, and the support that the Government have expressed for a universal arms embargo. However, will the Minister tell hon. Members what proactive steps the Government are taking to propose a universal arms embargo at the UN Security Council?

Burma is ranked by the Heritage Foundation as one of five most repressive economies in the world, by Transparency International UK as the third most corrupt country in the world, by Reporters Without Borders as one of the worst violators of press freedom, by the Committee to Protect Journalists as the worst country for internet bloggers, by the US Department of State as one of the worst violators of religious freedom, by Minority Rights Group International as one of the top five countries where ethnic minorities are under threat, by Médecins sans Frontières as one of the top 10 humanitarian crises in the world, by the genocide risk indices as one of the top two red alert countries for genocide along with Sudan, and by Freedom House as

“the worst of the worst”.

The UN has placed Burma on a monitoring list for genocide. Considering that catalogue of horrors, it is time for the international community to take urgent action to address the political and humanitarian crisis in Burma.

**Mr. Gregory Campbell (East Londonderry) (DUP):** I congratulate my hon. Friend on the urgency of the debate. He is coming to the nub of the matter now in terms of India, China and our own Government. The test of the international community at the UN will be how quickly we can help to resolve the problems in Burma for its people.

**Mr. Evans:** I have absolutely no doubt whatsoever that the hon. Gentleman is right. I am coming to my conclusion. The important thing for this debate is that we keep the matter in people’s minds. We last had a debate on the subject at the time of the cyclone, when we heard how repressive the regime could be in

stopping aid getting through to the very people who needed it most. Now that cyclone has passed we must make absolutely certain that the plight of Aung San Suu Kyi, the political prisoners and, indeed, the ordinary people who live in fear in Burma is not forgotten. That is why this debate is particularly timely. The action we take now and in the first few weeks of 2010 will at least give the people of Burma some hope. Let us think about 2010.

**Mr. Hoyle:** I am sure that the hon. Gentleman would agree that what we actually need in Burma is free, open, transparent elections to take place without any military interference. What conclusion can he make to ensure that we can achieve that through the international community or through his own involvement with this House and in Europe?

**Mr. Evans:** Burma is not alone in this. Violations have taken place only recently—just this weekend—in Iran. We know what happens when free and transparent elections take place: the people really do speak out. I pay tribute to the bravery of people, both in Iran and Burma, who put their lives on the line in speaking out and taking action to try to bring about regime change within their own countries. One of the things that will have a huge impact is people within their own countries being motivated for regime change. However, they also need help and support.

These debates are important to those people, because they let them know that they are not forgotten. For those people who are in prison, for those who live in fear of persecution and, indeed, for their families, it is important that they know there are Members of Parliament and people in the United Kingdom who support them in their fight. They are not alone. We will not forget them, and we will act to give them the freedom that they are fighting for. Minister, can we please make sure that 2010 will deliver for the people of Burma?

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## **ANSWERS TO ORAL PARLIAMENTARY QUESTIONS**

**1 Dec 2009 Mr. Alistair Carmichael (LD):** May I commend Ministers for their continuing engagement with the situation in Burma? However, will they, perhaps with their colleagues in the Department for International Development, investigate reports coming out now that aid to the Chin people on the border with India is being given in the form of loans on which 200 per cent. interest is charged? Surely that is not consistent with other Government policy in the region.

**Mr. Ivan Lewis:** The hon. Gentleman is right to say that the situation in Burma is crucial. Right now, it is poised at an incredibly important stage, and we believe that we must maintain sanctions against the Burmese regime while engaging in a political and diplomatic process and seeking to secure the release of political prisoners—especially Aung San Suu Kyi. On the hon. Gentleman's specific point, I shall write to him with the information.

### ***EU: General Affairs Council and Foreign Affairs Council***

**7 December 2009: The Minister of State, Foreign and Commonwealth Office (Baroness Kinnock of Holyhead):** My honourable friend the Minister for Europe (Chris Bryant) has made the following Written Ministerial Statement.

The General Affairs Council (GAC) and Foreign Affairs Council (FAC) have replaced the General Affairs and External Relations Council (GAERC) under the provisions of the Lisbon treaty, which came into force on 1 December 2009. The GAC and FAC will be held on 7 and 8 December in Brussels. My right honourable friend the Foreign Secretary (David Miliband) will represent the UK.

The agenda item for Burma is as follow:

Burma

Ministers may discuss the latest developments and consider the EU's next steps. The military government have made no tangible progress towards meeting the long-standing demands of the international community, including the release of Aung San Suu Kyi and all political prisoners and the start of a genuine process of dialogue and national reconciliation. The prospect of elections in 2010 gives such discussion added urgency.

## Early Day Motion

### **EDM 238      REPORTS OF CRIMES AGAINST HUMANITY IN BURMA**

**25.11.2009**

Carmichael, Alistair

Signed by 141 MPs

That this House expresses severe concern at the escalating systematic human rights abuses being perpetrated against the people of Burma by the Junta military dictatorship; notes that there is well documented evidence over many years of widespread torture, forced displacement, sexual violence, extra-judicial killings and forced labour with civilians being deliberately targeted; further notes that these actions constitute crimes against humanity and war crimes; and calls on the Government to urge the United Nations to establish a Commission of Inquiry into these crimes in addition to supporting the International Labour Organisation's calls to refer the use of forced labour to the International Court of Justice.

### **EDM 391      INTERNATIONAL HUMAN RIGHTS DAY**

**08.12.2009**

Evans, Nigel

Signed by 76 MPs

That this House welcomes International Human Rights Day on 10 December 2009; condemns those countries where human rights abuses occur on a daily and systematic basis; notes that on Monday Iranian authorities ordered foreign news outlets not to cover the protests that came on National Student Day, which were reportedly dispersed with the use of tear gas and militia brutality; further notes that in Burma, the case of Aung San Suu Kyi highlights the cruel suppression of democracy and perpetration of war crimes and crimes against humanity by the military junta; and calls on international agencies, including the UN and EU, and each sovereign state, to refocus their attention on human rights violations wherever they occur throughout the world.

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