



INTERNATIONAL LABOR RIGHTS FORUM

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OMB Control Number: 1405-0209

Information Collection Title: Reporting Requirements for Responsible Investment in Burma

Bureau of Democracy, Human Rights, and Labor
C/O Jennifer Stein, Rm 7822
U.S. Department of State
2201 C Street NW
Washington, D.C.

To whom it may concern:

The International Labor Rights Forum (ILRF) welcomes the opportunity to voice our continued support for the U.S. Reporting Requirements for Responsible Investment in Burma (“Reporting Requirements”). We urge the U.S. Government to renew this important mechanism for ensuring new U.S. investment activity is accountable and transparent, and contributes to democracy and respect for human rights in Burma.

This is a historic moment in Burma’s transition towards democracy after decades of military dictatorship, but significant challenges remain. Despite the success of the National League for Democracy (NLD) in the November elections, the military remains outside of democratic accountability structures, and serious human rights abuses continue. Irresponsible and uninformed investments risk undermining the fragile transition process and exacerbating conflict, land rights disputes and human rights abuses, including labor abuses. A return to secretive foreign investment in an economy that is still controlled by crony-owned companies risks perpetuating the legacy of corruption that has caused tremendous suffering for the people of Burma for decades.

Now is not the time to weaken the U.S. Government’s commitment to ensuring that new U.S. investment contributes to positive reform in Burma. The outcome of the elections and the transition to an NLD-led government will likely lead to a new influx of foreign investment, including new investment into high-risk sectors. Removing or weakening the Reporting Requirements just as high-risk foreign investment escalates would weaken the NLD and civil society’s push for transparency and accountability.

The Reporting Requirements provide important information that enables the State Department to monitor and assess whether new U.S. investments promote

U.S. foreign policy goals as intended. Companies' reports also provide critical information to local communities and civil society groups that they would not otherwise have, which enables them to more effectively engage with government and corporate actors.

In renewing the Reporting Requirements, we urge the State Department to clarify that all investors are expected to report thoroughly on their activities, regardless of whether they are "passive" or hands-on investors. We also urge the State Department to strengthen the Reporting Requirements by requiring investors to report who their Burmese business partners and contacts are, including names and national identity numbers of all individuals who ultimately own and control the companies with which they work. Companies should not be able to hide or ignore the connections that their partners may have to serious corruption or human rights abuse. Closing these loopholes will ensure that the Reporting Requirements more effectively meet their key goals and enhance the clarity and utility of the information provided.

For the foregoing reasons, and for the reasons noted in our prior submissions in support of the Proposed Reporting Requirements, we urge you to renew and strengthen the Reporting Requirements as part of the U.S. Government's stated policy of promoting and supporting transparency in Burma.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Judy Gearhart', with a long horizontal flourish extending to the right.

Judy Gearhart
Executive Director
International Labor Rights Forum (ILRF)