

Statement by Karen Communities Worldwide

Monday, 30 July 2018

UN Security Council Members must refer Burma to the International Criminal Court

Karen communities worldwide join the call from Kachin and other ethnic people of Burma for the United Nations Security Council to refer Burma to the International Criminal Court. As long as members of the United Nations Security Council continue to protect the Burmese military from facing justice, human rights violations against our people will continue.

We have been horrified to see the escalation of human rights violations by the military in Rakhine, Kachin and Shan States. We have suffered from the same human rights violations at the hands of successive civilian and military governments in Burma for decades. Many of these human rights abuses violate international law as defined by the Rome Statute of the International Criminal Court. Yet from 2002, when the Rome Statute came into force, no action was taken by the United Nations Security Council to refer Burma to the International Criminal Court and hold those responsible to account.

The failure of UN Security Council members to uphold their responsibilities and act to end impunity has resulted in many thousands of deaths, thousands of women being raped, and more than a million people across the country being forced to flee their homes.

As a result of these human rights violations, hundreds of thousands of Karen people have been forced to flee their homeland and now live on four continents across the globe. Refugees are still living in camps in Thailand, in danger of being forced to return to Burma before it is safe for them to do so as donors are cutting financial support. Internally displaced people have already lost support from international donors.

The UN Security Council has done nothing to prevent violations of international law against the Karen or other ethnic groups, and now the international community won't even give proper food, shelter and medical care to those who suffered so much as a result of their failure to act.

If action had been taken to refer Burma to the International Criminal Court while the Karen, Karenni, Shan and other ethnic groups were suffering at the hands of the military 15 years ago, the events in Kachin and northern Shan State from 2011, and in Rakhine State in 2016 and 2017, would probably not have happened.

The recent breaking of the ceasefire in Karen State shows how fragile the so-called peace process is. Since the ceasefire more Burmese army soldiers have been moved into Karen State and more military installations have been built. These actions demonstrate the Burmese military are not genuine about peace. At the same time the Burmese military still refuses to consider allowing the constitutional change necessary for a lasting political settlement to address the root causes of conflict. The situation in Kachin State since 2011 should serve as a warning for what could face the Karen and other ethnic groups when they

refuse to bow to the will of the military. The Burmese military sees ceasefires as another way to weaken ethnic groups and control their land and resources, not as a pathway to genuine peace.

If the Burmese military attacked Yangon, Mandalay or Naypyidaw firing mortar bombs at homes and schools, raping women and children, shooting indiscriminately as people fled, burning houses and looting, would members of the UN Security Council stand by and do nothing, as they do when it is homes and schools burning in ethnic states, and ethnic women being raped?

"Min Aung Hlaing and his military understand that the UN Security Council and the rest of the international community are willing to stand by and do nothing as long as it is ethnic people they are targeting. The more they are allowed to get away with violating international law, the bolder they become, the more human rights violations they commit. This escalating cycle of conflict and abuses can only start to be addressed when the UN Security Council acts to end military impunity," said Naw K'Nyaw Paw, General Secretary of the Karen Women's Organisation.

We call on all members of the United Nations Security Council to publicly support referring Burma to the International Criminal Court, and to work to build the support of all members of the United Nations for a referral. Referring Burma to the International Criminal Court is one of the most effective steps that can be taken to start to reduce human rights violations in Burma and hold those responsible to account. We welcome the support of Canada for a referral of Burma to the International Criminal Court. The decision of other UN Security Council members not to support a referral of Burma to the International Criminal Court is not a neutral decision, it is an active decision to allow human rights violations against ethnic people to continue with impunity.

Karen organisations worldwide supporting this statement:

1. Australian Karen Organization (AKO)
2. Denmark Karen Organisation
3. European Karen Network
4. Finland Karen Culture Association
5. International Karen Organization (IKO)
6. Karen American Organization (KAO)
7. Karen Community Association- UK
8. Karen Community of Canada (KCC)
9. Karen Community in Norway
10. Karen Environmental and Social Action Network (Kawthoolei)
11. Karen Grassroots Women's Network (KGWN)
12. Karen National Community - the Netherlands
13. Karen Office for Relief and Development (KORD)
14. Karen Organization of USA (KOUSA)
15. Karen Peace Support Network (KPSN)
16. Karen Students Network Group (KSNB)
17. Karen Swedish Community

18. Karen Women's Organisation (KWO)
19. Korea Karen Organization (KKO)
20. Min Lwin Environmental Conservation Group (MLECG)
21. New Zealand Karen Association Incorporated

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