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BLC Statement on Depayin Massacre and other International Crimes Taking Place in Burma (May 29, 2007)

1. The Depayin Massacre that took place on May 30, 2003 constitutes a crime against humanity as it was committed in a well-planned, premeditated attack, directed against a specific 'civilian population', and, the incident hugely intimidated the entire 'civilian population' of the whole country, Burma.

2. The UN Special Rapporteur on Human Rights in Burma requested, as did the General Assembly, that the authorities of Burma initiate a full and independent inquiry, with international cooperation, into the Depayin incident; and, that the results should be made public and those responsible must be held accountable. Unfortunately, the ruling military regime in Burma ignored the demands of the international community, mainly UN; no investigation was made by the authorities; no legal action was taken on any perpetrator by its national courts; and, as such, the perpetrators still go unpunished and are enjoying impunity.

3. As negative consequences, more serious crimes categorized under the international humanitarian laws and the Rome Statue of the International Criminal Court, such as a systematic and wide spread campaign of violence against the civilian population, the use of forced labor and forced relocations, the practice of torture, the intentional enforced disappearances of persons, a systematic use of rape as means of oppression and the enforced prostitution, the crime of apartheid, the severely depriving physical liberty of political opposition members, the destruction of the identifiable populations, and etc, are currently taking place in Burma. (A more detailed legal comment can be observed in an attached document.)

3. Despite that Burma has as yet been a party to the Rome Statue, the International Criminal Court (ICC) may also exercise its jurisdiction when the situation is referred to the Prosecutor of ICC by a State Party or by the Security Council, or when the Prosecutor decides to initiate an investigation of his or her own decision and on the basis of information received.

4. Burma Lawyers' Council appeals to the people inside Burma, human rights activists across the world, and international legal organizations, not to yield their efforts to take effective legal actions, nationally and internationally, on the perpetrators who committed heinous crimes in Burma in a collective manner, focusing on all international crimes, including Depayin Massacre.

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