

(Updated Version)

**Canadian Friends of Burma (CFOB)**

**Recommendations to the Government of Canada  
Regarding the House of Commons Motion on Burma  
May 18, 2005, 38<sup>th</sup> Parliament, 1<sup>st</sup> Session**

**In Concurrence with the 2<sup>nd</sup> Report of the Standing Committee on  
Foreign Affairs and International Trade (SCFAIT)**

**“Not only does the situation in Burma meet the determining factors the Security Council has cited in the past to ascertain that a ‘threat to the peace’ exists, but the failure of all past interventions makes clear that the Government of Burma now needs to be given a binding obligation to achieve national reconciliation. The Security Council has the authority to act and should exercise this authority in the case of Burma.”**

*The Honorable Vaclav Havel and Bishop Desmond Tutu, “Threat to the Peace: A Call for the UN Security Council to Act in Burma,” September 2005.*

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On May 18, 2005, Canada’s House of Commons voted to adopt the **2<sup>nd</sup> Report of Standing Committee on Foreign Affairs and International Trade** requesting Canadian government action with respect to the deplorable situation in Burma. The motion requests the Government of Canada to work at home and abroad to promote and advance the cause of democracy in Burma.

A key pillar of Canadian foreign policy has always been a concern for human rights, justice and democracy. **Canadian Friends of Burma**, on behalf of its members in every province in the country, urges the Government of Canada to act on its own stated principles and play a leadership role in advancing the cause of democracy in Burma.

This report has been prepared by **Canadian Friends of Burma** to assist the government in elaborating its response to the will of the Canadian people as expressed by the House of Commons. For ease of reading, we have repeated each element of the Motion followed by our recommendations with respect to implementation.

**(a) That the Committee is of the opinion that the government must: condemn**

**more forcefully the repeated and systematic human rights violations committed by the military junta in power in Burma, particularly those involving certain minority groups, including arrests and imprisonment without trial, summary and arbitrary executions, torture, rape, kidnappings of women, men and children, forced labour, denial of fundamental freedoms, including the freedom of assembly, association and expression, the recruitment of child soldiers and massive relocations of civilian populations.**

**CFOB Position:** Despite well-documented human rights reports of crimes against humanity in Burma, no effective international measures have been taken to put an end to this situation. Canada has remained largely silent.

**Recommendations to the Government of Canada:**

Support the recommendations of the September 2005 report commissioned by The Honourable Vaclav Havel and Bishop Desmond Tutu calling for UN Security Council action on Burma.

- Strengthen the resolutions of the UN General Assembly and the UN Commission on Human Rights.
- Address Burma under the agenda of Women, Peace and Conflict at the UN Security Council.
- Respond to the ILO resolution calling on its members to review their relations with the SPDC regime.
- Canada's Minister of Foreign Affairs should issue public statements deploring the political and human rights situation in Burma as Ministers have done in the past.

**(b) That the Committee is of the opinion that the government must: urge the authorities in Burma to release immediately and unconditionally all political prisoners, in particular Nobel Laureate Aung San Suu Kyi, leader of the National League for Democracy (NLD), to end their harassment of them, to abolish all repressive laws and measures contravening international human rights conventions, and to take action to end the appalling humanitarian crisis facing hundreds of thousands of displaced people and refugees at Burma's borders (with China, India, Bangladesh and Thailand).**

**CFOB Position:** An essential step in any process of negotiation is the unconditional release of all political prisoners and unconditional ceasefires.

**Recommendations to the Government of Canada:**

- In his meetings with members of the SPDC, the Canadian Ambassador to Thailand should raise the release of Aung San Suu Kyi and all political prisoners.

- Canada's Minister of Foreign Affairs should raise the issue of political detainees at ASEAN post-ministerial meetings, ARF and APEC.
- Canada should promote and strengthen the activities of the UN Secretary General's Special Representative on Internally Displaced Persons and encourage the Special Representative to adopt Burma as a focus country.
- Canada should continue its support for humanitarian activities for Burmese refugees and internally displaced people.

**(c) That the Committee is of the opinion that the government must: provide tangible support to the legitimate authorities in Burma, specifically the government in exile (the National Coalition Government for the Union of Burma) and the Committee Representing the People's Parliament.**

**CFOB Position:** No political settlement is possible without empowering Burma's democratic institutions and pro-democracy forces.

**Recommendations to the Government of Canada:**

- As other governments have done, Canada should provide financial and political support to the National Coalition Government for the Union of Burma (NCGUB) either directly or indirectly through a special allocation of funds to Rights and Democracy (International Centre for Human Rights & Democratic Development).
- Canada should facilitate the NCGUB/Members of Parliament Union (MPU) convention in 2008.
- Canada should support transitional planning, democratic media, leadership and skill training with NCGUB/MPU, the Democratic Voice of Burma, the Burma Fund and other pro-democracy institutions.
- Canada should ensure that members of the NCGUB have access to Cabinet Ministers for Burma policy consultations.

**(d) That the Committee is of the opinion that the government must: impose more comprehensive economic measures on Burma, and in particular:**

- **review the effectiveness of the Export and Import Permits Act;**
- **review the feasibility of fully invoking the Special Economic Measures Act, 1992, c. 17; and**
- **impose a legal ban on further investment in Burma**

**CFOB Position:** Burma's democracy movement has consistently requested the international community to impose investment and trade sanctions against the SPDC regime. As the regime controls all economic institutions in the country, foreign trade and investment directly benefit the regime, underwrite its military expenditures, and strengthen its capacity for repression.

Canadian economic measures to date have been entirely symbolic. Despite the removal of preferential tariff treatment in 1997, Canadian imports from Burma have increased dramatically. The inclusion of Burma on Canada's "Area Control List" has had no impact on the flow of Burma imports to Canada while Canadian investments in Burma remain untouched; the Canadian mining company Ivanhoe, for example, operates the largest mining complex in Burma on a 50-50 profit sharing agreement with the regime.

For many years, CFOB has urged the Government of Canada to respond to the appeal of Burma's democracy movement to impose trade and investment sanctions. CFOB's legal advisors have made the case to the government that conditions exist to warrant the implementation of the *Special Economic Measures Act*. The case that Burma is a threat to international peace and security is also made by The Honourable Vaclav Havel and Bishop Desmond Tutu in the September 2005 report "**Threat to the Peace: A Call for the UN Security Council to Act in Burma.**"

**Recommendations to the Government of Canada:**

- Canada should consider the resolution of the International Labor Organization as a legitimate trigger to implement the Special Economic Measures Act.
- Canada should follow the lead of the United States and the European Union in banning loans or investments to Burmese-owned companies.
- Canada's Minister of Finance should request that the Canada Pension Plan Investment Board refrain from investing in Canadian and foreign companies doing business in Burma.

**(e) That the Committee is of the opinion that the government must: bring pressure to bear on the United Nations Secretary General and the international community, in order to establish a framework, primarily through ensuring the spread of the embargo, to bring the military junta to negotiate a peaceful transition toward democracy, in cooperation with the NLD and representatives of ethnic minority groups, as set out in all the resolutions of the United Nations on Burma since 1994.**

**CFOB Position:** Despite repeated resolutions within the UN system for a negotiated end to the military dictatorship in Burma, no internationally coordinated actions have been undertaken and none of the UN resolutions have been implemented. This represents a tragic failure of the UN system and its members.

**Recommendations to the Government of Canada:**

Canada should support and endorse the recommendations of the September

2005 report commissioned by The Honourable Vaclav Havel and Bishop Desmond Tutu calling for UN Security Council action on Burma.

- Canada should urge members of the Security Council to further discuss about Burma issue as a regional threat to peace and stability of the world.
- Canada should speak about Burma in its Open Statement at the UN General Assembly and UN Commission on Human Rights.
- Canada's Ambassador to the UN should be instructed to make Burma a high priority and play a leadership role within the Informal Consultative Group Meeting for Burma in order to develop an effective international strategy.
- Canada should use its diplomatic channels to bring China, India and the ASEAN into international efforts on national reconciliation.
- Canada should continue and expand its support of national reconciliation activities among Burma's ethnic nationalities, the Ethnic Nationalities Council and other pro-democracy ethnic organizations.

**(f) That the Committee is of the opinion that the government must call upon the authorities in Burma to include the National League for Democracy (NLD) and other political parties in the on-going process of the National Convention, and warn that any outcome from the convention without the participation of the NLD and other parties will not be recognized.**

**CFOB Position:** The National Constitutional Convention currently taking place in Burma is non-representative and undemocratic, and a clear attempt to entrench and legitimize the role of the military in the governance of the country. This process is a complete charade and must be acknowledged as such by the international community.

**Recommendations to the Government of Canada:**

- Canada should inform the SPDC that Canada will not recognize the Constitutional Convention in the absence of the authentic participation of the National League for Democracy and other political parties.
- Canada's Minister of Foreign Affairs should issue a press release to assert that Canada will not recognize the Constitutional Convention in the absence of the inclusive and democratic participation of the NLD and other political parties.

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