



Plenary sitting

B8-0673/2017

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 Verts/ALE Group

B8-0673/2017

**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 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 United National 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, which strongly condemns Myanmar for the 'very likely commission of crimes against humanity' by state security forces assisted by non-state actors in Rakhine State,
- 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,
- having regard to the Universal Declaration of Human Rights (UDHR) of 1948,

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 Final Report of the Advisory Commission on Rakhine State,
 - 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 Myanmar’s citizenship law, which renders them stateless;
 - B. whereas the Rohingya are one of the most persecuted minorities in the world and are now largely confined to camps and segregated areas with severe restrictions placed on free movement within and beyond Rakhine State; whereas this deprivation of freedom has led to threats to life and security, denial of the rights to health and education, forced labour, sexual violence and limitations on their political rights;
 - C. whereas the most recent inflammation of tensions in August 2017 led to an overwhelmingly disproportionate response from the Myanmar authorities, with well documented large-scale and systematic human rights violations against the Rohingya people, including the destruction of entire townships, killings, rape and torture;
 - D. whereas, since August 2017, more than 625 000 Rohingya have fled for safety in neighbouring Bangladesh; whereas those fleeing travel along treacherous routes, facing gun fire, dangerous paths, starvation and a lack of medical assistance; whereas dozens of Rohingya, including women and children, have died en route;
 - E. whereas the Committee on the Elimination of Discrimination against Women (CEDAW) has requested an exceptional report from the Government of Myanmar on the situation of Rohingya women and girls;
 - 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 from delivering humanitarian aid, including food, water and medicine to the Rohingya;
 - H. whereas on 10 September 2017 the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, announced that the situation in Myanmar ‘seems like a textbook example of ethnic cleansing’;
 - I. whereas on 5 December 2017 Zeid Ra’ad Al Hussein recommended that the UN General Assembly establish a new mechanism for assisting with criminal investigations of perpetrators of violence against Rohingya Muslims;
1. Reiterates its most serious concerns and condemns the ongoing violence, grave human rights abuses and loss of lives, livelihoods and shelter in Rakhine State, which amount to crimes against humanity, and as such are subject to universal jurisdiction; expresses its sympathy and support for the Rohingya people; recalls that the Myanmar authorities

have a duty to protect from abuse all civilians, without discrimination, to investigate human rights violations and to prosecute those responsible, in accordance with human rights standards and obligations;

2. Demands that the commander-in-chief of the Myanmar military, Senior General Min Aung Hlaing, order all troops under his control to immediately end their campaign of human rights violations and crimes against humanity against the Rohingya;
3. Reiterates the EU's position that perpetrators of crimes against humanity must be held accountable, and that victims have a right to justice and compensation; pledges its firm commitment to leave no stone unturned to end decades of impunity and ensure justice for serious human rights crimes by any party in Myanmar;
4. Welcomes Aung San Suu Kyi's stated commitment to the rule of law, and presses the Government of Myanmar to refer jurisdiction over the grave human rights crimes committed since 25 August 2017 to the International Criminal Court as a court of last resort (self-referral under Article 12(3) of the Rome Statute);
5. Insists that there can be no impunity for atrocities and that continued failure by the army and civilian authorities to cooperate with independent, impartial UN investigations and a failure to file an Article 12(3) declaration will result in targeted sanctions against those responsible for crimes and impunity for crimes;
6. Calls on the Council and the European External Action Service (EEAS) to impose, without further delay, targeted punitive sanctions against military and police commanders suspected of perpetrating grave human rights crimes and the military companies from which they draw revenue;
7. Calls, as a matter of urgency, for the existing EU arms embargo to be extended to include all maintenance, assistance, training and cooperation with the Myanmar army;
8. Recognises that displaced Rohingya, a great number of whom are now in Bangladesh, are refugees, reaffirms the principle of non-refoulement and supports the UNHCR's assessment of 24 November that 'at present, conditions in Myanmar's Rakhine State are not in place to enable safe and sustainable returns'; stresses that any returns must be voluntary and take place in safe and dignified conditions that pave the way for lasting solutions;
9. 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 of Myanmar to implement measures in line with UN Security Council resolution 2106 (2013) to prevent and respond to incidents of sexual violence; urges the government also to cooperate with the CEDAW reporting process;
10. 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; welcomes the request by the Third Committee of the UN General Assembly to appoint a special envoy to Myanmar;

11. Reiterates its call for the Government of Myanmar to immediately remove all landmines along the border with Bangladesh and to cooperate fully with the UN and international observers during this process;
12. Acknowledges the great efforts the Government of Bangladesh and its people have been making in the face of the gigantic humanitarian crisis, who generously opened their borders and hearts to the Rohingya refugees fleeing Myanmar in desperate need; urges the European Union and its Member States to increase even further their financial and material support for the accommodation of the refugees in order to enable the Government of Bangladesh to continue to support the Rohingya until they can safely and willingly return to a place they can call home; calls on Bangladesh to further facilitate humanitarian operations by international NGOs by simplifying the bureaucratic burden and restrictions on movement;
13. Welcomes the EU's co-hosting of a donor conference and the subsequent 35 pledges totalling USD 344 million: regrets that this amount falls short of the overall target and notes that only one third of the money has been made available so far: urges the international community to ensure the funding necessary for both the Rohingya people facing displacement and the affected local population in Bangladesh;
14. 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;
15. 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; underlines that looted and stolen property should be returned to their Rohingya owners and that returnees should be compensated for loss of life, property and crops; urges the Bangladesh authorities to ensure that a comprehensive strategy is in place in Myanmar for the return and integration of the Rohingya people before returns are carried out; further insists that the Myanmar authorities offer credible assurances that returnees will not be forced into segregated camps based on ethnic or religious lines;
16. Calls on the Government of Myanmar to postpone its economic and infrastructure projects – including the setting up of any new special economic, industrial or trade zones – until the necessary safeguards have been put in place to ensure that they are for the benefit of all communities, without discrimination, and do not prejudice the land and property rights of Rohingya and other communities that have been displaced from their homes as refugees or as internally displaced populations;
17. 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; 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;

18. Expresses its deep regret at the ongoing implementation of Myanmar's citizenship law, which has denied basic human rights to the Rohingya people by rendering them stateless; calls on the Government of Myanmar to amend the Citizenship Law and provide legally recognised citizenship documentation to Rohingya residents; urges the government to issue ID cards which do not declare religions affiliation;
19. Insists that the segregation of the Rohingya population in Myanmar must be brought to an end; calls for the curfew imposed on the Rohingya to be lifted and for all checkpoints to be dismantled, except those that are necessary; 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 that their rights of access to healthcare, education and employment are upheld;
20. Recalls that the Advisory Commission on Rakhine State 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;
21. 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;
22. 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;
23. Calls furthermore on ASEAN and regional governments, notably China, to take immediate action to increase pressure on the Government of Myanmar to halt the atrocities and to protect all civilians in Rakhine State; urges the VP/HR and the EU Member States to engage actively in efforts to organise an international conference on the situation of the Rohingya;
24. Calls on Sakharov Prize laureate Aung San Suu Kyi to condemn the 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;
25. Calls for the EU and its Member States to support the UNHCR Global Action Plan to End Statelessness 2014-2024;
26. Instructs its President to forward this resolution to the Government and Parliament of Myanmar, 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 EU 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.