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BURMA & NORTH KORA CSW urges UN Human Rights Council to renew rapporteurs' mandates and investigate crimes against humanity

The United Nations Human Rights Council will consider new resolutions on Burma and North Korea next week, in which the mandate of the UN Special Rapporteur on Human Rights in Burma and the UN Special Rapporteur for Human Rights in North Korea will be reviewed. Christian Solidarity Worldwide (CSW) today urged the Human Rights Council to renew the mandates of both rapporteurs “without hesitation” and to support the calls for the establishment of a UN Commission of Inquiry to investigate crimes against humanity in both countries.

The current Special Rapporteur for Human Rights in Burma, Tomás Ojea Quintana, noted in his report a year ago “a pattern of gross and systematic violation of human rights” which has been continuing “over a period of many years”. Mr. Quintana concluded that the violations “are the result of a state policy that involves authorities in the executive, military and judiciary at all levels” and argued that “some of these human rights violations may entail categories of crimes against humanity or war crimes under the terms of the Statute of the International Criminal Court”. He recommended that the UN consider establishing a commission of inquiry “with a specific fact finding mandate to address the question of international crimes”.

In October 2010, Mr Quintana reiterated his recommendation, concluding that “Failing to act on accountability in Myanmar will embolden the perpetrators of international crimes and further postpone long-overdue justice.” In his most recent report, released this week, he repeats these calls, arguing that “it is essential for investigations of human rights violations to be conducted in an independent, impartial and credible manner, without delay” and that, if the regime in Burma fails to end impunity and establish justice and accountability, “responsibility falls to the international community” to conduct an investigation.

In November 2010, the UN General Assembly passed a resolution in which it expressed “grave concern” at the continuing human rights violations, including rape, torture and arbitrary detentions, and urged the Burmese regime to hold “without further delay a full, transparent, effective, impartial and independent investigation into all reports of human rights violations, and to bring to justice those responsible in order to end impunity” as a matter of priority. The regime has failed to respond to this recommendation. At least fifteen countries have expressed support for the establishment of a UN commission of inquiry, including the United Kingdom, the United States, Canada, Australia, New Zealand, France, the Netherlands, Ireland, the Czech Republic, Belgium and Denmark.

The former Special Rapporteur for Human Rights in North Korea, Mr. Vitit Muntarbhorn, described the human rights violations in North Korea as “systematic and pervasive” and “egregious and endemic”, and concluded in 2008 that the international community should “mobilize the totality of the United Nations to promote and protect human rights in the country; support processes which concretize responsibility and accountability for human rights violations; and an end to impunity.”

CSW’s National Director, Stuart Windsor, said: “There has been no meaningful progress in either Burma or North Korea in the past year, and in fact the human rights situation in both countries has continued to deteriorate. These are two of the most brutal regimes in the world. In Burma, the regime’s sham elections in November simply served to perpetuate military rule, and gross violations of international human rights law

continue to be perpetrated in the ethnic areas. More than 2,000 political prisoners remain in jail. In North Korea, more than 200,000 people languish in prison camps, subjected to barbaric torture and denial of adequate food and medical care. Public executions, including of Christians, continue. It is therefore essential that the UN Human Rights Council renew the mandate of the Special Rapporteurs for both these countries without hesitation, strengthen the resolutions on Burma and North Korea, and respond to repeated calls for Commissions of Inquiry to investigate crimes, end impunity and establish accountability.”