EUROPEAN PARLIAMENT

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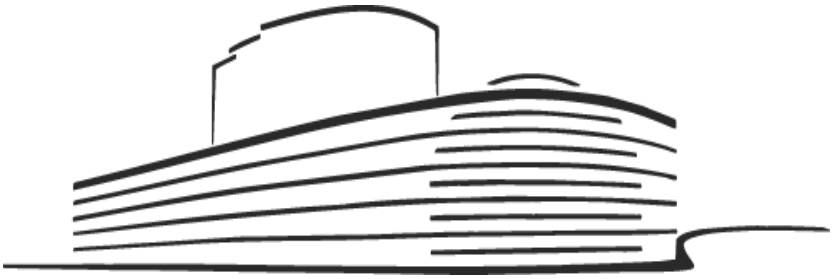
TEXTS ADOPTED

at the sitting of

Thursday
11 February 2010



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Burma

European Parliament resolution of 11 February 2010 on Burma

The European Parliament,

– having regard to the Council Conclusions of 27 April 2009 on Burma/Myanmar and the Council Common Position renewing restrictive measures against Burma,

– having regard to the European Council Conclusions - Declaration on Burma/Myanmar of 19 June 2009,

– having regard to the statement by the Presidency on behalf of the European Union of 11 June 2009 on the Karen civilians fleeing Burma/Myanmar,

– having regard to the EU Presidency statement of 23 February 2009 calling for all-inclusive dialogue between the authorities and democratic forces in Burma/Myanmar,

– having regard to United Nations General Assembly Resolution 64/238 of 23 December 2009 on the situation of human rights in Myanmar,

– having regard to the statement by the Presidency on behalf of the European Union of 14 May 2009 on the arrest of Daw Aung San Suu Kyi,

– having regard to the ASEAN Chairman's statement of 11 August 2009 on Myanmar,

– having regard to its previous resolutions on Burma/Myanmar,

– having regard to Rule 122(5) of its Rules of Procedure,

A. whereas the human rights situation in Burma/Myanmar has continued to deteriorate, political repression has escalated further and the fundamental freedoms of the Burmese people are being systematically violated,

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

C. whereas the Burmese regime is persisting with the widespread and systematic forced recruitment of child soldiers,

D. whereas according to reports there are some 2177 political prisoners, including 14 journalists, in Burma, and whereas more than 230 Buddhist monks involved in the 2007 protests remain in prison,

E. whereas in autumn 2010 Burma/Myanmar is expected to hold its first parliamentary elections in two decades,

F. whereas the elections will be based on the army-drafted Constitution, the legitimacy of which has been widely challenged; whereas this new Constitution foresees elections in 2010 to justify five decades of military rule and gives the military 25% of the seats in parliament,

G. whereas the new Constitution bars Aung San Suu Kyi, leader of the National League for Democracy (NLD) and Nobel Peace Prize winner, from public office; whereas some opposition parties and ethnic minority groups have declared that they will boycott the elections, whilst the NLD will not accept their outcome if there is no prior dialogue on constitutional review,

H. whereas on 28 January 2010 Ngwe Soe Lin was sentenced to 13 years' imprisonment for working for the foreign news agency Democratic Voice of Burma, whilst on 30 December 2009 Hla Hla Win was sentenced to 27 years in jail on similar charges,

I. whereas the continuous crackdown on political dissent must be seen as an attempt by the Burmese junta to establish greater control over the media ahead of the national elections planned for later this year,

J. whereas on 11 August 2009 Daw Aung San Suu Kyi was sentenced to three years in prison, a sentence that was later commuted by the Burmese authorities to 18 months to be served under house arrest; whereas her lawyers have appealed to Burma's Supreme Court against the sentence; whereas the unjustified trial and verdict against Daw Aung San Suu Kyi has been widely condemned by the international community,

K. whereas in May 2009 attacks by the Burmese Army and the Democratic Karen Buddhist Army (DKBA) displaced thousands of civilians and forced an estimated 5000 refugees to flee into Thailand; whereas there is a severe risk that upon their return the Karen refugees will be subjected to severe human rights violations, including forced labour and rape by soldiers of the Burmese Army,

L. whereas there are an estimated half a million internally displaced persons in eastern Burma, 140 000 refugees remain in nine camps along the Thailand-Burma border, and over 200 000 Rohingyas are living in refugee camps or scattered over south-eastern Bangladesh; whereas millions of Burmese migrants, refugees and asylum seekers are living in Thailand, India, Bangladesh and Malaysia and are sometimes victims of trafficking,

M. whereas starting on 2 January 2010 there has been an unprecedented crackdown by Bangladesh law enforcement agencies on unregistered Rohingya refugees who have settled outside the two official refugee camps in Cox’s Bazar District; whereas more than 500 Rohingyas have since been arrested and some of those arrested have been forced back across the Burmese border, whilst others have been charged under immigration law and jailed,

N. whereas more than 5000 self-settled Rohingyas in Bangladesh have already fled their homes and flocked to the Kutupalong makeshift camp in Ukhia in search of safety; whereas the population of that camp has now swelled to an estimated 30 000 people, who do not receive food assistance and are now being denied access to a livelihood, as they would face arrest if they were to leave the camp to find work,

1. Strongly condemns the ongoing, systematic violations of the 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; calls for her to be granted the right to participate in the forthcoming elections;

3. Takes note of the decision by the Government of Burma/Myanmar to hold elections and insists that under the present conditions they cannot be considered free and democratic; criticises, in particular, the ban on Aung San Sui Kyi standing as a candidate;

4. Calls on the Government of Burma/Myanmar immediately to open a genuine dialogue with the NLD, all other opposition parties and ethnic groups; welcomes, in this context, the mediation efforts by the UN Secretary-General and his Special Rapporteur on Human Rights in Burma/Myanmar;

5. Strongly urges the Government of Burma/Myanmar to take without delay the steps needed to ensure a free, fair, transparent and inclusive electoral process consistent with international standards, including by enacting the required electoral laws, allowing all voters and all political parties to participate in the electoral process and agreeing to the presence of international observers;

6. Condemns the arbitrary charges behind the arrests of political opponents of the Burmese regime or dissidents, particularly the continuing repression and intimidation of Buddhist monks; urges the Burmese authorities to desist from further politically motivated arrests and to release all prisoners of conscience, including the monks, immediately and unconditionally and with full restoration of their political rights;

7. Condemns the restrictions on freedom of assembly, association, movement and expression in Burma/Myanmar; urges the authorities of Burma/Myanmar to lift these restrictions, including those imposed on the free and independent media;

8. Expresses its concern at the continuing discrimination, human rights violations, violence, child and forced labour, displacement and forms of repression suffered by numerous ethnic and religious minorities, and calls on the Government of Burma/Myanmar to take immediate action to improve their respective situations;

9. Expresses grave concern at the continuing use of practices such as arbitrary detention, enforced disappearance, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment; calls strongly on the Government of Burma/Myanmar to ensure that a full, transparent, effective, impartial and independent investigation is carried out into all reports of human rights violations and to bring those responsible to justice in order to end impunity for such crimes;

10. Calls strongly on the Burmese military junta to put an immediate end to the continuing recruitment and use of child soldiers, to step up measures to protect children from armed conflict and to pursue its cooperation with the Special Representative of the UN Secretary-General for Children and Armed Conflict;

11. Condemns in strong terms the ethnic cleansing campaigns directed by the Government of Burma/Myanmar against minorities, including those seeking refuge in neighbouring countries;

12. Calls on the Royal Thai Government to continue providing shelter and protection to Karen

refugees fleeing abuses in Burma/Myanmar and to work with the Office of the United Nations High Commissioner for Refugees, the Thai-Burma Border Consortium and the international community to find an alternative solution that ensures the safety of the 3000 Karen refugees;

13. Urges the Commission, in light of the ongoing conflict on the Thailand-Burma border, to maintain the EC Humanitarian Office's support for refugee assistance in that area in 2010;

14. Welcomes the fact that the Bangladesh Government is allowing a fact-finding mission by its South Asia delegation to examine the situation of the Rohingya population in Cox's Bazar and Bandarban Districts next week, and calls on the Bangladesh Government to recognise that the unregistered Rohingyas are stateless asylum seekers who have fled persecution in Burma/Myanmar and are in need of international protection, and to provide them with adequate protection, access to a livelihood and other basic services;

15. Urges the governments of China, India and Russia to use their economic and political leverage with the authorities of Burma/Myanmar in order to bring about substantial improvements in the country and to stop supplying the Burmese regime with weaponry and other strategic resources;

16. Calls on the Council to maintain the restrictive measures targeted against the Burmese regime until there is tangible progress on democratisation; at the same time, urges the Council to evaluate the effectiveness of the restrictive measures;

17. Instructs its President to forward this resolution to the High Representative/Vice-President of the Commission, Catherine Ashton, the governments and parliaments of the Member States, the EU Special Envoy for Burma/Myanmar, the Burmese State Peace and Development Council, the governments of the ASEAN and ASEM member states, the governments of Bangladesh and Russia, the ASEM Secretariat, the ASEAN Inter-Parliamentary Myanmar Caucus, Daw Aung San Suu Kyi, the National League for Democracy, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Special Rapporteur on Human Rights in Burma/Myanmar.