



TEXTS ADOPTED

P8_TA(2017)0500

Situation of the Rohingya people

European Parliament resolution of 14 December 2017 on the situation of the Rohingya people (2017/2973(RSP))

The European Parliament,

- having regard to its previous resolutions on Myanmar and on the situation of Rohingya Muslims, in particular those of 14 September 2017¹, 7 July 2016² and 15 December 2016³, and of 13 June 2017 on statelessness in South and South East Asia⁴,
- having regard to the Council conclusions on Myanmar/Burma of 16 October 2017,
- having regard to the remarks by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, in Cox's Bazar, Bangladesh on 19 November 2017,
- having regard to the statement of 6 September 2017 by the VP/HR on the situation in Rakhine State, to the statement of 11 September 2017 by the VP/HR on the latest developments in Rakhine State, Myanmar and the border region in Bangladesh, to the declaration of 20 November 2017 by the VP/HR on behalf of the European Union on Myanmar/Burma, and to the statement of 23 November 2017 by the VP/HR on the signing of a bilateral repatriation agreement between the Governments of Myanmar and Bangladesh,
- having regard to the visit of the EU Commissioner for Humanitarian Aid and Crisis Management, Christos Stylianides, to northern Rakhine State in May 2017,
- having regard to the joint communication of 1 June 2016 by the Commission and the VP/HR to the European Parliament and the Council entitled 'Elements for an EU strategy vis-à-vis Myanmar/Burma: A Special Partnership for Democracy, Peace and Prosperity' (JOIN(2016)0024),
- having regard to the joint press release on the third EU-Myanmar Human Rights Dialogue of 25 November 2016,

¹ Texts adopted, P8_TA(2017)0351.

² Texts adopted, P8_TA(2016)0316.

³ Texts adopted, P8_TA(2016)0506.

⁴ Texts adopted, P8_TA(2017)0247.

- having regard to the Council conclusions on statelessness of 4 December 2015,
 - having regard to the Memorandum of Understanding between Myanmar and Bangladesh on the repatriation of Rohingya people from Bangladesh to Myanmar, signed on 23 November 2017,
 - having regard to the Presidential Statement of the UN Security Council on violence in Rakhine State of 6 November 2017,
 - having regard to the draft resolution on the human rights situation in Myanmar approved by the Third Committee of the UN General Assembly on 16 November 2017,
 - having regard to the report of the United Nations High Commissioner for Human Rights entitled ‘Situation of human rights of Rohingya Muslims and other minorities in Myanmar’ of 20 June 2016, and to the report of the UN Special Rapporteur on the situation of human rights in Myanmar of 18 March 2016,
 - having regard to the 27th special session of the UN Human Rights Council on the human rights situation of the minority Rohingya Muslim population and other minorities in Rakhine State, Myanmar,
 - having regard to the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol thereto,
 - having regard to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness,
 - having regard to the UNHCR Global Action Plan to End Statelessness 2014-2024,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the Final Report of the Advisory Commission on Rakhine State,
 - having regard to the International Covenant on Civil and Political Rights of 1966 and the International Covenant on Economic, Social and Cultural Rights of 1966,
 - having regard to the ASEAN Charter,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Rakhine State in Myanmar is home to approximately one million Rohingya, a predominantly Muslim minority group facing repression and continued serious human rights violations, including threats to life and security, denial of the right to health and education, malnutrition and food insecurity, forced labour, sexual violence and limitations on their political rights;
 - B. whereas the Rohingya are one of the most persecuted minorities in the world, and whereas they are denied full citizenship rights and rendered stateless under Myanmar’s 1982 Citizenship Law; whereas the Rohingya are largely confined to camps with severe restrictions placed on free movement within and outside Rakhine State;
 - C. whereas the most recent attacks on security posts in August 2017 provoked an

overwhelmingly disproportionate response from the Myanmar military, which committed severe human rights violations against the Rohingya people;

- D. whereas since August 2017 more than 646 000 Rohingya have fled for safety in neighbouring Bangladesh, facing harrowing conditions; whereas the total number of Rohingya refugees in Bangladesh is expected to exceed 1 million by the end of 2017; whereas dozens of people, including women and children, have died en route and more than 400 000 people are in need of healthcare and food assistance; whereas the murder, rape and torture of Rohingya and the burning down of their villages are used as a tool to permanently damage the social structure of the Rohingya and to traumatise the population;
 - E. whereas the border between Myanmar and Bangladesh has been militarised and landmines have been laid to prevent people from crossing it;
 - F. whereas, according to UN agencies, access for humanitarian organisations remains highly restrictive, including for the delivery of food, water and medicine to the Rohingya;
 - G. whereas the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, announced on 10 September 2017 that the situation in Myanmar 'seems like a textbook example of ethnic cleansing' and on 5 December 2017 that an act of genocide against Rohingya Muslims by state forces in Myanmar cannot be ruled out; whereas Amnesty International has described the situation for minorities in Rakhine State as one of 'apartheid' and whereas the UN Human Rights Council has condemned 'the very likely commission of crimes against humanity' in Myanmar;
 - H. whereas on 23 October 2017 the pledging conference held in Geneva between the UNHCR, OCHA, IOM, the European Union and the Government of Kuwait secured pledges for aid totalling USD 344 million, more than half of which came from the EU;
 - I. whereas the Governments of Myanmar and Bangladesh have signed a non-binding memorandum of understanding which should guarantee the safe return of the Rohingya refugees who fled to Bangladesh; whereas the VP/HR has called the signing of the memorandum of understanding an important step towards addressing one of the worst humanitarian and human rights crises of our time; whereas it is unclear how many potential Rohingya repatriates will be housed in camps and temporary holding areas; whereas there is no clear timeline for a return to adequate security and safe housing or for the recognition of their citizenship rights;
- 1. Strongly condemns the ongoing violence and killings, the systematic use of force, and the loss of lives, livelihoods and shelter in Rakhine State; expresses grave concern at the humanitarian and human rights situation and expresses its deepest sympathy with and full support to the Rohingya people; recalls that the Myanmar authorities have a duty to protect from abuse all civilians, without discrimination, to investigate grievous human rights violations and to prosecute those responsible, in accordance with human rights standards and obligations;
 - 2. Calls for an immediate end to the violence, to the killing, harassment and rape of Rohingya people and to the destruction of their homes by the Myanmar security forces;

3. Urges the Myanmar authorities to work in conjunction with international aid agencies, the EU and the UN to allow immediate, unhindered humanitarian access to Rakhine State and the surrounding areas, including dedicated support for vulnerable groups such as children, the elderly and victims of sexual violence; urges the government to implement measures in line with UN Security Council resolution 2106 (2013) to prevent and respond to incidents of sexual violence;
4. Calls on the authorities of Myanmar to grant access to independent monitors, in particular the UN Fact-Finding Mission established by the UN Human Rights Council in March 2017, to ensure independent and impartial investigations into allegations of serious human rights violations by all parties; urges all parties to ensure there is no impunity for human rights violations; recalls that where there is evidence of human rights abuses, individuals must be prosecuted in fair proceedings before independent civilian courts and without the imposition of the death penalty; presses for continued UN Security Council action, including a referral to the International Criminal Court, if Myanmar is unable or unwilling to prosecute or self-refer;
5. Calls on the Government of Myanmar to grant domestic and international media organisations full, unhindered access to Rakhine State and to ensure the safety and security of media personnel;
6. Reiterates its call for the Government of Myanmar to immediately cease its use of landmines and to remove all mines it has already laid, including those laid recently along the border with Bangladesh; urges the international community to provide technical assistance in this regard; commends the efforts made by Bangladesh in the face of a humanitarian crisis in one of its neighbouring countries; welcomes the protection Bangladesh has provided for Rohingya people fleeing Myanmar and encourages it to continue offering support in cooperation with the UNHCR; calls on Bangladesh to further facilitate humanitarian operations by international NGOs by simplifying the bureaucratic burden, the registration process and restrictions on movement;
7. Notes the memorandum of understanding agreed between Myanmar and Bangladesh on repatriation; urges the parties to fully respect the voluntary, safe and dignified return of the Rohingya to their places of origin without discrimination of any kind, and with full UN oversight; insists that the Myanmar authorities offer credible assurances that returnees will not be persecuted or forced into segregated camps on ethnic or religious grounds and guarantee independent and impartial monitoring by human rights bodies; reaffirms the principle of non-refoulement and echoes the UNHCR assessment of 24 November 2017 that ‘at present, conditions in Myanmar’s Rakhine State are not in place to enable safe and sustainable returns’; calls for the EU to lead international efforts by means of an intergovernmental summit together with the UN; proposes that this summit review progress on the Rohingya repatriation process and the restoration of citizenship rights and that the procedure for an independent investigation of crimes against humanity be initiated;
8. Calls for the EU and its Member States to increase financial and material support for the accommodation of refugees, while making sure that the assistance does not go towards unacceptable solutions for refugees and returnees; calls on international actors to establish financial support that delivers a sustainable response to the needs of displaced Rohingya and host communities through access to appropriate and improved services;

draws particular attention to the urgent need for funding, amounting to an estimated USD 10 million, to deliver specialist medical and mental health services for survivors of rape and gender-based violence; calls on the Commission to support a full investigation into the extent of sexual violence and other crimes against the Rohingya;

9. Expresses deep concern at reports of trafficking in Rohingya women and girls in Myanmar and Bangladesh, and urges the authorities of both countries to work with the UNHCR and human rights organisations to end the trafficking and provide the women and girls affected with protection and support;
10. Urges the Government of Myanmar to address the long-standing and systematic discrimination; stresses that without tackling the root causes it is impossible to put a stop to their plight; notes in this regard that the denial of rights to minorities in Myanmar extends beyond the Rohingya and also affects other ethnic groups, including in Kachin and Shan States;
11. Welcomes the final report of the Advisory Commission on Rakhine State, which was established at the request of the State Counsellor; strongly encourages the Myanmar authorities to appoint an implementation body as soon as possible to fully enact the Annan recommendations; encourages the EU, UN and other international actors to support the process;
12. Underlines the recommendation of the Advisory Commission on the need to align legal provisions on citizenship with international standards and treaties to which Myanmar is a state party; urges the Government of Myanmar to amend the Citizenship Law and provide legally recognised citizenship documentation to Rohingya residents so that they are accepted as an ethnic minority and their right to self-identification is respected; urges the government to issue ID cards which do not list religious affiliation;
13. Insists that the segregation of the Rohingya population in Myanmar must be brought to an end; calls for the curfew for the Rohingya to be lifted and all but the necessary checkpoints to be dismantled; urges the Government of Myanmar to ensure that Rohingya residents are able to travel freely throughout Rakhine State and the rest of the country, and in particular that the rights of access to healthcare, food, education and employment are upheld;
14. Calls on all parties to support the building of effective democratic institutions and a strong civil society, respect for basic rights and freedoms, and the promotion of good governance, the rule of law and an independent and impartial judiciary;
15. Calls for the EU and its Member States, as a matter of urgency, to adopt targeted punitive sanctions against individuals in the military and security services responsible for perpetuating widespread human rights abuses in Myanmar;
16. Deplores the failure of the UN Security Council to agree on decisive measures and calls for the EU and its Member States to step up pressure on those blocking meaningful action, including China and Russia;
17. Calls for the EU and its Member States to extend the scope of the existing arms embargo against Myanmar; further calls on the UN Security Council to impose a global comprehensive arms embargo on Myanmar, suspending all direct and indirect supply,

sale or transfer, including transit and transshipment of all weapons, munitions and other military and security equipment, as well as the provision of training or other military and security assistance;

18. Calls on the Government of Myanmar, including the State Counsellor, Aung San Suu Kyi, to condemn unequivocally all incitement to racial or religious hatred and to combat social discrimination and hostilities against the Rohingya minority, and to uphold the universal right to freedom of religion or belief;
19. Calls on ASEAN and regional governments to continue to take action and to increase pressure on the Government of Myanmar and the country's military to halt rights abuses and protect all civilians in Rakhine State and throughout Myanmar;
20. Recalls that the Sakharov Prize is awarded to those that defend human rights, safeguard the rights of minorities and respect international law, among other criteria; draws attention to the consideration of whether the Sakharov Prize could be revoked should laureates violate those criteria after the prize has been awarded;
21. Encourages the main international and regional actors, in particular China, to use all bilateral, multilateral, and regional platforms at their disposal to demand an end to the atrocities and bring about a peaceful resolution;
22. Calls on the VP/HR and the Member States to significantly increase pressure on the Myanmar authorities and security services to end the violence and discrimination perpetrated against the Rohingya people, and engage with the UN, ASEAN and regional governments to put a stop to the segregation within Myanmar;
23. Requests that the VP/HR inform Parliament about action taken by the EU delegation at the ASEM Foreign Ministers' Meeting in Nay Pyi Taw on 21 November 2017; urges a reinvigoration of the EU-Myanmar Human Rights Dialogue to specifically address issues relating to the Rohingya community;
24. Calls on the Commission to consider consequences in the context of the trade preferences Myanmar enjoys, including considering launching an investigation under the mechanisms provided for in the Everything But Arms provision;
25. Calls for the EU and its Member States to support the UNHCR Global Action Plan to End Statelessness 2014-2024;
26. Instructs its President to forward this resolution to the Government and Parliament of Myanmar, 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 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.