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## **Covering up Genocide: Gambari's betrayal**

The ongoing offensives by Burma's ruling State Peace & Development Council (SPDC) military junta have already been analysed in KHRG's previous Commentary (#2006-C1), released just one week ago on May 19<sup>th</sup>. That commentary demonstrated that these attacks are not targeting the armed opposition, but are deliberately aimed at destroying the homes and food supplies of Karen hill villagers and shooting men, women and children on sight in a systematic attempt to wipe them out. International law, particularly the UN Convention on Prevention and Punishment of the Crime of Genocide (1948), defines this as genocide, and it also stands in violation of every international human rights convention and of international humanitarian law as expressed in the Geneva Conventions. However, in the past week it has become clear that the United Nations Secretariat is attempting to cover up this genocide and bring about a normalisation of relations with the SPDC regime, without even insisting that the regime stop its military attacks on civilians.

From May 18<sup>th</sup> to 20<sup>th</sup>, UN under-secretary general for political affairs Ibrahim Gambari visited Rangoon. Second to Kofi Annan in the UN bureaucracy, he is the most senior UN official to visit Burma in years. The visit came at a time when international outcry against the SPDC's attacks on Karen villagers was reaching its height, and activists and the US government were demanding that Burma be placed on the agenda of the UN Security Council. On April 28<sup>th</sup> this year, the Council passed Resolution 1674 noting that the "deliberate targeting of civilians ... and the commission of systematic, flagrant and widespread violations of international humanitarian and human rights law ... may constitute a threat to international peace and security" and expressing its "readiness to consider such situations and, where necessary, to adopt appropriate steps".<sup>1</sup> So one would expect Gambari to have spent much of his time insisting that the SPDC immediately cease its genocidal attacks against Karen villagers. He did not. Instead he focused most of his efforts on encouraging the SPDC to release one person – Daw Aung San Suu Kyi, leader of the National League for Democracy (NLD) political party. He expressed "concern"<sup>2</sup> over the Karen offensive – UN language for "we have noticed, but we will not interfere" – and suggested that the SPDC cease the attacks, but then went on to talk about how the SPDC could go about securing more foreign aid.<sup>3</sup> Even his more serious efforts appear to have been a failure, because he did not secure a promise to release Daw Suu either. He did, however,

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<sup>1</sup> UN Security Council Resolution S/RES/1674 (2006), Article 26.

<sup>2</sup> "Press conference on Myanmar by Under-secretary-general for Political Affairs", United Nations Department of Public Information, News and Media Division. May 24<sup>th</sup> 2006.

<sup>3</sup> Ibid.

have his photo taken smiling alongside SPDC supremo Senior General Than Shwe, who imagines himself an ancient king, and Vice-Senior General Maung Aye, known to many Karen as the Butcher of Dooplaya, who has ordered massacres throughout Karen State in the past and who may be engineering the current genocide.

One would not expect Gambari to emerge optimistic from this visit, so his subsequent statements have been shocking. With no other basis than a statement by national police chief Khin Yi in the state-controlled media that Daw Suu's release would pose little threat to national security, he claimed that this statement indicates her release may be imminent. He followed this up by reporting that there "appears to be a willingness" among SPDC leaders "to turn a new page in relations with the international community",<sup>4</sup> and optimistically spoke of the SPDC receiving increased aid and trade in the near future.<sup>5</sup> He made clear that the issues he sees as important are the release of NLD leaders and the resumption of the SPDC-controlled 'national convention' to draft a constitution; any serious mention of the Karen offensive – or for that matter forced labour or *any* human rights issue directly affecting ordinary civilians in Burma – has been glaringly absent from his statements.

That is because Gambari's visit, and his public relations campaign in its aftermath, are not intended to create action, but to simulate action while redirecting, undermining and stifling the possibility of real international action. This is a diplomatic whitewash. Before and during the visit, Gambari made no effort to find out information about the offensives in Karen State; yet after the visit he is supposed to brief the UN Security Council on the situation in Burma, about which he knows little or nothing. However, he is already using the influence of his position to distract attention away from the killing of civilians, refocus it exclusively on the potential release of Daw Suu as though this will somehow benefit the beleaguered villagers, and justify further UN inaction on Burma. Gambari's claim that the SPDC is ready to "turn a new page" is based on a hint, not even a promise, that they might be vaguely willing to consider releasing Suu Kyi sometime in the future. In Gambari's mind this is all that is required to "turn a new page"; it does not require ending the mass attacks against Karen civilians, or doing something about nationwide systematic forced labour, extortion and other abuses committed by governmental and military authorities. The latter are issues one only "expresses concern" about; they are too unpleasant to raise in serious negotiations. So Gambari did nothing to press the SPDC on these issues. He claims that he pressed them to allow international humanitarian agencies access to Karen areas to deliver relief, but this is not the same as demanding an end to the attacks. Moreover, even if the SPDC complied on this point, UN agencies and big international non-governmental organisations would go in with the SPDC military and would obey 'gag orders' to cover up human rights abuses as part of their negotiated programme agreements – like the missionaries of colonial days, providing necessary infrastructure for military control to extend further over Karen hill villagers, which is exactly the objective of the current offensive. What is needed is for the attacks to stop; anything else is a bandaid solution which may even undermine the position of the villagers in the longer term.

As anyone who knows more than Gambari does about Burma can tell you, Daw Suu has already been released three times only to be detained again a few months later. Burma analyst Aung Zaw of *The Irrawaddy* magazine has commented, "The regime has consistently played the Suu Kyi card whenever it got backed into a corner, either to relieve outside

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<sup>4</sup> "Myanmar may be paving way for Suu Kyi's release: UN", *Agence France Presse*, May 23<sup>rd</sup> 2006.

<sup>5</sup> "Press conference on Myanmar by Under-secretary-general for Political Affairs", United Nations Department of Public Information, News and Media Division. May 24<sup>th</sup> 2006.

pressure or to stage a diplomatic coup to win hearts and minds at home and abroad.”<sup>6</sup> In 2002 her release was used by the SPDC to successfully cover up a major offensive against villages in Dooplaya district of southern Karen state in which 60 villages were forcibly relocated and destroyed, displacing over 10,000 villagers<sup>7</sup> – yet the media didn’t report it, and after her release Daw Suu never mentioned it. A year later the SPDC organised a violent attack against her at Depayin, then used this as justification to place her back under house arrest. Gambari is pushing for this cycle of events to repeat itself, so that the UN can once again escape the commitments voiced in the UN Security Council’s April resolution.

In 1994 the UN took no action as Rwandans were slaughtered; the torrent of criticism afterward led the UN into an apparent process of reflection on how to better react next time. It is now clear that this process went nowhere or was merely a smokescreen, for despite all the information available to him, the Secretary General is clearly determined not only to ignore events in Karen State, but to actively cover them up by having Gambari divert attention back to a potential release of Daw Suu. Her release is certainly worth pressing for, but not to the detriment of pressing for more widespread change that will affect the human rights of more than one person. If it is democratic change we are after, then part of that has to be a recognition that Daw Suu’s life and freedom is neither more nor less precious than the life and freedom of any one villager in Karen State. If the events in Karen State were happening anywhere in Africa, they would have been on the Security Council agenda long ago. But unlike Rwanda, no one with any power is likely to call the UN to account afterward in this case, at least as long as the SPDC remains in power. Annan knows this, as does Gambari, which is why Annan sent Gambari to brief the Security Council on Burma in December rather than doing it himself as the Council had requested – in diplomatic body language, this is a clear indication that Annan does not support Burma’s addition to the Council agenda. It is also reflected in Gambari’s emphasis in his May 24<sup>th</sup> press conference that his trip had nothing to do with the Security Council; no doubt he emphasised the same to the SPDC leaders he met.

Already Gambari’s statements are having their effect: the Karen situation is dropping out of the international media, or becoming a mere footnote to the Suu Kyi story, even as the attacks escalate in Papun district. However, Annan and Gambari’s apparent belief that they can ignore the Karen with impunity does not erase the UN’s guilt or culpability. Gambari’s efforts to paint the SPDC as reformist and divert all focus onto hopes for a release of Daw Suu are at best naïve, ignorant of history, and misguided; at worst, complicit to genocide. The Security Council is already betraying its own resolution passed less than a month ago by refusing to take up this issue, and along with the UN Secretariat they are once again betraying the victims of a deliberate genocide. Here is the possible scenario, which is merely a repeat of 2002: the SPDC hints that it may release Daw Suu; all diplomatic efforts are shifted into that direction; incentives (‘carrots’) to reward the SPDC for doing so are discussed internationally; the SPDC plays out its game for a month or two, alternately vilifying Daw Suu and then hinting at her release, gradually stoking international anticipation of a release to fever pitch; meanwhile, more battalions are sent into Karen state to massacre civilians, but no one in the outside world reports it any more because it is irrelevant and counterproductive to discuss such things when Daw Suu may be about to be released. Finally, the SPDC releases her to massive global relief and mutual congratulation, and expressions of ‘great hope’ and a ‘new dawn’ (just read the 2002 articles, those are the terms that were used); Annan and

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<sup>6</sup> “Countdown to Freedom”, *The Independent* (London), May 22<sup>nd</sup> 2006.

<sup>7</sup> See *KHRG Commentary #2002-C1*, September 2002.

Gambari treat the case as closed, the UN is saved from acting once again; the SPDC receives its economic incentives as a reward; Daw Suu and her NLD party make no comment on the Karen offensives because this may hamper their prospects for serious power-sharing negotiations with the regime; her release has no impact on the attacks against villagers; more villages are burned; Daw Suu starts travelling outside Rangoon; the SPDC engineers some incidents of unrest and uses these as justification to restrict her movements; a few months after her release, she is back under house arrest; hundreds of Karen villages lie in ashes, hundreds of villagers dead, over 20,000 more now displaced, but without a whimper from the international community; Annan, Gambari and the Security Council are talking about the Sudan again. Once again, Burma is not news anymore, at least until this whole cycle repeats itself two or three years hence – but just like now, when that happens no one will be talking about ‘what happened last time’. And no one will bring the dead Karen villagers back to life, especially not a smiling Ibrahim Gambari.

Gambari may think that his actions reflect political expediency; that a release of Daw Suu will lead to improvement in the human rights situation. But history shows us that her many ‘releases’ have never led to any improvement in human rights conditions in Karen State, or for that matter anywhere else in rural Burma. Moreover, political expediency cannot justify betraying core principles. Through his current actions and statements covering up the abuses against Karen civilians, Ibrahim Gambari is betraying the Karen people now struggling to survive in northern Karen State. He is also betraying the United Nations Charter, which includes upholding human rights as one of the organisation’s fundamental functions. He is betraying international human rights conventions, particularly the Genocide Convention, and international humanitarian law as specified in the Geneva Conventions, and he is betraying the 28 resolutions on human rights in Burma passed in recent years by the UN General Assembly and the Commission on Human Rights. He, and the Secretary-General he represents, need to be called to account.