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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 115 of the Rules of Procedure

by Pasqualina Napoletano, Glenys Kinnock, Paulo Casaca

on behalf of the PSE Group

on Burma

European Parliament resolution on Burma

The European Parliament,

- having regard to its previous resolutions of 12 May 2005, 17 November 2005, 14 December 2006 on Burma,
- having regard to the 21 September 2006 report to the UN General Assembly by the UN Special Rapporteur on human rights in Burma, that the government of Burma is breaching the Geneva Convention by deliberately targeting civilians in attacks on ethnic minorities in the east of the country,
- having regard to the first formal session of the United Nations Security Council on Burma held on 29 September 2006,
- having regard to the public request of 23 August 2007 by the Head of ASEAN 's Interparliamentary Caucus, Zaid Ibrahim, that China use its influence to resolve the crisis in Burma,
- having regard to the statement by UN Secretary General Ban Ki-moon of 25 May 2007 calling for "restrictions on Daw Aung San Suu Kyi and other political figures" to be lifted,
- having regard to the letter to the UN Secretary-General, Hon. Mr. Ban Ki-mon, signed by 92 Burmese MP's-Elect dated on 1 August 2007 which include a proposal for National Reconciliation and democratization in Myanmar,
- having regard to the 12th ASEAN Summit held in the Philippines on 9-15 January 2007,
- having regard to the eighth ASEM Foreign Ministers' meeting held in Germany on 28-29 May 2007,
- having regard to the letter of 15 May 2007 to General Than Shwe, signed by 59 former heads of states, calling for "the immediate release of the world's only imprisoned Nobel Peace Prize Laureate Aung San Suu Kyi",
- having regard to Commission Regulation (EC) No 481/2007 renewing restrictive measures against Burma,
- having regard to the 17th anniversary of the National League for Democracy's (NLD) victory in the parliamentary elections of 27 May 1990,
- having regard to Rule 115(5) of its Rules of Procedure,

A whereas on August 15, the ruling State Peace and Development Council hiked suddenly

the price of fuel by as much as 500 percent leading to increases of prices of essential goods and services,

- B whereas peaceful protesters, mostly women, including some of the government's most prominent critics have been arbitrarily arrested,
 - C whereas these arrests violate fundamental right of assembly, association and expression, and are arbitrary and unlawful under international law,
 - D whereas under the Burma's repressive regime the exercise of basic rights like the right to protest is routinely denied and large demonstrations rarely occur,
 - E whereas Burma has been suffering double-digit inflation since last year, the recent fuel price hikes have more than doubled transportation costs,
 - F whereas 30 percent of Burma's population, an estimated 15 million people, are subsisting below the poverty line,
 - G whereas the Government of Burma recently ordered the International Committee of the Red Cross (ICRC) to close its five field offices in the country, effectively making it impossible for the organisation to carry out most of its assistance and protection work benefiting civilians who live in difficult conditions in border areas,
 - H whereas more than 30% of children under five suffer from malnutrition, mortality rates for malaria and tuberculosis remain very high, the HIV/AIDS epidemic has spread across the general population and nearly half of school-age children never enrol,
 - I whereas the National Convention - first convened in 1993 to draft a constitution but suspended many times since then - resumed on 18 July 2007 for a final session but lacks legitimacy and international credibility due to the absence of democratically elected representatives, most notably the NLD,
- 1 Condemns the SPDC's unremitting suppression of the Burmese people and its persistent persecution and imprisonment of pro-democracy activists; draws particular attention to the case five students detained for having attempted to put up a poster decrying high prices;
 2. Condemns the ruling SPDC for having suddenly and without any reason increased the price of fuel;
 - 3 Condemns the government for not having given any explanation for this unannounced and sharp increase of price and for the year's of political repression and economic mismanagement;
 - 4 Deplores the fact that Burma's military rulers run the country and the economy without any regard for human rights;
 - 5 Requests that the European Union make an official approach to the Burmese government condemning the detentions and asking for an explanation;

- 6 Calls on the European Union to support an ILO referral of Burma to the International Court of Justice for its use of forced labour;
- 7 Deplores the fact that, despite the condition of the country, regional and international criticism and forty-five years of rule, the SPDC has failed to make any substantial progress towards democracy;
- 8 Calls for an increase in Commission funding for projects promoting human rights and democracy in Burma;
- 9 Deplores that the illegitimate Convention resumed (on 18th July) prohibits Delegates from speaking with members of the press and are not allowed to make proposals;
- 10 Regrets that the provisions of the constitution already agreed by the SPDC include reserving 25 percent of all future parliamentary seats for serving military officers and that military officers hold strategic ministerial portfolios (such as Defence, Home affairs and Border Administration);
- 11 Regrets that the Burmese government benefits from strong diplomatic support from its big neighbours India, China as well as Russia and urges these countries to use their economic and political influence with the Burmese regime in order to bring pressure to bear for reform in Burma, and to end loans and sales of military equipment to the regime;
- 12 Deplores the fact that, despite the condition of the country, regional and international criticism and forty-five years of rule, the SPDC has failed to make any progress towards democracy;
- 13 Regrets that regime representatives have been allowed to attend ASEM meetings in Europe without any timelines and benchmarks for reform by the regime, and calls on the European Union to set timelines and benchmarks for reform after which Burmese government officials will no longer be able to attend ASEM meetings in Europe;
- 14 Condemns the arrest of pro-democracy activists and calls for their immediate release and urges the regime to release all political prisoners and to engage in a genuine dialogue with the democratic opposition groups in Burma including representatives of ethnic minorities;
- 15 Condemns the restriction on humanitarian aid in place by the Government of Burma, and calls on the Commission to provide cross border aid to ensure humanitarian assistance reaches those most in need, not just those the regime allows to receive aid;
16. Calls on companies investing in Burma's extractive industries to ensure that their projects are carried out with respect to genuine human rights and, if human rights abuses do occur, to suspend their activities in Burma until such abuses no longer take place; expresses disappointment that some Asian countries have seen fit to increase substantially their investments in Burma, regardless of the dire human rights situation there;
- 17 Welcomes the renewal of EU targeted sanctions but recognises that they have failed to achieve the desired impact on those directly responsible for the suffering of the Burmese people and calls on the European Union to officially discourage European companies

from making future investments in Burma; calls on the Council to ensure that all Member States rigorously apply existing restrictive measures;

- 18 Notes that, in accordance with the EU Common Position, support is limited to humanitarian aid and assistance for those most in need; insists that all aid destined for Burma must be delivered through genuine NGOs and must reach the people for whom it is intended, with the least possible involvement of the SPDC;
- 19 Calls on the Member States Foreign Ministers to discuss measures for strengthening the EU Common Position on Burma at the next GEARC on 7/8 September;
- 20 Calls on the EU to amend the EU Common Position to support the UN General Assembly demand for tripartite dialogue between the regime, the National League for Democracy, and ethnic nationalities;
- 21 Urges the government of Finland, France, Germany, Netherlands and United Kingdom to make a concerted effort to convene an emergency session of the UN Human Rights Council on Burma in order to send a special Mission of Inquiry to investigate human rights violations in Burma;
- 22 Urges the governments of the UK, France, Belgium, Italy and Slovakia, that are all members of the UN Security Council, to ensure discussions on the current crisis in Burma as soon as possible, and in the longer term to make a concerted effort to introduce, and obtain unanimous backing for a binding resolution in regard to Burma, including the release of Aung San Suu Kyi, and calls on the European Union to formally support the United Nations in addressing the situation in Burma;
- 23 Applauds the unprecedented intervention by the Head of ASEAN` s Interparliamentary Caucus, urging China to engage in bringing about change for the better in Burma;
- 24 Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the governments of the ASEAN nations, the National League for Democracy, the State Peace and Development Council, the Government of the People's Republic of China and the Secretary-General of the United Nations.