



Plenary sitting

B8-0913/2016

5.7.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Myanmar, notably the situation of Rohingyas
(2016/2809(RSP))

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on behalf of the EFDD Group

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European Parliament resolution on Myanmar, notably the situation of Rohingyas (2016/2809(RSP))

The European Parliament,

- having regard to its previous resolutions on Burma/Myanmar and the Rohingya, in particular those of 20 April 2012, 13 September 2012, 22 November 2012, June 2013 and 21 May 2015;
- having regard to the Joint Communication by the High Representative and the Commission for an EU strategy vis-à-vis Myanmar/Burma of 01 June 2016,
- having regard to the Council conclusions on EU strategy with Myanmar/Burma of 20 June 2016,
- having regard to the Report of the United Nations High Commissioner for Human Rights on the situation of human rights of Rohingya Muslims and other minorities in Myanmar of 20 June 2016,
- having regard to the EU Guidelines on Human Rights Defenders,
- having regard to the EU Human Rights Guidelines on Freedom of Expression,
- having regard to the Universal Declaration of Human Rights of 10 December 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas the Rohingya are a largely stateless ethno-religious Muslim minority who have for decades suffered brutal oppression, systematic persecution, segregation, exclusion, discrimination and other serious human rights violations;

B. whereas since the early 1960s, the Rohingya have been subjected to an erosion of their ethnic identity and arbitrarily deprived of their nationality, rendering the majority stateless;

C. whereas of the 1.33 million Rohingya in Myanmar, 1.28 million have been rendered stateless by the 1982 Burma Citizenship Law, which purposefully excludes Rohingya from citizenship;

D. whereas arbitrary deprivation of the citizenship continues to be part of the systematic persecution and exclusion they have endured for decades, providing an impetus for people to place their lives in the hands of smugglers;

E. whereas systemic human rights violations and lack of opportunities have triggered irregular migration flows of Rohingya from Rakhine State to Thailand and Malaysia, and trafficking and smuggling networks have facilitated these flows; whereas the systematic persecution and discrimination of Rohingya can provide a dangerous ground for possible radicalisation of some people;

F. whereas around 95% of the internally displaced people (IDPs) in Rakhine State are Rohingya, and as of December 2015, around 140,000 IDPs are still living in camps Rakhine State; whereas therefore, around 133,000 Rohingya are estimated to still be living in these IDP camps, without access to adequate services and livelihood opportunities;

G. whereas up to 800,000 Rohingya living in Rakhine State similarly lack access to their livelihoods and basic services;

H. whereas the government of Myanmar views the Rohingya as ‘illegal Bengali immigrants’ and as a threat to Buddhist culture, and these views are the basis for the government-initiated, restrictive policies that legalise the rights violations the Rohingya face every day;

I. whereas the government of Myanmar has implemented policies aimed at controlling marriage, movement, education, building construction, and access to healthcare and employment opportunities by the Rohingya;

J. whereas many Rohingya also faced disenfranchisement during the Myanmar general election in November 2015, after the temporary registration cards, with which they were able to vote in the 2011 and 2012 elections, were revoked in early 2105;

K. whereas the Myanmar Union Election Commission also rejected all Rohingya national parliament candidates, in addition to rejecting several Muslim and Rohingya state parliament candidates;

L. whereas the current government has adopted the previous administration’s official policy of avoiding using the term “Rohingya”;

M. whereas on 16 June 2016, the Ministry of Information sent a letter to state-run news outlets to describe Rohingya as the “Muslim community in Rakhine State” in their reports and on 20 June 2016, FM Aung San Suu Kyi told UN Special Rapporteur on human rights in Myanmar Yanghee Lee that the government would avoid using the term “Rohingya”;

N. whereas despite the repeal of the 1975 State Protection Law and the proposed amendments to the Peaceful Gathering and Demonstration Law and the Ward or Village-Tract Administration Law, many repressive laws that have been used, continue to be used, or risk being used to arbitrarily detain activists, human rights defenders, and member of ethnic and religious minorities are still in force;

O. whereas no progress has been made on the ratification of core international human rights instruments such as the International Covenant on Economic, Social, and Cultural Rights (ICESCR), signed by Myanmar in July 2015 but not yet ratified;

P. whereas in its March 2016 response to the Universal Periodic Review (UPR) recommendations, the government on Myanmar accepted the recommendations that called for the ratification of core international human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), and the ICESCR;

Q. whereas Myanmar is a ‘de facto abolitionist’ country (no one has been executed since 1988), with few death sentences imposed every year and Presidential amnesty routinely commutes death sentences into prison sentences;

R. whereas despite a presidential amnesty on 17 April 2016, as of 21 June 2016, at least 82 political prisoners remained behind bars in prisons across Myanmar;

S. whereas despite a notable and progressive improvement with regard to the people’s enjoyment of their right to freedom of opinion and expression, government authorities continue to impose restrictions on sensitive issues, particularly in relation to the criticism of the military and allegations of human rights abuses committed by members of the Myanmar Army (Tatmadaw);

T. whereas Rohingya population (within the Rakhine State but also outside) are a target of violent, aggressive and discriminatory propaganda and actions perpetrated by some radical Buddhist groups in Myanmar;

U. Whereas the newly elected government in Myanmar has been elected with a solid pro-democracy majority, which has agreed to repeal the most anti-libertarian and repressive policies of the previous ruling military junta;

1. Calls on the Myanmar government to ensure free and unimpeded access to Rakhine state to humanitarian actors, the United Nations (UN), international human rights organisations, journalists and other international observers;

2. Urges the Myanmar government to ensure that the Rohingya have equal access to citizenship rights based on objective criteria that comply with the principle of non-discrimination and are not rendered stateless under the 1982 citizenship law;

3. Urges the Myanmar authorities to revoke all local orders which place both arbitrary and discriminatory restrictions on Rohingya in northern Rakhine State and to remove all restrictions on freedom of movement imposed on the Rohingya;

4. Asks the Myanmar government to reverse its current policy of not using the term 'Rohingya' and recognize instead the right of Rohingya to self-identification;
5. Call on the Myanmar government to condemn unequivocally all incitement to racial or religious hatred, to take concrete steps to end it immediately and to implement specific measures and policies to avoid future direct and indirect discrimination of the Rohingya;
6. Asks the Myanmar authorities to amend or repeal laws that are inconsistent with international human rights standards and that continue to be used to arbitrarily detain activists, human rights defenders, and member of ethnic and religious minorities and to immediately release all remaining political prisoners;
7. Calls on the Myanmar government to ratify the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED);
8. Calls on the Myanmar authorities to establish an official moratorium on executions and to abolish the death penalty for all crimes by permanently removing clauses that prescribe the death penalty for criminal offenses, including relevant provisions of the Criminal Code and the Narcotic Drugs and Psychotropic Substances Law;
9. Call on the EEAS, the European Commission, EU Member States and EU delegation in Myanmar to engage with the Myanmar government on the issues listed above in all exchanges with the Myanmar authorities, including the forthcoming human rights dialogue in November;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Government and Parliament of Burma/Myanmar, the Secretary-General of the Association of Southeast Asian Nations (ASEAN), the ASEAN Intergovernmental Commission on Human Rights, the UN Special Representative for Human Rights in Myanmar, the UN High Commissioner for Refugees, the UN Human Rights Council and the governments and parliaments of other States in the region.