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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 122 of the Rules of Procedure

on Burma

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on behalf of the Verts/ALE Group

European Parliament resolution on Burma

The European Parliament,

- having regard to its previous resolution
- having regard to UN Secretary-General report on the situation of human rights in Myanmar – 28 August 2009
- having regard to the "Progress report" on human rights in Myanmar/Burma presented by the UN Special rapporteur on the situation of human rights in Myanmar/Burma, Thomas Ojea Quintanas, on 15 March 2010 to Human Rights Council in Geneva
- having regard to Rule 122 of its Rules of Procedure,

A. Whereas the United Nations Special Rapporteur on Myanmar/Burma has condemned ‘gross and systematic’ human rights abuses committed by Burma’s dictatorship, stating that they constitute ‘a state policy that involves authorities in the executive, military and judiciary at all levels’,

B. Whereas the Special Rapporteur recommended to consider establishing a UN commission of inquiry with a specific fact finding mandate to investigate possible war crimes and crimes against humanity in Burma,

C. Whereas in contrast, Article 445 of the new Burmese Constitution, adopted in 2008, codifies immunity from prosecution for officials for past human rights violations and sends a clear signal that the government of Myanmar/Burma takes all precautions in order to prevent any future accountability of past crimes,

C. Whereas the government of Burma (SPDC) continues to refuse the EU envoy on Burma to visit the country and to engage in dialogue, despite repeated requests over many months,

D. Whereas the government of Burma has since 2003 rejected every single proposal by the United Nations and international community to reform its seven-stage ‘roadmap to democracy’

E. Whereas in February 2010 the government adopted 5 electoral laws and 4 by-laws, based on the new Constitution, which deprive hundreds of thousands of Burmese citizens of their active and passive voting rights (including political prisoners and monks) in a clear attempt to choke the country's entire opposition in the run-up to the parliamentary elections at the end of 2010

F. whereas the upcoming elections will be the first since 1990 when Aun San Suu Kyi won the absolute majority of votes but has ever since been prevented from exercising her mandate by the military Junta ;

D. Whereas more than 140 political prisoners are being deliberately denied medical treatment, including 88 Generation Student leader Ko Mya Aye, who has a life-threatening heart condition;

E. Whereas ECHO has reduced funding for refugees on the Thai-Burmese border although the number of refugees in need of humanitarian need have not decreased, and has ended funding for boarding schools in the refugee camp;

F. Whereas attacks against ethnic minority civilians in eastern Burma continue, resulting in hundreds of thousands of displaced people, many of whom can only be reached by cross border aid from neighbouring countries because of government restrictions on humanitarian assistance,

1. Calls on the High Representative and the Member States to publicly support the recommendation of the United Nations Special Rapporteur on Myanmar/Burma that the United Nations establish a commission of inquiry into war crimes and crimes against humanity in Burma, and to include this request in the draft resolution at the United Nations General Assembly this year;

2. Condemns the electoral laws which have been adopted by the SPDC depriving the electoral process and the expected outcome entirely of its legitimacy and reaffirms the essential importance of a process of dialogue and national reconciliation for a transition to democracy;

4. Calls on the government of Myanmar/Burma to immediately allow medical treatment to all political prisoners, and allow the International Committee of the Red Cross to resume visits to political prisoners;

5. Appeals to the Government of Myanmar/Burma to release all prisoners of conscience without conditions and with full restoration of their political rights and to stop further politically motivated arrests;

6. Strongly calls upon the Burmese authorities to end the practice of systematic discrimination and forced displacement of ethnic minorities within the country and creating refugee flows into neighbouring countries;

8. Calls on the European Commission to reverse cuts in funding for refugees on the Thailand Burma border, and immediately start funding cross border aid, especially medical assistance.

9. Calls on the governments of the ASEAN countries and of China, which have a 'privileged relationship' with Myanmar, to use their good offices notably to try to reverse Burma's policy of ethnic cleansing against Rohingyas which results in hundreds of thousands fleeing over the border into Bangladesh and increasing the hardship of the ultrapoor living in the Cox Bazaar region

10. Instructs its President to forward this resolution to the HR/VP Mrs. Ashton, the governments and parliaments of the Member States, the EU Special Envoy for Myanmar/Burma, the Burmese State Peace and Development Council, the governments of the ASEAN and ASEM member states, the ASEM secretariat, the ASEAN Inter-Parliamentary Myanmar Caucus, Daw 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.