



Plenary sitting

B8-0672/2017

6.12.2017

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 123(2) of the Rules of Procedure

on the situation of the Rohingya people
(2017/2973(RSP))

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on behalf of the S&D Group

B8-0672/2017

**European Parliament resolution on the situation of the Rohingya people
(2017/2973(RSP))**

The European Parliament,

- having regard to its previous resolutions on Myanmar and on the situation of Rohingya Muslims, in particular those of 14 September 2017¹, 7 July 2016² and 15 December 2016³,
- having regard to the Council conclusions on Myanmar/Burma of 16 October 2017,
- having regard to the remarks by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, in the town of Cox's Bazar, Bangladesh, on 19 November 2017,
- having regard to the joint press release on the third EU-Myanmar Human Rights Dialogue of 25 November 2016,
- having regard to the Council conclusions on statelessness of 4 December 2015,
- having regard to the Presidential Statement of the UN Security Council on violence in Rakhine State of 6 November 2017,
- having regard to the resolution on the human rights situation in Myanmar adopted by the Third Committee of the UN General Assembly on 16 November 2017,
- having regard to the report of the United Nations High Commissioner for Human Rights entitled 'Situation of human rights of Rohingya Muslims and other minorities in Myanmar' of 20 June 2016 and to the report of the UN Special Rapporteur on the situation of human rights in Myanmar of 18 March 2016,
- having regard to the 27th special session of the UN Human Rights Council on the human rights situation of the minority Rohingya Muslim population and other minorities in the Rakhine State of Myanmar, and its resolution of 5 December 2017 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar,
- having regard to the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol thereto,
- having regard to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness,
- having regard to the UNHCR Global Action Plan to End Statelessness 2014-2024,

¹ Texts adopted, P8_TA(2017)0351.

² Texts adopted, P8_TA(2016)0316.

³ Texts adopted, P8_TA(2016)0506.

- having regard to the Universal Declaration of Human Rights (UDHR) of 1948,
 - having regard to the Final Report of the Advisory Commission on Rakhine State (Annan Commission),
 - having regard to the International Covenant on Civil and Political Rights of 1966 and the International Covenant on Economic, Social and Cultural Rights of 1966,
 - having regard to the ASEAN Charter,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Rakhine State in Myanmar is home to approximately one million Rohingya, a predominantly Muslim minority group who are denied full citizenship rights under the Myanmar Citizenship Law, which renders them stateless;
 - B. whereas the Rohingya are one of the most persecuted minorities in the world and are largely confined to camps with severe restrictions placed on free movement within and outside Rakhine State; whereas this deprivation of freedom has led to threats to life and security, denial of the right to health and education, malnutrition and food insecurity, forced labour, sexual violence and limitations on their political rights;
 - C. whereas the most recent escalation of tensions in August 2017 provoked an overwhelmingly disproportionate response from the Myanmar authorities, which committed severe human rights violations against the Rohingya people, including large-scale destruction of homes, killings, rape and torture;
 - D. whereas since August 2017, over 626 000 Rohingyas have fled to safety in neighbouring Bangladesh, bringing the total number of Rohingya refugees in Bangladesh to 838 109, a figure which is expected to exceed one million by the end of 2017; whereas those fleeing must follow treacherous routes, facing gun fire, dangerous terrain, gender-based violence, starvation and a lack of medical assistance; whereas dozens of Rohingya, including women and children, have died en route;
 - E. whereas more than 400 000 people are in need of healthcare and food assistance, and an estimated 300 000 are in need of nutrition assistance, including more than 150 000 children under 5;
 - F. whereas Bangladesh has lodged a complaint against the Myanmar authorities over the laying of landmines across a section of its border with Bangladesh;
 - G. whereas UN agencies are reported to continue to be blocked in delivering humanitarian aid, including food, water and medicine to the Rohingya;
 - H. whereas the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, announced on 10 September 2017 that the situation in Myanmar 'seems like a textbook example of ethnic cleansing' and on 5 December 2017 that an act of genocide against Rohingya Muslims by state forces in Myanmar cannot be ruled out; whereas Amnesty International has described the situation of minorities in Rakhine State as 'apartheid' and the UN Human Rights Council has condemned 'the very likely commission of

crimes against humanity' in Myanmar; whereas a report produced by the US Holocaust Memorial Museum and Southeast Asia-based human rights organisation Fortify Rights cites mounting evidence of genocide against the Rohingya;

1. Deplores the ongoing violence, human rights abuses and loss of lives, livelihoods and shelter in Rakhine State; expresses its deepest sympathy with and full support of the Rohingya people; recalls that the Myanmar authorities have a duty to protect all civilians from abuse, without discrimination, to investigate grievous human rights violations and to prosecute those responsible, in accordance with human rights standards and obligations;
2. Strongly urges the Myanmar military and security forces to immediately cease the killing, harassment and rape of Rohingya people and the destruction of their homes;
3. Urges the Myanmar authorities to allow immediate and unhindered international humanitarian access to Rakhine State, including dedicated support for vulnerable groups such as children, the elderly and victims of sexual violence; urges the government to implement measures in line with UN Security Council resolution 2106 (2013) to prevent and respond to incidents of sexual violence;
4. Calls on the authorities of Myanmar to grant access to independent monitors, in particular the UN Fact-Finding Mission established by the UN Human Rights Council in March 2017, to ensure independent and impartial investigations into allegations of serious human rights violations by all parties;
5. Reiterates its call for the Government of Myanmar to immediately remove all landmines on the border with Bangladesh;
6. Acknowledges the efforts made by Bangladesh in the face of a humanitarian crisis in one of its neighbouring countries; welcomes the protection it has provided for Rohingya people fleeing Myanmar and encourages it to continue offering support in cooperation with the UNHCR, which has the technical expertise to screen for refugee status and the mandate to protect refugees and stateless people; calls on Bangladesh to further facilitate humanitarian operations by international NGOs by simplifying the bureaucratic burden, the registration process and restrictions on movement;
7. Urges the EU and its Member States to increase financial and material support for the accommodation of refugees, while making sure that the assistance does not go towards unacceptable solutions for refugees and returnees, such as establishing 'safe zones' on the Burmese side of the border; is concerned, therefore, about Bangladesh's decision to develop an isolated and flood-prone island in the Bay of Bengal to temporarily house 100 000 Rohingya refugees, as it would deprive the refugees of their rights;
8. Calls, in addition, for the Government of Bangladesh, the EU, its Member States and international financing institutions to establish long-term financing that delivers a sustainable response to the needs of displaced Rohingya and host communities through access to appropriate and improved services; draws particular attention to the urgent need for funding, amounting to an estimated USD 10 million, to deliver specialist medical and mental health services for survivors of rape and gender-based violence; calls on the Commission to support a full investigation into the extent of sexual violence

and other crimes against the Rohingya;

9. Expresses deep concern at reports of trafficking in Rohingya women and girls in Myanmar and Bangladesh, and urges the authorities of both countries to work with the UNHCR and human rights organisations to end the trafficking and provide the women and girls affected with protection and support;
10. Notes the bilateral repatriation agreement concluded between Bangladesh and Myanmar on 23 November 2017 in recognition of the Rohingya people's right to return and continue residing in Myanmar; insists however that no forced returns be carried out, particularly while the violence and repression, which have been described as tantamount to 'ethnic cleansing', continue; strongly urges the Bangladeshi authorities to ensure that a comprehensive strategy is in place in Myanmar for the return and integration of the Rohingya people, based on the implementation of the key recommendations of the report of the Annan Commission, before returns begin; insists that the Myanmar authorities offer credible assurances that returnees will not be persecuted or forced into segregated camps on ethnic or religious grounds and guarantee independent and impartial monitoring by human rights bodies; believes that under the current circumstances, conditions for safe, voluntary returns are not being met;
11. Stresses the need to ensure that if any returns do take place under this agreement, full UN oversight of the process is put in place to guarantee the voluntary, safe and informed nature of such returns; urges the Government of Myanmar to prepare a comprehensive strategy for closing all camps for internally displaced persons (IDPs) in central Rakhine State and facilitating the return of IDPs within Myanmar based on the recommendations of the report of the Annan Commission, through consultation with affected communities and within a clear, defined timeframe;
12. Notes that in order to facilitate returns and uphold the universal human rights of the Rohingya people, a comprehensive effort is needed to tackle institutionalised discrimination and segregation in Myanmar; stresses that without tackling the root causes it is impossible to put a stop to their plight; notes in this regard that the denial of rights to minorities in Myanmar extends beyond the Rohingya and also affects ethnic groups in the Kachin and Shan states;
13. Expresses its deep regret at the ongoing implementation of Myanmar's 1982 citizenship law, which has denied basic human rights to the Rohingya people by rendering them stateless; urges the Government of Myanmar to amend the citizenship law and provide legally recognised citizenship documentation to Rohingya residents so that they are accepted as a community and their right to self-identification is respected; urges the government to issue ID cards which do not declare religious affiliation;
14. Insists that the segregation of the Rohingya population in Myanmar must be brought to an end; calls for the curfew on Rohingyas to be lifted and all but the necessary checkpoints to be dismantled; urges the Government of Myanmar to ensure that Rohingya residents are able to travel freely throughout Rakhine State and the rest of the country, and in particular that the right of access to healthcare, food, education and employment is upheld;
15. Recalls that the Annan Commission was established at the request of the State

Counsellor; encourages the Myanmar authorities to appoint an implementation body as soon as possible to fully enact the Annan recommendations; encourages the EU and the UN to support the process;

16. Insists on the need to ensure that EU investments, including development assistance, contribute towards universal services available to the whole population, and stresses that such investments must not entrench the segregation in Myanmar, which has already led to institutionalised discrimination and crimes against humanity; calls, therefore, for the EU to carry out assessments of all projects and assistance operations to ensure that they are implemented accordingly, and asks the EU to support actors and projects countering segregation and discrimination and working to create a more inclusive and equal society;
17. Urges the EU and its Member States, as a matter of urgency, to adopt targeted financial sanctions against individuals in the military and security services responsible for perpetuating widespread human rights abuses in Myanmar;
18. Calls on the UN Security Council to impose a global comprehensive arms embargo on Myanmar, suspending all direct and indirect supply, sale or transfer, including transit and transshipment of all weapons, munitions and other military and security equipment, as well as the provision of training or other military and security assistance;
19. Urges the Government of Myanmar to ensure accountability for crimes against humanity and breaches of human rights and to guarantee justice for the victims; encourages the UN and the EU to monitor and support the investigations by Myanmar and to explore possibilities for investigation and prosecution by international or foreign tribunals, if the Myanmar authorities fail to ensure domestic accountability;
20. Calls on the Government of Myanmar, including the State Counsellor, to condemn hate speech and harassment, to foster intercultural and interreligious dialogue, and to uphold the universal right to freedom of religion or belief;
21. Calls, furthermore, on ASEAN and regional governments to take immediate action to increase pressure on the Government of Myanmar and the country's military to halt rights abuses and protect all civilians in Rakhine State and throughout Myanmar;
22. Calls on Sakharov Prize laureate Aung San Suu Kyi to condemn all serious human rights violations against the Rohingya minority; recalls the statement of 18 May 2015 by the spokesperson of Ms Suu Kyi's party that the Government of Myanmar should restore citizenship to the Rohingya minority; recalls that the Sakharov Prize is awarded to those that defend human rights, safeguard the rights of minorities and respect international law, among other criteria; draws attention to the consideration of whether the Sakharov Prize could be revoked should laureates violate those criteria after the prize has been awarded;
23. Encourages the main international supporters of the parties, in particular China and other regional actors, to use all diplomatic channels to demand an end to the violence;
24. Deplores the failure of the UN Security Council to agree on decisive measures and urges the EU and its Member States to step up pressure on those blocking meaningful

action, including China and Russia;

25. Calls on the European External Action Service, the VP/HR and the Member States to continue to put pressure on the Myanmar authorities and security services to end the violence and discrimination perpetuated against the Rohingya people and engage with the UN, ASEAN, regional governments and China to put a stop to the segregation within Myanmar;
26. Asks the VP/HR to inform Parliament about action taken by the EU delegation at the ASEM Foreign Ministers' Meeting in Nay Pyi Taw on 21 November 2017;
27. Calls for the EU and its Member States to support the UNHCR Global Action Plan to End Statelessness 2014-2024;
28. Instructs its President to forward this resolution to the Government and Parliament of Myanmar, the Government and Parliament of Bangladesh, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the governments and parliaments of the Member States, the Secretary-General of ASEAN, the ASEAN Intergovernmental Commission on Human Rights, the UN Special Rapporteur on the situation of human rights in Myanmar, the UN High Commissioner for Refugees and the UN Human Rights Council.