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*Plenary sitting*

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**B9-0447/2022**

4.10.2022

## **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 144 of the Rules of Procedure

**on the media freedom crackdown in Myanmar, notably the cases of Htet Htet Khine, Sithu Aung Myint and Nyein Nyein Aye**

(2022/2857(RSP))

**Pedro Marques, Andrea Cozzolino, Karsten Lucke, Marianne Vind**  
on behalf of the S&D Group

**B9-0447/2022**

**European Parliament resolution on the media freedom crackdown in Myanmar, notably the cases of Htet Htet Khine, Sithu Aung Myint and Nyein Nyein Aye**

**(2022/2857(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Myanmar,
  - having regard to the fourth round of sanctions of the Council of the EU of 21 February 2022 in view of the continuing grave situation and of intensifying human rights violations in Myanmar,
  - having regard to the declaration of 25 July 2022 by the High Representative on behalf of the EU on the execution of pro-democracy and opposition leaders in Myanmar/Burma,
  - having regard to a joint statement of 1 February 2022 by the High Representative on behalf of the European Union, and the Foreign Ministers of Albania, Australia, Canada, New Zealand, Norway, Republic of Korea, Switzerland, the United Kingdom and the United States on the first anniversary of the military coup in Myanmar,
  - having regard to the Human Rights Council resolution 39/2 of 27 September 2018 establishing an Independent Investigative Mechanism for Myanmar,
  - having regard to the statement of the UN Secretary-General of 30 January 2022 on the situation in Myanmar,
  - having regard to the oral update on the human rights situation in Myanmar to the Human Rights Council by Nada Al- Nashif UN Acting High Commissioner for Human Rights of 26 September 2022,
  - having regard to the statement to the UN Human Rights Council by the UN Special Rapporteur on Myanmar Tom Andrews of 21 September 2022,
  - having regard to the ASEAN's Five Point Consensus of 24 April 2021,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to Rule 144 of its Rules of Procedure,
- A. Whereas on 1 February 2021 the Myanmar's military junta, known as the Tatmadaw has illegally taken the power and removed with the force the legitimate Authorities;
- B. Whereas the legitimate president Win Myint and State Counsellor Aung San Suu Kyi have been detained ever since, on a number of groundless and politically motivated charges, and

already sentenced to several years in jail and in labor camps; whereas if convicted of all 11 charges against her, State Counsellor Aung San Suu Kyi could be sentenced to a maximum of 102 years in prison;

- C. Whereas since the military coup on February 1, 2021, the military regime continue to undermine media freedom and violate and abuse the human rights of journalists in the country;
- D. Whereas media freedom is vital to the effective functioning of free and democratic societies and is essential to the protection of all other human rights and fundamental freedoms; whereas journalists need a safe environment in which to do their independent work;
- E. Whereas the military junta has revoked the operating licenses of independent news outlets, banned the use of satellite dishes and instituted a series of partial and complete Internet shutdowns, including blocking social media sites;
- F. Whereas the military junta has passed a number of disproportionate acts, including amendments to the Penal code and to the Code of Criminal Procedure, to curb freedom of expression by significantly broadening the concept of misinformation and treason to include whatsoever criticism of the military, punishable up to 20 years in prisons; whereas some of these offenses are now non-bailable and subject to arrest without a warrant;
- G. Whereas at least 110 journalists have been arrested, 66 are currently imprisoned, and almost 30 journalists have been convicted since the military coup in February 2021;
- H. Whereas at least three journalists have been killed, including photographer Soe Naing who died in detention after allegedly having been tortured and local editor Pu Tuidim who is reported to have been summarily executed by the military after being used as a human shield; whereas there have been multiple reports of torture and abuses;
- I. Whereas journalist Sithu Aung Myint is still awaiting trial on charges of “incitement” and “sedition” for articles critical of the military which carry a possible combined sentence of 23 years in prison; whereas his lawyer said his health was deteriorating and that the prison authorities were denying him medical attention;
- J. Whereas in July Democratic Voice of Burma journalist Aung San Lin was convicted to six years in prison with hard labor for incitement and the dissemination of “false news”, after publishing a report alleging that military forces committed arson attacks on the homes of three supporters of the coup-toppled National League for Democracy in Wetlet Township;
- K. Whereas in August freelancer Maung Maung Myo was sentenced to six years in prison on a terrorism charge for allegedly possessing pictures and interviews with members of People’s Defense Forces, an array of insurgent groups that are fighting Myanmar’s military government;
- L. whereas in September journalists Htet Htet Khine and Nyein Nyein Aye, former BBC action presenter, were sentenced to three years in prison with hard labour for allegedly reporting fake news;

- M. Whereas since the military junta retook power it has violently hit any form of dissent, attacking peaceful demonstrations and killing or arresting opponents and human rights defenders;
- N. Whereas in July the Myanmar's military regime reactivated the death penalty to execute former Member of Parliament Phyo Zeya Thaw, prominent activist Kyaw Min Yu, widely known as 'Ko Jimmy' as well as Aung Thura Zaw, and Hla Myo Aung; whereas the EU's High Representative/Vice-President has strongly condemned "these politically motivated executions (which) represent yet another step towards the complete dismantling of the rule of law and a further blatant violation of human rights in Myanmar";
- O. Whereas the military is conducting a violent war against ethnically minorities and killing a large number of civilians and forcing millions of people to flee to seek refugee; whereas military helicopters recently fired on a primary school in the Sagaing region killing at least 6 adults and 7 children; whereas according to the UN, the children death toll has reached 13.000; whereas according to a recent statement by the UN-appointed independent human rights expert Tom Andrews, conditions have "gone from bad to worse, to horrific for untold numbers of innocent people in Myanmar";
- P. Whereas on 24 April 2021 the military junta agreed with the ASEAN leaders a Five-Point Consensus whose first step was an immediate end to violence in the country;
1. Calls on the military junta to unconditionally release President Win Myint, State Counsellor Aung San Suu Kyi and all others who have been arrested on unfounded accusations, to hand the power over to the legitimate Authorities, to respect the Rule of Law, media freedom, and to put immediately an end to the military attacks, airstrikes and violence against the Myanmar's population;
  2. Strongly condemns the targeting, threatening, detention, torturing and killing of journalists and media workers;
  3. Urges the military junta to drop all politically motivated charges against the members of the press and media workers and release all the journalists unfairly detained, including Htet Htet Khine, Sithu Aung Myint, Nyein Nyein Aye, Maung Maung Myo, and Aung San Lin;
  4. Strongly call on the military junta to repeal any legislation which might endanger media freedom and to end its obstruction of the right of people in Myanmar to freedom of expression, both online and offline, which includes the freedom to seek, receive and impart information;
  5. Urges the military junta to immediately end its abuses, including arbitrary arrests and detention, torture, sexual violence and other ill-treatment, and unfair trials against journalists, media workers, human rights defenders, opponents and ethnical minorities; stresses that lawyers, human rights defenders and families should be given effective access to visit people held in detention; highlights that any death in custody should be immediately reported with proper documentation to the person's family, the body should be returned, and those responsible for abuses held to account;

6. Demands to the military authorities to remove any restrictions on telecommunications and the internet, including independent media websites and social media platforms;
7. Deplores the execution of opposition members and reiterates its strong condemnation of death penalty;
8. Is strongly concerned by the severe and widespread humanitarian emergency affecting the country, with millions of displaced people, including children who are victim of the violence of the military authorities;
9. Calls on the EU Commission to strengthen the sanctions against the military junta and suspend Myanmar's Everything But Arms (EBA) preferential trade status;
10. Calls on the EU Member States and associated countries to maintain the embargo on the direct and indirect supply, sale and transfer, including transit, shipment and brokering, of all weapons, munitions and other military, security and surveillance equipment and systems, as well as the provision of training, maintenance and other military and security assistance; highlights the need for the further investigation of the situation by the International Criminal Court;
11. Urges the Members of the UN Security Council to consider a resolution to ban the supply of weapons to the Myanmar's military junta;
12. Calls on the UN to include media freedom violations within the scope of Investigative mechanism for Myanmar and to promote any possible initiative to sanction the military regime and hold accountable those responsible for the ongoing horrible human right violations in the country;
13. Calls on ASEAN, its members and particularly its Special Envoy to Myanmar to make more proactive use of their special role in Myanmar and to put strong pressure on the military junta to immediately end violence as agreed in the five-point consensus;
14. Instructs its President to forward this resolution to the legitimate President and National Unity Government of Myanmar, the Committee Representing the Pyidaungsu Hluttaw, the State Counsellor of Myanmar, the Tatmadaw, 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 governments and parliaments of the United States, Bangladesh, the United Kingdom, Japan, India, Australia, Canada, the Member States of ASEAN, the government and parliament of China, the Secretary-General of the United Nations, 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.