

## **P6\_TA(2008)0178**

### **Situation in Burma**

#### **European Parliament resolution of 24 April 2008 on the situation in Burma**

*The European Parliament,*

- having regard to its resolution of 14 December 2006 on the situation in Burma<sup>1</sup> and its resolution of 21 June 2007 on Burma<sup>2</sup>,
  - having regard to the Council conclusions of 19 November 2007 adopting strengthened and additional restrictive measures against Burma<sup>3</sup>,
  - having regard to Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar and repealing Regulation (EC) No 817/2006<sup>4</sup>,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the Burmese State Peace and Development Council (SPDC), led by General Than Shwe, has announced that a referendum will be held on 10 May 2008 on a new constitution, with multi-party elections following in 2010,
- B. whereas the SPDC continues to subject the people of Burma to appalling human rights abuses, such as forced labour, persecution of dissidents, conscription of child soldiers and forced relocation,
- C. whereas the Burmese Government has rejected proposals made by the UN Special Envoy, Ibrahim Gambari, to ensure the free and fair conduct of the referendum, in the presence of international observers,
- D. whereas the Burmese Government has included in the draft constitution provisions which reserve one quarter of the seats in both houses of parliament for military officers, give the country's military chief the right to suspend the constitution at any time and bar candidates from running for president if they have a foreign spouse or child (which would apply to the detained opposition leader of the National League for Democracy (NLD) and winner of the Nobel Peace Prize and Sakharov Prize, Aung San Suu Kyi); whereas the draft constitution also offers impunity for state agents for acts committed in office,
- E. whereas, since announcing the referendum, the government has issued Law No 1/2008, which denies voting rights to members of religious orders,

---

<sup>1</sup> OJ C 317 E, 23.12.2006, p. 902.

<sup>2</sup> Texts adopted, P6\_TA(2007)0290.

<sup>3</sup> See Council Common Position 2007/750/CFSP of 19 November 2007 amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar (OJ L 308, 24.11.2007, p. 1).

<sup>4</sup> OJ L 66, 10.3.2008, p. 1.

- F. whereas the democratic opposition has not been involved in the constitutional process,
  - G. whereas the majority of the Burmese opposition has decided to vote no in the referendum,
  - H. whereas there are still around 1 800 political prisoners in Burma, including Aung San Suu Kyi,
  - I. whereas the Burmese Government has failed to address in any meaningful way the continued recruitment and use of children in armed conflict,
  - J. whereas the sanctions adopted by the EU against the Burmese Government have not been effective so far,
  - K. whereas the Burmese Government continues to enjoy close political and economic relations with neighbouring countries and with ASEAN,
  - L. whereas 30% of Burma's population, an estimated 15 million people, are subsisting below the poverty line,
1. Deplores the fact that the constitutional referendum process is devoid of any democratic legitimacy, as Burmese citizens lack all basic democratic rights that would allow them to hold an open debate on the constitutional text, amend it and subsequently freely express themselves through a referendum;
  2. Condemns the rejection by the Burmese Government of the proposals made by UN Special Envoy Gambari, to allow an open and inclusive campaign in the run-up to the constitutional referendum; calls on the Burmese Government to act in good faith and to work constructively with the UN Special Envoy;
  3. Supports the democratic transition through an inclusive process of national reconciliation and tripartite dialogue between the regime, the NLD and ethnic representatives;
  4. Seeks from the Burmese Government guarantees that it will convene an independent election commission, compile a proper voter registration list, lift long-standing restrictions on the media, allow freedom of association, expression and assembly in Burma, revoke new regulations that criminalise legitimate debate on the referendum, and agree to the presence of international observers;
  5. Calls for the immediate and unconditional release of political opponents of the regime and of more than 1 800 political prisoners, including Aung San Suu Kyi, the leaders of the '88 Generation Students, and the leaders of the Shan Nationalities League for Democracy arrested in 2005;
  6. Calls for the regime to account for all casualties and missing persons from last September's crackdown on protests by Buddhist monks and democracy activists and to establish the whereabouts of missing monks and nuns;
  7. Urges the Commission, the Council and Member States to take every opportunity to speak out in the international arena against the continuing and persistent abuse of children in Burma, especially through the use of child soldiers; condemns in the strongest possible

terms the recruitment of child soldiers in Burma, and calls on the UN Security Council to thoroughly investigate the situation in Burma in this regard;

8. Notes that China has recently ratified the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, draws attention to the deplorable abuses perpetrated in this regard by the Burmese military junta, and urges China to take action in this regard;
9. Supports the good offices of the UN Secretary-General and Mr Gambari's efforts to negotiate with the Burmese authorities; calls on the EU and the Member States to work closely with the UN Special Envoy to ensure the consistency of the international community's involvement in Burma;
10. Supports the efforts of the EU's special envoy on Burma, Piero Fassino, to promote dialogue with ASEAN countries; urges ASEAN to put substantive pressure on the Burmese authorities to bring about democratic change;
11. Urges the Council to renew its targeted sanctions, and to broaden them, focusing on restrictions on access to international banking services for military-owned companies and for conglomerates and businesses that are closely linked to the military or whose earnings benefit the military, and restrictions on access to personal business opportunities, health care, shopping, and foreign education for their children for selected generals and their immediate families; urges the Council to comprehensively and explicitly prohibit selected individuals and entities from making any financial transactions that pass through clearing-house banks or otherwise using financial services within the EU's jurisdiction;
12. Calls on the Council to ensure the effective application of targeted sanctions, to adequately investigate potential targets of sanctions, to allow for a review of decisions and ongoing monitoring, and to ensure that the measures adopted are implemented;
13. Calls on the Council to continue to review sanctions against specific human rights benchmarks that should include the following: the release of political prisoners and all other persons arbitrarily detained for exercising their basic human rights to freedom of expression, association and assembly; the provision of an accurate official account of the numbers, whereabouts and conditions of individuals killed, arrested and/or detained by the security forces, including in the recent crackdown; a cessation of military attacks on civilians; and a transition to democracy; calls also on the Council to consider further targeted sanctions, such as a complete ban on new investment, a ban on the provision of insurance services for investment in Burma, and an embargo on trade in key commodities that provide significant revenue to the military government;
14. At the same time, calls on the EU and the wider international community to offer incentives for reform as a counterbalance to the threat and/or imposition of sanctions and provide the military leadership with positive motivation for change;
15. Notes that the EU arms embargo on Burma is ineffective, as the military government purchases its military goods in China, Russia and India; urges the EU, therefore, to campaign actively for a worldwide embargo on arms exports to Burma;

16. Calls on the international community, Western governments and campaign groups to scale up their humanitarian work, particularly through existing programmes in the health sector, and to initiate new and broader programmes to support basic education, reaching internally displaced persons (IDPs) and others caught in the conflict zones, mainly along the Thai border; in this context, calls on the Commission to extend its humanitarian aid budget under the Development Cooperation Instrument (DCI) for Burma (currently 32 million EUR for 2007-2010) and to invest more in cross-border humanitarian aid for IDPs;
17. Calls on the Commission to create and expand assistance programmes aimed at empowering disenfranchised groups, including women and ethnic and religious minorities, and alleviating political, ethnic, religious and other divisions;
18. Calls on the Commission to increase support for Burmese living outside the country through the DCI programme on uprooted people and to look into other ways of providing support;
19. Stresses that the provision of aid should be linked to benchmarks and timelines, with a view to combating risks of corruption more effectively;
20. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments and parliaments of the ASEAN countries, the Burmese National League for Democracy, the Burmese State Peace and Development Council, the Government of the People's Republic of China, the Government and Parliament of India, the Government of Russia and the United Nations Secretary-General.