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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Burma

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on behalf of the Verts/ALE Group

B7-0110/2010

European Parliament resolution on Burma

The European Parliament,

- having regard to its previous resolution
- having regard to European Council Conclusions - Declaration on Burma-Myanmar of 19 June 2009
- having regard to the Declaration by the Presidency on behalf of the European Union on the Karen civilians fleeing Burma/Myanmar of 11 June 2009
- having regard to the Council conclusions on Burma/Myanmar - 2938th General Affairs Council meeting - Luxembourg, 27 April 2009
- having regard to EU Presidency Statement calling for all-inclusive dialogue between the authorities and the democratic forces in Burma/Myanmar - 23 February 2009
- having regard to UN Secretary-General report on the situation of human rights in Myanmar – 28 August 2009
- Declaration of the Presidency on behalf of the European Union on the arrest of Daw Aung San Suu Kyi of 14 May 2009
- having regard to Rule 122 of its Rules of Procedure,

A. whereas Burma's human rights record continues to deteriorate ahead of the announced elections in 2010; whereas citizens are systematically denied basic freedoms including freedom of expression, association, and assembly;

B. whereas in 2009 the Burmese government conducted two prisoner amnesties, releasing 6,313 prisoners in February and 7,114 in September, but only 31 of those released in February and an estimated 130 released in September were political prisoners.; whereas an estimated 2,100 political prisoners remain in prison including more than 230 Buddhist monks involved in the 2007 protests remain in prison;

C. whereas the military continues to perpetrate human rights violations against civilians in ethnic conflict areas, including extrajudicial killings, forced labour and sexual violence;

D. whereas Aung San Suu Kyi, leader of the opposition National League for Democracy (NLD), has been under house arrest since 2003; whereas on May 14, 2009, authorities arrested her on charges that she breached the terms of her house arrest by permitting the visit of an American, John Yettaw; whereas on August 11, 2009, a criminal court inside Insein prison in Rangoon sentenced Suu Kyi to 3 years of imprisonment for violating her house

arrest, a sentence which was subsequently reduced to 18 months of house arrest;

E. whereas for the first time after 20 years parliamentary elections are foreseen at the end of 2010;

F. whereas in May 2009, attacks by the army and the Democratic Karen Buddhist Army (DKBA) displaced thousands of civilians and forced an estimated 5,000 refugees into Thailand; whereas in late July attacks by Burmese army troops against 39 villages in central Shan state displaced an estimated 10,000 civilians in the area;

G. whereas there are an estimated half-million internally displaced persons in eastern Burma, over 140,000 refugees remain in nine camps along the Thailand-Burma border and over 200 000 Rohingyas live in refugee camps or scattered over southeastern Bangladesh; whereas Millions of Burmese migrants, refugees, and asylum seekers live in Thailand, India, Bangladesh, and Malaysia and are sometimes subject to trafficking;

H. whereas 3,000 ethnic Karen refugees who were forced to flee into Thailand in June 2009 are facing forced return to Burma starting on February 5th; whereas the “voluntary” repatriation, as it is being called, is anything but “voluntary”, the refugees rightfully fear human rights abuses which await them upon their forced return, such as forced labour and forced recruitment into regime-controlled armed forces;

I. whereas there has been an unprecedented crackdown by Bangladesh law enforcement agencies against unregistered Rohingya refugees who had settled outside the two official refugee camps in Cox’s Bazar District started on 2 January 2010; more than 500 Rohingyas have since been arrested; and some of those arrested were pushed back across the Burmese border and others were charged under immigration legislation and sent to jail;

J. whereas that more than 5,000 self-settled Rohingya in Bangladesh already fled their homes and flocked to the Kutupalong makeshift camp in Ukhia in search of safety; which has not now swelled to an estimated of over 30,000, who do not receive food assistance and are now denied access to livelihood as they would face arrest if they leave the camp to find work;

K. whereas Burma continues widespread and systematic forced recruitment of child soldiers;

1. Strongly condemns the ongoing systematic violations of human rights fundamental freedoms and basic democratic rights of the people of Burma/Myanmar;

2. Expresses grave concern at the recent trial, conviction and sentencing of Daw Aung San Suu Kyi and calls for her immediate and unconditional release;

3. takes note of the government's decision to organise elections and insists that under the present conditions they cannot be considered free and democratic, criticises notably the banning of Aung San Sui Kyi from standing as a candidate ;

4. Reaffirms the essential importance of a process of dialogue and national reconciliation for a transition to democracy; calls on the Government of Myanmar to immediately start a genuine dialogue with the National League for Democracy and all other concerned parties and ethnic groups; welcomes in this context the mediation efforts by the UN Secretary-General and his

Special rapporteur on Burma;

5. Urges the Government of Myanmar to release all prisoners of conscience without delay, without conditions and with full restoration of their political rights and to desist from further politically motivated arrests;

6. Strongly urges the Government of Myanmar to take without delay the necessary steps to ensure a free, fair, transparent and inclusive electoral process, including by enacting the required electoral laws and allowing the participation of all voters, all political parties, and all other relevant stakeholders in the electoral process and accept international observers;

7. Calls upon the Government of Myanmar to lift restrictions on the freedom of assembly, association, movement and freedom of expression, including for free and independent media, including through the openly available and accessible use of Internet and mobile telephone services, and ending the use of censorship;

8. Expresses its grave concern at the continuing practice of arbitrary detentions, enforced disappearances, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, and strongly calls upon the Government of Myanmar to ensure a full, transparent, effective, impartial and independent investigation into all reports of human rights violations, and to bring to justice those responsible in order to end impunity for such crimes;

9. Expresses concern about the conditions in prisons and other detention facilities, and consistent reports of ill-treatment of prisoners of conscience, including torture, and about the moving of prisoners of conscience to isolated prisons far from their families where they cannot receive food and medicine;

10. Expresses its deep concern about the resumption of armed conflict in some areas and calls upon the Burma military Junta to protect the civilian population in all parts of the country and for all concerned to respect existing ceasefire agreements;

11. Strongly calls upon the Burma military Junta to end the practice of systematic forced displacement of large numbers of persons within their country and other causes of refugee flows into neighbouring countries;

12. Expresses its concern about the continuing discrimination, human rights violations, violence, displacement and economic deprivation affecting numerous ethnic minorities, including, but not limited to, the Rohingya ethnic minority in Northern Rakhine State, and calls upon the Government of Myanmar to take immediate action to bring about an improvement in their respective situations;

13. Strongly calls upon the Burma military Junta to put an immediate end to the continuing recruitment and use of child soldiers, to intensify measures to ensure the protection of children from armed conflict and to pursue its collaboration with the Special Representative of the Secretary-General for Children and Armed Conflict, including by granting access to areas where children are recruited, for the purpose of implementing an action plan to halt this practice;

14. Urges the European Commission, in light of the ongoing conflict on the Thailand-Burma border, to reconsider its decision to further cut support from the EC Humanitarian Office

(ECHO) for refugee assistance on the Thailand-Burma border in 2010;

15. Urges the Council and Commission to use their influence with the Royal Thai government and UNHCR to act on behalf of these refugees who are fleeing from the Burma military Junta;

16. Calls on the Royal Thai government to work with the Office of the United Nations High Commissioner for Refugees (UNHCR), the Thai Burma Border Consortium (TBBC) and the international community to find an alternative solution that ensures the safety of the 3000 Karen refugees;

17. Urge the Government of Bangladesh to immediately cease arrests, push-backs and forced displacement of the unregistered Rohingya population in Cox's Bazar and Bandarban Districts; to recognise that the unregistered Rohingyas are stateless asylum seekers who fled persecution in Myanmar and are in need of international protection; and to provide them with adequate protection, access to livelihood and other basic services;

18. Notes the continued cooperation of the Government of Myanmar with the international community, including the United Nations, in delivering humanitarian assistance to the people affected by Cyclone Nargis, and in the light of ongoing humanitarian need encourages the Government of Myanmar to ensure that cooperation is maintained;

19. Urges the Governments of China, India and Russia to use their considerable economic and political leverage with the Burmese authorities in order to bring about substantial improvements in the country and to cease the supply of weaponry and other strategic resources;

20. Instructs its President to forward this resolution to the to the HR/VP Mrs. Ashton, the governments and parliaments of the Member States, the EU Special Envoy for Burma, the Burmese State Peace and Development Council, the governments of the ASEAN and ASEM member states, the ASEM secretariat, the ASEAN Inter-Parliamentary Myanmar Caucus, Daw Aung San Suu Kyi, the NLD, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Special Rapporteur for Burma.