



## Press Release

### **Info Birmanie, the Ligue des droits de l'Homme (LDH) and the International Federation for Human Rights (FIDH) denounce the agreement reached between Total and the Sherpa Association**

**Paris, 1 December 2005** – Info Birmanie, the “Ligue des droits de l'Homme” (LDH) and the International Federation for Human Rights (FIDH) have been informed that an agreement has been reached between Total, the Sherpa Association and eight Burmese nationals who had started legal proceedings for arbitrary “sequestration” against Total before the French courts. They claimed that they had been victims of forced labour during the construction of the Yadana gas pipeline in Burma.

This agreement, which remains confidential, aims at ending the legal proceedings started in 2002 by the eight plaintiffs, with the support of the Sherpa Association. It provides for compensation of the plaintiffs, as well as for funding of humanitarian projects benefiting Burmese refugees living on the Thai-Burmese border, in exchange for the withdrawal of the complaint.

Info Birmanie, the LDH and the FIDH consider that the decision to continue the legal proceeding or to negotiate an agreement with the company is exclusively incumbent upon the victims themselves. However, Info Birmanie, the LDH and the FIDH deplores the joint press release published on 29 November by Total and the Sherpa Association as it gives credence to Total's version concerning its absence of responsibility in the case.

Worse, the President of the Sherpa Association considers the agreement as “exemplary” and that it “*sets a precedent which could be used to resolve similar future situations*”. Which type of cases is he referring to? To “*the difficulties over conditions sometimes experienced by industrial groups operating in certain developing countries*”.

However, the situation in Burma cannot be compared to that of any other developing country. Indeed, foreign investment in Burma has come under scrutiny not because Burma is a developing country, but because of the massive and systematic human rights violations, including the widespread use of forced labour. Moreover, all Burmese democrats, do question the presence of Total in Burma including their leader Aung San Suu Kyi, - whose house arrest has been extended for another year four days ago by the military junta.

Last June, the International Labour Organization (ILO) noted that forced labour in “*its worst forms continued*” in Burma and expressed particular alarm “*at the Government's stated intention to prosecute those it accuses of making false forced labour complaints and the apparent intimidation of complainants (...) the Committee urged tripartite members to urgently review their relations with Myanmar, including foreign direct investment and state and military-owned enterprises*”.

Info Birmanie, the LDH and the FIDH reiterate that they strongly advocate the withdrawal of Total from Burma, as they consider the activities of Total in Burma constitute a political and financial support to the junta: investments in sectors such as gas are under the control of the military, the incomes they generate necessarily fall into their hands, and this income do not contribute to the development of the country for the population's benefit. In this respect, many companies have recently withdrawn from Burma as they do not wish to contribute to human rights violations.

Info Birmanie, the LDH and the FIDH are alarmed by this financial deal which precludes the responsibilities in the perpetration of grave human rights violations and enables Total to pay for a good public image.

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