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## GJC UPDATES

### ● International justice, a way out for fragile states?

#### Complementarity. The ICC and its instruments.

Brussels, May 13 -14.

### ● New Laws, New

#### Courts and New

#### Opportunities:

#### Advancing a

#### Coordinated Legal

#### Strategy for Women's

#### Equality Rights.

Tides Foundation, San Francisco, May 20.

### ● Working with the Judiciary to Advance Equality in Countries in Transition.

Peace by Piece conference, Belfast, June 24 – 26.

### ● Training in Colombia

**As we were finishing this month's e-news on criminal accountability in Burma, we were saddened and shocked to hear of the catastrophic cyclone that hit the country this past weekend. The Global Justice Center first wants to extend our deepest sympathy to the people of Burma who have been impacted by the cyclone.**

This devastating event has increased immeasurably the suffering of people who were already in dire circumstances and now must struggle to find clean water, food and rebuild their homes and lives. Although information is still coming out, estimates are now reaching 100,000 dead and over a million homeless, making this natural disaster second only to the 2004 tsunami that devastated the region. There are now concerns that the military regime is not permitting international aid agencies full access inside Burma to deliver aid and help the cyclone victims.

The Global Justice Center President and Vice President met this week with Penang Sayadaw U Pannavamsa, President of the International Burmese Monks Organization. Once again the monasteries are the sole source of relief to the people and are providing shelter and food to those who have lost everything.

Even as the country struggles to recover from the devastation of the cyclone, the regime plans to move ahead with an illegitimate referendum on an illegal constitution on May 10. The referendum is an attempt by the military regime to placate the international community as it continues to oppress the people of Burma with forced displacement, destruction of villages, systematic mass rape and other crimes. The Global Justice Center and Burma Lawyers' Council urges the international community to remember that these forty years of brutality are not just human rights abuses, but international crimes that should be referred to the International Criminal Court for investigation and prosecution.

Press release on the cyclone by the Women's League of Burma, a partner organization of the Global Justice Center: <http://www.womenofburma.org/>

For more information and ways to donate to relief organizations helping the people of Burma, visit the Burma Campaign UK at:  
<http://www.burmacampaign.org.uk/cyclonenargis.php>

This month's GJC e-news features:

- GJC President Janet Benshoof and BLC General Secretary U Aung Htoo in the Far East Economic Review, "The Junta's Criminal Constitution"
- GJC and BLC Press release denouncing the amnesty provision in the draft constitution and calling for investigation and prosecution of crimes by the regime
- New endorsements of the call for criminal accountability in Burma
- Promoting Rule of Law and Criminal Accountability in Burma in the UK and EU
- Power through Partnerships: Dialogue and collaboration between Burmese and

## inthisissue...

For more information on any of the GJC's upcoming events, please contact the GJC office at 212.725.6530 or *via email*

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### **Far East Economic Review, May 8, 2008, "The Junta's Criminal Constitution", by Janet Benshoof and U Aung Htoo**

Burma's military dictators now say Nobel laureate Aung San Suu Kyi, under house arrest or in prison for 12 of the past 18 years, can cast her vote in the May 10 constitutional referendum—a bitter irony if ever there was one. Ms. Suu Kyi and her National League for Democracy are calling on voters to reject the military-backed constitution, calling it "undemocratic." Meanwhile, the U.N. Security Council perpetuates the charade that the referendum is legitimate by asking the ruling junta to respect "fundamental political freedoms" at the polls. For the full article, *click here*.

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### **Press Release: International Lawyers Denounce Attempt by Myanmar Regime to Give Themselves Immunity from Criminal Prosecutions and Renew Call for Criminal Investigation**

For a statement from the GJC, BLC and Burma Justice Committee against the amnesty provision, please *click here*.

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### **Criminal Accountability for Burma Gains Momentum as Organizations Call for End to Impunity**

*NCUB Calls Criminal Accountability "an important piece of an overall strategy to bring about positive change for a future Burma"*

In a press release issued on February 1, 2008, the National Council of the Union of Burma (NCUB), the largest coalition of organizations working for democracy and freedom for Burma in the world, stated, "we strongly encourage all concerned individuals and organizations to join the Burma Lawyers' Council and Global Justice Center in calling for the UN Security Council to hold criminal perpetrators responsible by establishing a Commission of Inquiry and referring the crimes to the ICC for prosecution." The endorsement signifies the Burmese people's growing desire to hold the international community to its commitment to provide justice for heinous crimes committed by the SPDC. To read the NCUB's full letter of endorsement, please *click here*.

In a European Parliamentary hearing on April 2nd, Thijs Berman, a Dutch member of parliament who chaired the hearing, called for a Security Council inquiry into the ongoing crimes in Burma and encouraged the EU parliament to put pressure on the Security Council to see this come into fruition.

The Burma Justice Committee, a group of UK Barristers organized to restore the rule of law within Burma, also joined the call to use the ICC to pursue criminal accountability in Burma. Other calls for criminal accountability include Christian Solidarity Worldwide, a London-based group that has repeatedly called for the SPDC to be referred to the ICC.

For a list of organizations calling for the Security Council to refer the SPDC to the ICC,

## Global Justice Center and Burma Lawyer's Council Visit UK and EU to Call for Rule of Law and Criminal Accountability in Burma



This February the Global Justice Center and Burma Lawyers' Council (BLC) were in London and Brussels to raise awareness about the BLC and GJC joint Project on Rule of Law and Criminal Accountability in Burma, which seeks a Security Council Resolution under its Chapter VII powers solely focusing on ending the impunity for state-sponsored heinous crimes in Burma. In a series of meetings with members of the Burmese Community and civil society, as well as with members of the UK government, the GJC and BLC discussed the crimes taking place in Burma and the key role that the international community must play to promote the rule of law and provide justice for victims of sexual and gender based crimes.

The meetings focused on the UK's international and domestic legal obligations to end the SPDC's criminal regime. The international legal tools already exist to refer the SPDC to the ICC and begin a war crimes investigation. They include:

- The Responsibility to Protect doctrine
- The Genocide and Torture Conventions
- Security Council Resolution 1325 on women, peace and security
- Security Council Resolution 1674 on the protection of civilians in armed conflict

At these meetings, the GJC used its trainings of judges in Iraq as an example of how international law, such as Security Council Resolution 1325, can be effective in advancing rule of law in conflict and post-conflict situations, particularly law requiring gender equality.

To learn more about the international legal tools in place to refer the SPDC to the ICC and to learn more about the Global Justice Center and the Burma Lawyers' Council's Joint Project on Criminal Accountability, please [click here](#).

## GJC Presents at the Council of Europe

In Brussels, Nicole Reckinger, human rights desk officer at the EU Council Secretariat, arranged a series of meetings for the Global Justice Center with key European Union officials from the European Parliament, the European Commission and the EU Council Secretariat, to discuss the GJC and BLC's joint Project on Criminal Accountability in Burma. This included an informal briefing on the enforcement of Security Council Resolution 1325 on women, peace and security at the EU level, and the EU's obligations under international law to provide justice and accountability in Burma. The GJC also presented to Women in International Security about the GJC's work in Iraq and Burma.

## **Power Through Partnerships: Meeting of the Iraq and Burma Communities to Discuss Embedding Gender Equality Through Transitional Justice**

The Global Justice Center (GJC), the International Coalition for Gender Justice in Iraq (ICGJI) and UNIFEM UK brought together the Iraqi and Burmese communities of London at Westminster Hall on February 21st. The participants shared strategies and challenges, united by their common struggle for justice and criminal accountability against brutal, oppressive dictatorships.

The two groups shared how they have combated widespread sexual violence by promoting rule of law and tackling cultural barriers that discourage women from accessing justice. The Iraqi organizations emphasized the existing threats to women in the form of extreme violence, honor killings and gender discrimination being embedded in the new constitution, and how an independent judiciary and law reform can help diminish these threats. The organizations from Burma explained the barriers the military junta has put in place to deny their citizens the rule of law and emphasized that criminal accountability and international law have the potential to act as a catalyst for change in a culture of impunity. These meetings were highlighted in the Kurdish Human Rights Project Newsletter.

The GJC's trans-national legal strategy promotes a coordinated global strategy in applying international law to advance gender equality during times of conflict and transition, when there is an opportunity and a need to enforce international laws and mandates. For example, international legal standards were used in the Anfal decision to find that Saddam Hussein's regime used rape as a form of torture and an instrument of genocide. These same international laws, and now the Anfal decision as well, can be used as a tool by the women of Burma to further their own struggle to hold the military junta criminally accountable.

It is the hope of the GJC that the people of Iraq will support the people of Burma and help support the international right to end impunity and provide criminal accountability.

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