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SĀSANAMOLI

INTERNATIONAL BURMESE MONKS ORGANIZATION

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August 1st, 2008

Open Letter to Members of the European Parliament

Re: Request for support for a Security Council Resolution to repress ongoing grave breaches of the Geneva conventions in Burma by means of an ICC referral

We, the undersigned Buddhist Monks, are writing on behalf of the International Burmese Monks Organization (IBMO), which was founded after thousands of Buddhist monks and nuns were brutally attacked by the military junta in Burma. Today IBMO has members in over twenty countries and a growing number of supporters and affiliated orders all over the world.

The mission of IBMO is to be a voice for those people of Burma who can no longer speak. We speak for the dead who have been silenced by the junta and we speak for the living who are silenced because they are in prison, or are in hiding, or are paralyzed by the fear that has become the very air the people of Burma are forced to breathe.

The people of Burma continue to be victims of grave crimes perpetrated by the military under orders of Senior General Than Shwe. Ending impunity for these crimes is the responsibility of the global community; thus, we seek your support for a Security Council referral of Burma to the International Criminal Court. We believe that such a referral would not be a political action but rather would enforce the most fundamental of rights of the people of Burma and of the global community.

The European Union has played a crucial role in strengthening international justice both in its support for the ICC and on equating humanitarian crimes with a threat to peace. This EU leadership is evidenced by the ICC and EU agreement entered into on April 10, 2006 (“noting that the principles of the Rome Statute of the International Criminal Court, as well as those governing its functioning, are fully in line with the principles and objectives of the European Union”). It is also reflected in documents such as the Common Position and Action Plan, which focus on supporting the universality and integrity of the Rome Statute as a prerequisite to signing international agreements.

We also applaud the European Union’s contribution towards Japanese accession of the Rome Statute and its active role in securing the adoption of UNSCR 1593 (2005) authorizing the SC - for the first time- to refer a case (Darfur) to the ICC. This commitment to end impunity is

furthered demonstrated by the EU making delivery of indicted war criminals to The Hague a precondition to EU membership.

Although the European Union has pursued restrictive measures – an arms embargo imposed in 1990, the suspension of defense cooperation since 1991, GSP privileges withdrawn in 1997 and a visa ban and asset freeze on senior military and members of government and their families, these have yet to deter the regime from its rule by crime. We are thus encouraged by the recent passage of Resolution P6_TA (2008) 0231 “On the Tragic Situation in Burma”, which signals the growing political will to employ the offices of the International Criminal Court to enforce criminal accountability for grave crimes.

In support of such an ICC referral we call your attention to the rare public call for global action by the International Committee of the Red Cross in June 2007. This call must be met by following the Geneva Conventions mandate that States “ensure respect” for International humanitarian law by taking all possible steps. A referral to the ICC is such a possible step.

We request that you enforce the rule of law by supporting our efforts to end impunity in Burma:

1. The European Union should lobby all Security Council members to support a Chapter Seven VII Resolution to refer Burma to the International Criminal Court for war crimes, crimes against humanity and possible genocide against the people of Burma.
2. The European Union should ensure that any Security Council Resolution includes a call for investigation of possible violations of the Genocide Convention ratified by Burma in 1956.
3. The Stockholm Declaration on Genocide in 2004 signed by the Security Council, the European Union and fifty-five governments reaffirms the EU’s legal responsibility to protect groups identified as potential genocide victims.
4. The European Union must hold the military regime accountable for violations of the Geneva Conventions, which Burma ratified in 1992.
5. The European Union must hold the military regime accountable for violations of UNSCR 1674 on the Protection of Civilians in Armed Conflict and UNSCR 1325 and UNSCR 1820, calling for prosecution of those responsible for genocide, crimes against humanity and war crimes including those relating to sexual and other violence against women and girls.
6. The European Union should make a direct request to the Burmese junta and ASEAN for a detailed explanation of every investigation, arrest or trial held in relation to the crimes committed during the Saffron Revolution.

7. The European Union should reaffirm their statement on Universal Jurisdiction and press all states to investigate and prosecute Senior General Than Shwe and other top military officers and those who act in concert with them, including Judge U Aung Toe and other top judges.

We monks are not politicians, but it is our religious duty to try our best, even to risk our lives, to help relieve the suffering of our people. We applaud the European Union's commitment to international justice and call upon this commitment to deliver justice for the people of Burma. Thank you for your support in our struggle. Your commitment to freedom and justice is our source of strength and hope.

Sincerely,

A handwritten signature in black ink, appearing to read 'U Pannavamsa', with a long horizontal stroke extending to the right.

Venerable U Pannavamsa

President,

International Burmese Monk Organization

Email: pannyavamsa@yahoo.com; ibmohq@gmail.com; nayakaus@yahoo.com