



Plenary sitting

B9-0457/2022

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))

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on behalf of the ECR Group

B9-0457/2022

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, in particular those of, 20 May 2010, 25 November 2010, 20 April 2012, 22 November 2012, 7 July 2016, 15 December 2016, 14 September 2017, 14 June 2018, 13 September 2018, 19 September 2019, 11 February 2021, 7 October 2021 and 10 March 2022 ,
- having regard to the oral update by UN Acting High Commissioner for Human Rights on the human rights situation in Myanmar to the UN Human Rights Council on 26 September 2022 ,
- having regard to Council Regulation (EU) 2022/238 of 21 February 2022 concerning restrictive measures in view of the situation in Myanmar,
- having regard to the statement of 29 September 2022 by the Spokesperson of the European External Action Service on the further sentencing of State Counsellor Daw Aung San Suu Kyi,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966,
- having regard to Rule 144 of its Rules of Procedure,

A. whereas since the coup d'état on 1 February 2021, the military of Myanmar, known as the Tatmadaw, has been increasing its crackdown on the media in Myanmar, with a growing number of journalists having been arbitrarily arrested, detained, held incommunicado and charged in order to silence the media and eradicate freedom of expression; whereas the junta is making use of tools of surveillance and censorship through restrictions on telecommunications and the internet; whereas the junta had jailed at least 140 journalists while over 65 of them are currently imprisoned; whereas the military has charged 12 news outlets with crimes and/or revoked their licences; whereas the military has announced plans to create a register and impose a new tax on mobile phones which will increase the risk of surveillance, further imperilling human rights defenders, journalists and members of the pro-democracy movement; whereas the

new tax also increase the cost of accessing the internet for ordinary people and further restrict freedom of expression and access to information;

- B. whereas on 14 February 2021 the Tatmadaw introduced changes to the Penal Code and the Criminal Procedure Code which have become the primary legal provisions being used to charge journalists, student leaders, civil servants and others who are opposing the military regime; whereas newly introduced Section 505 (a) of the penal code, which prohibits causing fear, spreading false news and agitating crimes against a government employee, all punishable by up to three years' imprisonment, is used by military to bring criminal charges against inter alia. journalists;
- C. whereas on 15 September 2022 Htet Htet Khine, a Burmese freelance journalist and former BBC reporter, was sentenced to three years in prison with hard labour on a charge of “inciting hatred and violence against the armed forces in her reporting” after more than a year in pre-trial detention; whereas on 27 September 2022 a junta-controlled court has handed Htet Htet Khine a second three-year prison sentence after finding her guilty of involvement with Myanmar’s shadow National Unity Government (NUG);
- D. whereas Sithu Aung Myint, a journalist for Frontier Myanmar magazine and Voice of America radio, was arrested on 15 August 2021, and is still awaiting trial on charges of “incitement” and “sedition” for articles critical of Myanmar’s military; whereas the charges carry a possible combined sentence of 23 years in prison; whereas in April 2022, Sithu Aung Myint’s lawyer said his health was deteriorating and that the prison authorities were denying him medical attention.
- E. whereas Nyein Nyein Aye, a freelance journalist, was arrested on 15 January 2022 and was sentenced by a military court on 14 July 2022 to three years in prison with hard labour on charges of “causing fear, spreading false news and agitating crimes against a government employee”;
- F. whereas since the 1 February 2021 coup more than 15500 people have been arrested and more than 2300 killed by the junta;
- G. whereas Russia and China have made many political, military and economic efforts aimed at legitimising the junta; whereas Russia and Myanmar’s military junta have recently signed a roadmap for cooperation on peaceful use of nuclear energy 2022-2023; whereas both, Moscow and Beijing, have ties to Myanmar's armed forces, as the largest suppliers of arms to the country; whereas both countries repeatedly blocked attempts to agree on UN Security Council declarations on the situation in Myanmar;

H. whereas Myanmar's constitution allows for the military state of emergency to be extended for up to two years and requires an election within the 6 months after it end, thus putting the deadline for a general election at August 2023.

1. Condemns the sentencing of Htet Htet Khine and Nyein Nyein Aye to multiple years in prison with hard labour and the arrest of Sithu Aung Myint and other media personalities;
2. Calls for the immediate and unconditional release of Htet Htet Khine, Nyein Nyein Aye, Sithu Aung Myint and others that are unjustly imprisoned; calls on the regime to ensure those imprisoned have unhindered access to medical assistance and legal counsel, and to grant full and independent access to prisons;
3. Remains deeply concerned with the crackdown on independent media and journalists in Myanmar in the wake of the coup; deplores restrictions to the right to freedom of expression and other human rights; urges the junta to remove any restrictions on telecommunications and the internet, including the blocking of independent media websites and social media platforms;
4. Calls on the regime to fulfil its obligations under the Association of Southeast Asian Nations' (ASEAN) Five-Point Consensus to seek peace through dialogue, not further violence;
5. Expresses its support for the people of Myanmar in their struggle for democracy, freedom and human rights;
6. Calls on the EU and the wider international community to closely follow the cases of imprisoned journalists and to take a coordinated approach to ensure that in all dialogues and exchanges with Myanmar human rights are raised and demands made that Myanmar fulfils its human rights obligations;
7. Welcomes the four rounds of sanctions imposed by the Council against members of the Tatmadaw and their enterprises and other individuals and calls on the Council to continue imposing targeted and robust sanctions, with the aim to cut off the lifelines of the junta whilst ensuring that these do not harm the people of Myanmar;
8. Condemns Russia and China for political, economic and military backing of of Myanmar's junta;

9. Expresses its serious concern whether the general elections planned for August 2023 will be free and fair, and whether they will not become a source of greater violence and unrest in the country;

10. 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 Council, the governments and parliaments of the Member States, the Member States of ASEAN, the Secretary-General of ASEAN, the ASEAN Intergovernmental Commission on Human Rights, the Secretary-General of the United Nations and the UN Special Rapporteur on the situation of human rights in Myanmar;