

DECLARATION

OF THE "SEMINAR ON INDIA'S ROLE FOR NATIONAL RECONCILIATION IN BURMA/MYANMAR"

(Organised by Asian Centre for Human Rights and Mizzima News)

INDIA INTERNATIONAL CENTRE, LODHI ESTATE, NEW DELHI-110 003 FROM 6-7 FEBRUARY 2006.

The participants attending the "Seminar on India's Role for National Reconciliation in Burma/Myanmar" in New Delhi, from 6 to 7 February 2006,

Appreciating the participation of Honourable Members of Parliament from India, representatives of Indian political parties, diplomatic missions of various countries based in New Delhi, journalists, human rights activists and civil society groups and representatives from Burmese pro-democracy movement and ethnic minority groups¹;

Welcoming the recent formation of Indian Parliamentarians' Forum for Democracy in Burma/Myanmar;

Recalling the sacrifices made by thousands of Burmese especially those who laid down their lives for restoration of democracy in Burma/Myanmar and who became victims of atrocities perpetrated by the military regime of State Peace and Development Council (SPDC);

Reaffirming the commitment for restoration of democracy and national reconciliation in Burma/Myanmar; and

Recognizing that the ruling military regime in Burma/Myanmar has been a threat to peace and security in the region through its policy of destruction of villages and forced relocation of civilians as a counter-insurgency strategy for many decades, primarily targeting ethnic minority groups; human rights violations including killings, forced labour, destruction crops and land during relocation; internal displacement of at least 526,000 people in the eastern border areas alone; the presence of over a million Burmese refugees in Thailand, India, Bangladesh, Malaysia and other countries; systematic rape and its use as a means of war against the ethnic groups; and finally, narcotics drug and arms trafficking across the neighbouring countries.

Hereby, the participants of the seminar:

STATE OF NATIONAL RECONCILIATION IN BURMA /MYANMAR

1. *Reject* the "seven-point road map" to democracy announced by State Peace and Development Council as an attempt to block the United Nations to play an effective role as a facilitator in furtherance of the relevant resolutions of the General Assembly for restoration of democracy and national reconciliation in Burma/Myanmar;
2. *Reaffirm* that no democratisation or reconciliation process including National Convention being orchestrated by the SPDC can be successful without the inclusion of all political parties and representatives elected in the last general election held in 1990 and representatives of all major ethnic nationalities not

. The organizers appreciate participation of Mr Sharad Joshi, Member of Parliament (Rajya Sabha), Dr Nirmala Deshpande, Member of Parliament (Rajya Sabha), Mr Abani Roy, Member of Parliament (Rajya Sabha), Dr Shambu Srivasta of Janata Dal United, Mr G Devarajan, National Secretary of All India Forward Bloc, Mr BB Nandy, former Additional Secretary of the Cabinet Secretariat of the government of India, Mr Subir Bhowmick, Correspondent of BBC in Kolkata, Mr Simon Long, South Asia Correspondent of The Economist, Mr Sanjoy Hazarika, Consulting Editor of The Statesman, Mr David M Thangliana, Editor of Newslink (Mizoram) and Mr Sumit Chakraborty, Editor, The Mainstream.

represented by a political party, and unless such a process is held in a democratic atmosphere that allows for freedom of expression and guarantees the safety of all participants;

3. *Note* that most representatives of the National Convention have been hand picked by the ruling military regime and that the civilian populations were forced to attend mass meetings to demonstrate their support for the National Convention;
4. *Further take note* that the sessions of the National Convention held so far by the SPDC have not been free and fair;
5. *Condemn* the procrastinating procedures and conditions under which the National Convention has been conducted as these violate the human rights and fundamental freedoms of the civilian participants;
6. *Condemn* the SPDC for denying permission to the Special Rapporteur of the United Nations Commission on Human Rights on the situation of human rights in Myanmar as well as the UN Secretary General Special Envoy to visit the country for the last three years thereby forcing Special Envoy Mr Rizali Ismail to resign;

India and National Reconciliation in Burma/Myanmar

7. *Express* deep concern over increasing cooperation between Government of India and State Peace and Development Council (SPDC) especially in the fields of defence, infrastructure development, communications, oil exploration etc. without any regard to ongoing systematic violations of human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, in particular discriminations and violations suffered by ethnic minorities, women and children, especially in non-ceasefire areas;
8. *Further express* concern about India's unstinted support for the ruling military junta whenever the United Nations censured Burma/Myanmar for its deplorable human rights violations and called upon the SPDC to expedite the process of national reconciliation and restoration of democracy;

Drugs/HIV/ Arms smuggling from Burma/Myanmar and its impact in the region

9. *Note* with concern the increasing narco-trafficking and small arms smuggling from and through Burma/Myanmar;
10. *Further note* the increase of incidents of HIV/AIDS and drug abuse as a consequence of trans-border narco-trafficking in the region;
11. *Express concerns* about involvement of the Burmese military personnel in the trans-border narco-trafficking and small arms smuggling across the region;

Protection of Burmese refugees in India

12. *Express concerns* about the lack of security of ever increasing number of Burmese refugees in India;

13. *Acknowledge* that the lack of any specific policy of the Government of India on refugees and non-ratification of United Nations 1951 Convention Relating to the Status of Refugees or its 1967 Optional Protocol increase the risks of the Burmese refugees;
14. Demand that the United Nations High Commission for Refugees (UNHCR) provides adequate support, rehabilitation and resettlement to the Burmese refugees in India and involve humanitarian agencies to provide assistance to Burmese refugees and asylum seekers;

Recognising the positive role the Government of India can play to advance the process of national reconciliation and restoration of democracy in Burma/Myanmar, especially to end the systematic violations of human rights in Myanmar, to ensure full respect for all human rights and fundamental freedoms, to end impunity and to investigate and bring to justice any perpetrators of human rights violations;

Participants of "Seminar on India's Role for National Reconciliation in Burma/Myanmar" thus:

Call upon the Government of India to: -

- i) *review* increasing cooperation between Government of India and State Peace and Development Council (SPDC) especially in the fields of defence, infrastructure development, communications, oil exploration etc. given the ongoing systematic violations of human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, in particular discriminations and violations suffered by ethnic minorities, women and children, especially in non-ceasefire areas;
- ii) appreciate that first ever state visit by a President of India to Myanmar is inopportune at this juncture and hence the forthcoming visit of President APJ Abdul Kalam to Myanmar scheduled for March 2006 should be postponed until the State Peace and Development Council (a) releases Daw Aung San Suu Kyi, a recipient of Jawaharlal Nehru Award for International Understanding from house arrest, and (b) provides "full and unrestricted access" to the United Nations Secretary General's Special Envoy on Myanmar and Special Rapporteur on the Situation of human rights in Myanmar, Sergio Pinheiro to facilitate national reconciliation processes and monitor human rights situations in the country;
- iii) urge the SPDC to create conducive condition to enter into a substantive and structured dialogue with Aung San Suu Kyi and other leaders of the National League for Democracy, other political parties and representatives of ethnic nationalities to lead towards democratisation and national reconciliation;
- iv) support the efforts of the United Nations for appointment of a new Special Envoy of the UN Secretary General on Myanmar following the resignation of former envoy Rizali Ismail;
- v) take the initiative, as an immediate neighbour affected by the situation in Burma/Myanmar, to hold an International Conference for National Reconciliation and Restoration of Democracy in Burma/Myanmar under

the auspices of the United Nations; place the issue in the agenda of discussions during the visit of President of the United States, George W Bush to India and adopt requisite steps to organise the conference in coordination with United Nations, Association of South East Asian Nations, United States of America, European Union and other interested actors;

- vi) sponsor the resolution on the situation of human rights in Myanmar at the forthcoming 62nd session of the United Nations Commission on Human Rights to be held in Geneva, Switzerland in March-April 2006;
- vii) urge the SPDC to unconditionally release all political prisoners with particular emphasis on the elderly, the sick and women, and to desist from arresting and punishing persons for their peaceful political activities;
- viii) take effective measures for recognition of Burmese refugees in India, provide adequate relief to them and urge the SPDC to create conducive conditions to stop internal displacement of Burmese citizens and voluntary return of the Burmese refugees with safety, dignity and guarantees for physical security; and
- ix) take effective measures to control trans-border narco-trafficking, smuggling of small arms, and provide access to international humanitarian agencies for delivering assistance and care to the victims of HIV/AIDS.