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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 Gintaras Didžiokas, Adam Bielan, Mieczysław Edmund Janowski, Ryszard Czarnecki, Ewa Tomaszewska

on behalf of the UEN Group

on continued detention of political prisoners in Burma

**European Parliament resolution on continued detention of political prisoners in Burma**

*The European Parliament,*

- having regard to its previous resolutions on Burma,
  - having regard to the Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect to Burma and repealing Regulation (EC) No 817/2006,
  - having regard to the EU Presidency Statement of 29 May 2008 on the extension of the house arrest of Ms Aung San Suu Kyi,
  - having regard to the report of the U.N. Special Rapporteur on the situation of human rights in Burma, Tomás Ojea Quintana, on the implementation of the U.N. Council resolutions S-5/1 and 6/33 of 3 June 2008,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the Secretary General of the National League for Democracy (NLD) and Nobel peace laureate Ms Aung San Suu Kyi has been under house arrest for more than 12 of the past 18 years, which is in outright contravention of the Universal Declaration of Human Rights,
- B. whereas Ms Suu Kyi is held since 2003 under a 1975 State Protection Law of Burma intended to guard against “destructive elements”, which according to legal experts, does not allow to hold untried detainees for more than five years,
- C. whereas on 27 May the Burmese authorities announced the extension of the detention under house arrest of Ms Aung San Suu Kyi, despite international pressure to set her free,
- D. whereas the 15 members of the NLD, which won a landslide election victory in 1990 that was ignored by the ruling military junta, were released by the authorities on 9 June, two weeks after they were detained for publicly demanding Ms Aung San Suu Kyi’s release from house arrest,
- E. whereas according to the latest report of the UN Special Rapporteur there were 1,900 political prisoners in Burma on 20 May 2008, among which are peaceful protesters arrested after demonstrations in September 2008 and people reported to be detained for protesting over the Constitutional referendum of 10 May,
- F. whereas in recent days media reports confirmed the arrests of Maung Thura, better known as Zarganar, and Zaw Thet Htway, who had been leading some of the relief efforts after the cyclone and are outspoken critics of the junta,

- G. whereas human rights groups report that since 20 May Burma's authorities has stepped up efforts to remove cyclone survivors from temporary shelters such as schools and monasteries and to force them to go back to their homes, even if those are no longer standing;
- H. whereas according to a Thailand-based human rights group 36 prisoners were killed at the Insein prison on 2 May;
1. Strongly condemns the extension of the detention under house arrest of Ms Aung San Suu Kyi; reiterates its demand to the Burmese authorities to immediately and unconditionally release Ms Aung San Suu Kyi, as initial step in the national reconciliation process to be followed by the release of all other political prisoners;
  2. Condemns the harassment, intimidation and outright detention of protesters after peaceful demonstrations in September 2007 and of those who expressed their opposition to the Constitution; urges the release of these detainees; calls on the Burmese authorities for an in-depth inquiry in these events;
  3. Remains deeply concerned about the human rights situation in Burma, in particular in the wake of cyclone Nargis, which continues to be characterized by ongoing systematic violations of human rights and fundamental freedoms of people of Burma;
  4. Reiterates its calls on the Burmese authorities to engage in dialogue with all components of the society in Burma in order to achieve genuine national reconciliation, democratization and full respect of human rights and the rule of law;
  5. Urges the Burmese authorities to enter into close dialogue with the U.N. Special Rapporteur and to accept his request to visit Burma;
  6. Appreciates the latest report of the U.N. Special Rapporteur which compiles important evidence of continuing violations of human rights in the country; notes with great concern the conclusion of the report that almost no improvement has been made in the human rights situation in Burma since 26 March 2008;
  7. Notes the Burmese authorities' intention to hold general elections in 2010; urges to allow a free and open debate of all concerned parties prior to these multi-party elections in order to allow for true national reconciliation;
  8. Calls on the Burmese authorities to stop official interference in the delivery of aid and to cooperate fully with humanitarian organizations; regrets the issuance on 9 June of the new guidelines on foreign assistance which may unnecessarily delay the relief response even more by requiring that all UN agencies and international and domestic relief groups must receive travel permission and aid distribution clearance from several layers of authority; demands the Burmese authorities to ensure that this does not happen;

9. Seeks an urgent explanation from the Burmese authorities on the reports by human rights organizations that some activists, including Zarganar and Zaw Thet Htway, had been put in custody for providing help to cyclone victims and on a documented forced relocation of hundreds of displaced persons from their temporary shelters to their destroyed villages;
10. Urges the Burmese government to conduct a transparent investigation of the reports that its soldiers shot inmates during the recent devastating cyclone Nargis; calls on the authorities to guarantee the physical integrity of all prisoners;
11. Urges the Governments of China, India and Russia to use their considerable economic and political leverage with the Burmese authorities in order to bring about substantial improvements in the country and to cease the supply of weaponry and other strategic resources;
12. Calls on the ASEAN countries with which Burma enjoys close economic and political relations to put serious pressure on the Burmese authorities to bring about democratic change;
13. Calls on the Council and the Member States to closely monitor and to ensure the effective application of the targeted sanctions;
14. Instructs its President to forward this resolution to the Council, the Commission, the governments of the ASEAN and ASEM member states, the ASEAN Inter-Parliamentary Myanmar Caucus, Ms Aung San Suu Kyi, the NLD, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Special Rapporteur for Burma.