

An Appeal Letter
From Members of Parliament from Burma (Myanmar)
To Parliamentarians around the World

The Military Junta's Sham Constitution Should Be Rejected by the People and
Not Recognized by the International Community

March 31, 2008

Honorable Congresspersons/Senators/Members of Parliament

We are Members of Parliament from Burma, elected by the people in the 1990 general elections, with the mandate to lead the country towards democracy.

Burma is also known as Myanmar, renamed by the ruling military regime, officially known as the "State Peace and Development Council" (SPDC). The 1990 elections were conducted by the SPDC after a bloody crackdown on nationwide demonstrations in which millions of Burmese people called for democracy, human rights and an end to military rule. Despite threats and pressure by the SPDC to vote for the candidates of the military-back National Unity Party (NUP), the people of Burma voted to award 85% of Parliament seats for the candidates of the National League for Democracy (NLD) party, led by detained Nobel Peace Prize Recipient Daw Aung San Suu Kyi and its allied ethnic political parties. By doing so, the people of Burma clearly proved their desire to be free from the military dictatorship and live in a democratic society. However, the military regime has refused to honor the election results and instead has tried to perpetuate military dictatorship by creating a state constitution that would legalize military rule in Burma and grant the supreme power to the head of the military, Commander-in-Chief.

Under the leadership of Daw Aung San Suu Kyi, we have called for the SPDC to engage in a meaningful and time-bound dialogue with the election winning party NLD and ethnic representatives. The United Nations and governments around the world have also repeatedly called for the SPDC to hold such a political dialogue in order to achieve national reconciliation and democratization as well as to save the country from decades-long social, political and economic crises. The first-ever UN Security Council Presidential Statement, issued by unanimous consent of all members of the Council on October 11, 2007, stressed "the need for the Government of Myanmar to create the necessary conditions for a genuine dialogue with Daw Aung San Suu Kyi and all concerned parties and ethnic groups, in order to achieve an inclusive national reconciliation with the direct support of the United Nations"¹.

So far, the SPDC has ignored the repeated requests of the UN and the international community. It still holds more than 1,800 political prisoners, including Daw Aung San Suu Kyi. Nearly 100 more activists were arrested since November 2007. Military offensives against ethnic minority civilians are ongoing and have intensified. The SPDC offensives have forced hundreds of thousands of ethnic people to become internally displaced persons (IDPs) and burnt or destroyed thousands of villages in eastern Burma alone. As a result, thousands of people, including infants and children under the age of 5, have died and more than two million people have fled the country to become unwanted refugees in neighboring countries. Over seventy thousand children under the age of 18 are forcibly recruited to the SPDC's armed forces and soldiers rape thousands of ethnic women and girls with impunity.

¹ UN Security Council Presidential Statement, October 11, 2007, S/PRST/2007/37, <http://www.un.org/News/Press/Docs/2007/sc9139.doc.htm>

On February 9, 2008, the SPDC announced that it would hold a constitutional referendum in May 2008 to approve the state constitution, to be followed by a general election in 2010. The UN Secretary-General Ban Ki-moon sent his Special Envoy Mr. Ibrahim Gambari to our country on March 6, 2008 in an attempt to persuade the SPDC to launch a credible process of national reconciliation. However, his effort to convince the SPDC to work constructively with the democracy forces led by Daw Aung San Suu Kyi and with the United Nations apparently has demonstrably failed. On March 7, 2008, Brig-General Kyaw Hsan, who is Information Minister of the SPDC and leader of the SPDC Spoke Authoritative Team, responded to Mr. Gambari by rejecting all recommendations made by the Secretary-General Ban Ki-moon and the United Nations.²

For 18 years since 1991, United Nations has tried to persuade the SPDC to stop human rights abuses and to commence positive change. This has taken the form of over thirty resolutions from UN General Assembly, the UN Commission on Human Rights (now UN Human Rights Council), Economic and Social Council, the International Labor Organization and several discussions and the most recent Presidential Statement by the UN Security Council. All the efforts at the United Nations have failed again and again, while the situation in Burma has transformed from bad to worse. Now, the SPDC is planning to perpetuate military dictatorship in our country with a sham constitution. However, the UN Security Council, the highest authoritative body of the United Nations, has failed to take an effective and timely action to stop one-sided act of the SPDC and to enforce realizing of real national reconciliation and democratization in Burma. UN Secretary-General Ban Ki-moon has remained weak, not using his position to call for the UN Security Council action on Burma and his Special Envoy Mr. Gambari is apparently misleading the world body in favor of the military junta. Chinese Government, the major trade partner and major arms supplier of the SPDC, has threatened to use its veto power to reject any action by the UNSC on Burma.

In light of this situation, we, on behalf of the people of Burma and Members of Parliament, urgently appeal to our fellow Members of Parliament, Senators and Congresspersons around the world to:

- (1) Call for the SPDC to comply fully and immediately with the recommendations made by the UN Security Council and call for their respective governments to apply diplomatic and economic pressure against the SPDC to fully cooperate with the UN and democratic forces led by Daw Aung San Suu Kyi.
- (2) Declare that they will not accept or recognize the SPDC's constitution, written without participation of the NLD and ethnic party representatives and without meeting the expectation of ethnic nationalities and urge their governments to do the same.
- (3) Call for the UN Security Council to impose a binding resolution, which will instruct the regime to fully comply with the recommendations made by the UN Security Council, and strengthen the mandate of Secretary-General Ban Ki-moon and urge their governments to do the same.
- (4) Urge their respective Governments to stop selling weapons and intelligence systems to the SPDC immediately and also urge their governments to call for the UN Security Council to impose a global arms embargo and financial and banking sanctions against the SPDC, a call supported by ten Nobel Peace Laureates on February 19, 2008, including South Africa Arch Bishop Desmond Tutu and President Oscar Arias of Costa Rica.

² SPDC Spoke Authoritative Team meets Special Adviser to UN Secretary-General, New Light of Myanmar, March 8, 2008, Page 1,8,9, and 10. <http://www.mrtv3.net.mm/newpaper/83newsn.pdf>

(5) Call for Chinese Government to stop protecting the Burmese military regime and start cooperating with members of the UNSC to enforce positive change in Burma with all-party inclusive and democratic process, and urge their governments to do the same.

During the 1988 popular democracy uprising, at least ten thousands peaceful demonstrators were brutally killed by the military regime. As reported by the UN Special Rapporteur on Human Rights Situation in Burma Professor Paulo Sergio Pinheiro, at least 31 people were killed, nearly 100 are missing, and about 700 additional political prisoners remain with the 1,100 political prisoners, which were incarcerated before the peaceful protests led by Buddhist Monks in August and September last year. Human Rights Watch and Amnesty International estimate that the number of deaths during the protests in August and September are much higher. We have lost tens of thousands of innocent lives during the 19-year non-violent struggle for democracy.

We are now organizing the people of Burma to “VOTE AGAINST” the military junta’s sham constitution in the upcoming referendum and majority of the voters will do so. However, we also expect that the military junta will claim the victory anyhow by cheating and fraud. As general dissatisfaction of the people of Burma against the military regime grows higher and stronger, and as we are about to face off against the military regime to block its attempt to legalize military rule with the sham constitution, another round of confrontation between the peaceful and un-armed protestors and the brutal and merciless forces of the SPDC seems unavoidable. We hope you will take our appeal into serious consideration and take immediate actions to help stop more brutal killings in Burma.

Sincerely yours,

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