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Plenary sitting

17.4.2012

B7-0202/2012

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 110(2) of the Rules of Procedure

on the situation in Burma
(2012/2604(RSP))

**Véronique De Keyser, Ana Gomes, Robert Goebbels, Marc Tarabella,
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on behalf of the S&D Group

B7-0202/2012

**European Parliament resolution on the situation in Burma
(2012/2604(RSP))**

The European Parliament,

- having regard to the European Union’s set of restrictive measures as stated in the CFSP Common Position (2010/232/CFSP) and most recently amended by Council Regulation (EU) 1083/2011 of 27 October 2011,
 - having regard to the Council Conclusions of 12 April 2011 on the suspension of high level meetings as well as on the visa ban for civilian members of government (Council Decision 2011/239/CFSP),
 - having regard to the Statement by the UN Secretary-General of 2 April 2012 on the elections in Burma/Myanmar,
 - having regard to the Statement by the President of the European Council of 30 January 2012 on the path of reforms in Myanmar,
 - having regard to the Conclusions of the EU-Foreign Affairs Council on Burma/Myanmar of 23 January 2012,
 - having regard to the Statements by the High Representative, in particular the Statements of 13 November 2010 on the release of Aung San Suu Kyi, of 13 January 2011 and 12 October 2011 on the release of political prisoners, and of 2 April 2012 on the conduct of by-elections,
 - having regard to the Statement of the ASEAN-Summit of 3 April 2012 concerning the outcome of the 1 April 2012 by-elections,
 - having regard to the report of UN Special Rapporteur on Human Rights in Burma Tomás Ojea Quintana presented to the UN Human Rights Council on 12 April 2012,
 - having regard to the recent visit of the EP delegation to Burma/Myanmar and the meetings held in particular with the President Thein Sein and Aung San Suu Kyi,
 - having regard to its previous resolutions on Burma/Myanmar, in particular that of 25 November 2010 and 20 May 2010,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas on the 1st of April 2012 by-elections took place in order to fill up 44 vacant seats in the parliament; whereas 43 seats were won by the NLD and the elections were held in a fairly positive atmosphere despite some reports of irregularities and intimidation; whereas for that reason they cannot be considered genuinely free and fair;
- B. whereas the 2010 elections were boycotted by the National League for Democracy on the

grounds that they were organised on the basis of the 2008 Constitution and subsequently adopted laws that prevented the establishment of real democracy in Burma/Myanmar;

- C. whereas the opposition holds currently only 6.6 % of seats in the Parliament (43 out of 659) while the large majority of seats is controlled by the ruling Union Solidarity and Development Party (USDP), including the 25 percent of seats reserved for military officers, which does not guarantee that the opposition will be allowed to play an active role in proposing reforms necessary to move the country closer to democracy;
- D. whereas the next general elections scheduled in 2015 when 75 % of seats will be contested will be the real test of the Burmese authorities will to democratise the country;
- E. whereas President Thein Sein has adopted a more reconciliatory policy toward the pro-democracy opposition since taking office in March 2011 with the release of hundreds of political prisoners, engaging in dialogue with Aung San Suu Kyi and by starting the reform process in the country;
- F. whereas in the run up to the by-election, the government relaxed its policy towards the media, civil society organisations, as well as on organised political oppositions and dissidents; whereas it was a first election in the Burmese history where foreign observers were invited;
- G. whereas according to the report of the UN Special Rapporteur on Human Rights in Burma/Myanmar serious human rights concerns remain, including the detention of many prisoners of conscience in appalling conditions; lack of progress on ensuring independence of the judiciary and legal reforms and continuous persecution of some ethnic minorities;
- H. whereas despite the fact that the government has started cease-fire negotiations with a number of armed ethnic rebel groups there are ongoing fights in the Kachin state with numerous reports of severe human rights abuses and displacement of over 75 000 people;
- I. whereas the government of Burma continues to block access of humanitarian aid to most of the internally displaced persons;
- J. whereas the majority of the political prisoners were only released conditionally;
- K. whereas the Rohingya and other minorities are denied citizenship on the basis of the 1982 citizenship law and continue to face severe persecution;
- L. whereas the restrictive measures currently in place come up for revision at the next General Council meeting on 23 April;
- M. whereas many sectors of economic activity in Burma/Myanmar such as mining, timber, oil, gas and dam construction have been directly linked to serious human rights abuses and environmental destruction and were at the same time the main source of the military's government revenues;
- N. whereas Aung San Suu Kyi supports the conditional suspension of the EU's restrictive

measures as it keeps the pressure on the Burmese government to continue reforms and offers perspective of further rewards if the reform process continues;

- O. whereas a visit by the EU High Representative for Foreign Affairs and Security Policy to Burma/Myanmar is scheduled to take place shortly after the Council decision on sanctions;
1. Welcomes the positive result of the by-elections of 1st April as a first concrete step in the democratisation process in Burma/Myanmar that, if continued in a sustainable and irreversible way, offered a perspective of establishment of new and cooperative relations with the EU;
 2. Urges the Burmese government to undertake further steps as proofs of their genuine engagement for the democratisation of the country; calls in particular for a swift and unconditional release of the remaining political prisoners, allowing international and local humanitarian organisations unhindered access to conflict areas, reforming laws that penalise free expression and allow censorship of the media and repeal of the 1982 citizenship law;
 3. Calls on the EU and its High Representative for Foreign Affairs and Security Policy to stress during her upcoming visit the urgent need to adopt political reforms in four key areas:
 - ongoing detention of prisoners of conscience and harassment of political activists
 - ongoing attacks against civilians and serious crimes against ethnic minorities
 - repressive laws and judiciary system dependent on the government policies
 - justice and accountability for past and present human rights abuses;
 4. Calls on the government and the parliament of Burma/Myanmar to alter the constitutional provisions that give the military powers to control a civilian government ahead of the 2015 elections;
 5. Welcomes the positive gestures of the EU in support of the beginning of the political transition in the country including pledging of EUR 150 million for humanitarian assistance aimed in particular at developing the country's health and education facilities and at assisting the displaced persons;
 6. Calls on the EU to engage with the civil society on training and institutional capacity building in view of the preparation for the 2015 elections; Calls for the EU development assistance to support progress towards attainment of specific benchmarks and increase the numbers of Burmese that benefit from reforms; reiterates that development assistance should be linked to governance standards and to dialogue with civil society and the authorities;
 7. Calls on the Council to suspend the restrictive measures currently in place for an initial period of one year and to monitor closely the situation in the country especially concerning the political reforms in view of subsequently reducing sanctions step by step in response to significant steps toward reform by the Burmese government and improvement of human rights situation in the country;

8. Urges President Thein Sein to allow international aid agencies unfettered access to all conflict zones in ethnic states to deliver humanitarian assistance to internally displaced people;
9. Welcomes the decision of 19th session of the UN Human Rights Council to extend the mandate of the Special Rapporteur on the situation of human rights in Burma/Myanmar for another year;
10. Welcomes the forthcoming official visit by the EU High Representative for Foreign Affairs and Security Policy, as well as the decision to establish a diplomatic presence in the country and to inaugurate the EU Office on that occasion;
11. Reiterates the invitation to the Sakharov Prize Laureate Daw Aung San Suu Kyi to visit the European Parliament to officially receive the Sakharov Prize that she was awarded in 1991;
12. Instructs its President to forward this resolution to the Council, the Commission, the High Representative, the parliaments and governments of the Member States, the Secretary-General of the United Nations, the Secretary-General of the ASEAN and the Parliament and Government of Burma/Myanmar.