



Plenary sitting

B9-0087/2019

17.9.2019

MOTION FOR A RESOLUTION

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

pursuant to Rule 144 of the Rules of Procedure

on Myanmar, notably the case of the Rohingya
(2019/2822(RSP))

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on behalf of the Renew Group

B9-0087/2019

European Parliament resolution on Myanmar, notably the case of the Rohingya (2019/2822(RSP))

The European Parliament,

- having regard to its previous resolutions on Myanmar and on the situation of Rohingya people, notably those adopted on 13 September 2018, 14 June 2018, 14 December 2017, 14 September 2017, 7 July 2016 and 15 December 2016,
- having regard to the Council conclusions on Myanmar,
- having regard to the report of the Independent International Fact-Finding Mission on Myanmar of the United Nations Human Rights Council of the 24 August 2018, which was presented at the 39th session of the UN Human Rights Council from 10-28 September 2018,
- having regard to the United Nations Human Rights Council report of the independent international fact-finding mission on Myanmar of 8 August 2019,
- having regard to the Convention on the Prevention and Punishment of the Crime of Genocide,
- having regard to the final report and recommendations of the Kofi Annan-led Advisory Commission on Rakhine State,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to international humanitarian law, the Geneva Conventions and the Protocols thereto and the Rome Statute of the International Criminal Court (ICC),
- having regard to the prosecutor of the International Criminal Court's request of Pre-Trial Chamber III for authorization to open an investigation into the crime of deportation from Myanmar to Bangladesh and any other crimes which are linked to these events,
- having regard to the Universal Declaration of Human Rights (UDHR) of 1948,
- having regard to the Charter of the Association of South-East Asian Nations (ASEAN),
- having regard to the UN Security Council report of the Secretary-General on conflict-related sexual violence of 23 March 2018,
- having regard to the decision of Pre-Trial Chamber I of the ICC of 6 September 2018,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

- A. whereas over the last two years 1,3 million Rohingya from the Rakhine State in Myanmar faced repression and continued serious human rights violations, including killings, threats to life and security, denial of the rights to health and education, forced labour, sexual violence and limitation of their civil and political rights; whereas Rohingya Muslims are considered to be the world's most persecuted minority and the largest stateless group;
- B. whereas the Myanmar military are using rape as a tool in their campaign of ethnic cleansing in Rakhine State; whereas sexual violence is used to divide entire communities and deter women and girls from returning to their homes; whereas in the camps rape victims may have to face social exclusion by their communities; whereas the UN Human Rights Council has requested information on the responsibility of the Myanmar military concerning widespread rape of Rohingya women and girls;
- C. whereas over 1 million Rohingya, many of them children, have fled the violence against them and have sought refuge in Bangladesh while fearing for their lives;
- D. whereas many refugees are women who are pregnant or have small children and have travelled miles on foot, arriving at the displacement camps in a condition of sickness arising from mental and physical stress, starvation and injury;
- E. whereas there is very limited access to healthcare in the camps; whereas there is dire need for maternal healthcare services, including prenatal care, safe delivery, new-born care, breastfeeding support and ongoing reproductive healthcare;
- F. whereas the Rohingya who are confined to camps and villages remaining in the Rakhine state face ongoing discrimination, severe restrictions on movement and deprivation of basic services;
- G. Whereas the Myanmar government claims to initiate the repatriation of the Rohingya back to Myanmar, but that all attempts so far have appeared to be deliberately ineffective; Whereas the refugees have been severely traumatised and fear going back; whereas the Rohingya villages have been destroyed by the Myanmar authorities; whereas the Myanmar authorities have built their own buildings on the sites of where the villages stood; whereas Rohingya who would return would be forced to sign National Verification Cards which would deny them of Myanmar citizenship;
- H. whereas civil society actors, including journalists, lawyers and human rights defenders who express views critical of the Myanmar authorities and the acts carried out by them in Rakhine State, are reportedly arbitrarily arrested, detained or harassed; whereas media coverage of violence in Rakhine State is tightly controlled by the military and the government;
- I. whereas the report of the UN-mandated Independent International Fact-Finding Mission on Myanmar (IIFMM) of 24 August 2018 and 8 August 2019 on Myanmar conclude that the most serious human rights violations and gravest crimes under international law, including genocide, crimes against humanity and war crimes, were committed in Kachin, Rakhine and Shan States by the Tatmadaw, the Myanmar police force, NaSaKa (previously the Border Area Immigration Control Headquarters), the Myanmar border guard police and non-state armed groups

- J. whereas the IIFFMM report states that Myanmar's State Counsellor, Nobel Peace Prize and Sakharov Prize laureate Aung San Suu Kyi has failed to use her position as Head of Government or her moral authority to stem or prevent the unfolding events in Rakhine State;
- K. Whereas the Rome Statute of the International Criminal Court (ICC) affirms that the most serious crimes of concern to the international community as a whole, in particular genocide, crimes against humanity and war crimes must not go unpunished; whereas on June 26 2019 the ICC announced that Prosecutor Fatou Bensouda will request that the court's judges open an investigation into crimes relating to the violence in the Rakhine State; Whereas Myanmar is not a signatory to the Rome Statute; whereas Bangladesh is a signatory to the Rome Statute since June 2010; Whereas on 8 September 2018 the ICC has confirmed jurisdiction over the crimes concerning the deportation of Rohingya people from Myanmar to Bangladesh;
1. Holds the government and military of Myanmar and its State's Counsellor, Aung San Suu Kyi, responsible for the atrocities taking place against the Rohingya population and the failed approach to repatriate the Rohingya back to the Rakhine State; whereas the authorities have contributed to the commission of atrocities through their acts and omissions, specifically by spreading false narratives, denying the Tatmadaw's wrongdoing, blocking independent investigations and overseeing the destruction of evidence;
 2. Insists that the Government of Myanmar and State Counsellor Aung San Suu Kyi condemn unequivocally all incitement of hatred and to combat social discrimination and hostilities against Rohingya people and other minority groups;
 3. Is gravely concerned about the gravity of the human rights violations and echoes the UN reports that the attacks may constitute a genocide;
 4. calls once again upon the Government of Myanmar and the security forces to put an immediate stop the ongoing violations, killings, destruction of property and sexual violence against Rohingya people, to become a signatory to the Rome Statute and to ensure that security and the rule of law prevail in Myanmar; Calls upon the Government of Myanmar to open a dialogue with Rohingya officials and to recognize the Rohingyas among the 135 legally recognized Myanmar ethnic groups;
 5. Strongly condemns all acts of violence, intimidation, harassment or restriction of freedom of expression, notably by the Myanmar military and security forces: underlines that media freedom and critical journalism are essential pillars of democracy, promoting good governance, transparency and accountability and calls on the authorities of Myanmar to ensure adequate conditions for journalists and media workers to carry out their work without fear of intimidation or harassment, undue arrest or prosecution;
 6. Reiterates its call on the UNSC to impose a global comprehensive arms embargo on Myanmar, suspending all direct and indirect supplies, sales or transfers, including transit and transshipment of all weapons, munitions and other military and security equipment, as well as the provision of training or other military or security assistance; urges the UNSC to adopt targeted individual sanctions, including travel bans and asset freezes, against those who appear responsible for serious crimes under international law;

7. Recalls that rape and sexual violence have been a recurrent feature of the targeting of the civilian population in Kachin, Rakhine and Shan States; calls for the EU, in particular the Commission's Civil Protection and Humanitarian Aid Operations department (ECHO), and EU Member States to secure improvements in the protection from gender-based violence of Rohingya girls and women;
8. Recalls the need for the provision of medical and psychological assistance in refugee camps, particularly assistance tailored for vulnerable groups including women and children; calls for greater support services for victims of rape and sexual assault;
9. Welcomes the framework for targeted measures against officials and military generals responsible for serious human rights violations and strengthening the EU's arms embargo set up by the Council; Calls on the Council to further expand the list of those targeted by the sanctions, including Commander-in-Chief Sr Gen. Min Aung Hlaing and Deputy Commander in Chief Vice Sr. Gen Soe Win;
10. Calls on the Commission to review the trade preferences that benefit Myanmar;
11. Welcomes the 2 million euros of food aid to the UN World Food Program delivered by the EU in early September for the Rohingya camps in Cox's bazaar but in view of the needs on the spot, asks the Council and the Commission to continue its efforts;
12. Commends the efforts taken by the government and the people of Bangladesh to provide refuge to Rohingya refugees; calls on the authorities of Bangladesh to lift restrictions on access to the internet and online communications, as well as freedom of movement and to ensure security forces operating in the camps uphold all protection standards for the refugees' personal security; calls for further international support to those communities hosting the refugees, including by addressing domestic social, educational, economic and healthcare challenges;
13. Instructs its President to forward this resolution to the Government and Parliament of Myanmar, State Counsellor Aung San Suu Kyi, the Government and Parliament of Bangladesh, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the governments and parliaments of the EU Member States, the Secretary-General of ASEAN, the ASEAN Intergovernmental Commission on Human Rights, the UN Special Rapporteur on the situation of human rights in Myanmar, the UN High Commissioner for Refugees and the UN Human Rights Council.