

# EUROPEAN PARLIAMENT

2004



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B6-0284/2005 }  
B6-0287/2005 }  
B6-0289/2005 }  
B6-0293/2005 }  
B6-0313/2005 }  
B6-0315/2005 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Bernd Posselt, Charles Tannock and Thomas Mann, on behalf of the PPE-DE Group
- Pasqualina Napoletano and Glenys Kinnock, on behalf of the PSE Group
- Johan Van Hecke, on behalf of the ALDE Group
- Frithjof Schmidt and Hélène Flautre, on behalf of the Verts/ALE Group
- Vittorio Emanuele Agnoletto, on behalf of the GUE/NGL Group
- Gintaras Didžiokas, on behalf of the UEN Group

replacing the motions by the following groups:

- PSE (B6-0284/2005)
- GUE/NGL (B6-0287/2005)
- Verts/ALE (B6-0289/2005)
- ALDE (B6-0293/2005)
- PPE-DE (B6-0313/2005)
- UEN (B6-0315/2005)

on Burma

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PE 357.363v01-00}  
PE 357.366v01-00}  
PE 357.368v01-00}  
PE 357.372v01-00}  
PE 357.392v01-00}  
PE 357.394v01-00} RC1

## European Parliament resolution on Burma

*The European Parliament,*

- having regard to its resolution of 13 June 2001 on the Commission working document: 'Perspectives and Priorities for the ASEM Process (Asia-Europe Meeting) into the new decade'<sup>1</sup>,
- having regard to its resolution of 5 September 2002 on the Commission Communication on 'Europe and Asia: A Strategic Framework for Enhanced Partnerships'<sup>2</sup>,
- having regard to its previous resolutions on Burma, in particular those of 11 April 2002<sup>3</sup>, 13 March 2003<sup>4</sup>, 5 June 2003<sup>5</sup>, 4 September 2003<sup>6</sup>, 11 March 2004<sup>7</sup> and 16 September 2004,
- having regard to the Chairman's statement of the Fourth Asia-Europe Meeting (ASEM IV) held in Copenhagen from 23 to 24 September 2002,
- having regard to the Chairman's statement of the Tenth Meeting of ASEAN (Association of South East Asian Nations) Regional Forum of 18 June 2003,
- having regard to the Declaration of the Third Asia-Europe Parliamentary Partnership Meeting (ASEP III), held in Hue City from 25 to 26 March 2004,
- having regard to Burma's membership of ASEAN, and its presidency of ASEAN in 2006,
- having regard to the Chairman's Statement of the Sixth ASEM Foreign Ministers' Meeting, held in Kildare from 17 to 18 April 2004,
- having regard to the Chairman's statement of the Eleventh Meeting of ASEAN Regional Forum of 2 July 2004,
- having regard to Council Common Position 96/635/CFSP of 28 October 1996, defined by the Council on the basis of Article J.2 of the Treaty on European Union, on Burma, renewed and extended by Council Common Position 2003/297/CFSP of 28 April 2003 on Burma<sup>8</sup>, and Council Regulation (EC) No 1853/2004 of 25 October 2004,

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<sup>1</sup> OJ C 53 E, 28.2.2002, p. 227.

<sup>2</sup> OJ C 272 E, 13.11.2003, p. 476.

<sup>3</sup> OJ C 127 E, 29.5.2003, p. 681.

<sup>4</sup> OJ C 61 E, 10.3.2004, p. 420.

<sup>5</sup> OJ C 68 E, 18.3.2004, p. 620.

<sup>6</sup> OJ C 76 E, 25.3.2004, p. 285.

<sup>7</sup> P5\_TA(2004)0187.

<sup>8</sup> OJ L 106, 29.4.2003, p. 36.

- having regard to the outcome of discussions at the Gymnich Meeting of EU Ministers of Foreign Affairs of 3 and 4 September 2004,
  - having regard to the conclusions adopted by the Council on 13 September 2004,
  - having regard to Common Position 2004/730/CFSP of 25 October 2004, amended on 21 February 2005, and Council Regulation (EC) No 1853/2004 of 25 October 2004,
  - having regard to the Declaration of the Presidency on behalf of the European Union at the reconvening of the National Convention in Burma on 15 February 2005,
  - having regard to the joint statement of the European Union and the Association of Southeast Asian Nations (ASEAN) in Jakarta on 10 March 2005,
  - having regard to the resolution on the human rights situation in Burma adopted at the 61st session of the United Nations Commission on Human Rights,
  - having regard to the Chairman's Statement of the Seventh ASEM Foreign Ministers' Meeting held in Kyoto from 6 to 7 May 2005,
  - having regard to Rule 115(5) of the Rules of Procedure,
- A. whereas the people of Burma are subject to human rights abuses including forced labour, persecution of dissidents, conscription of child soldiers, rape of ethnic minority women and children by government troops, and forced relocation,
  - B. deeply worried by the allegations of use of chemical weapons by the military junta against Karenni rebels,
  - C. worried by the three bomb attacks in Rangoon on 7 May 2005, killing 11 and wounding 162 civilians in the most deadly attacks since the military seized power 40 years ago,
  - D. whereas the Sixth ASEM Foreign Ministers' Meeting held in Kildare in April 2004 laid down clear conditions for Burma's entry into ASEM, including the release of Aung San Suu Kyi as a minimum condition, allowing the National League for Democracy (NLD) to operate freely, and starting genuine political dialogue with pro-democracy and ethnic groups in Burma,
  - E. whereas none of these conditions has been fulfilled by the Burmese regime,
  - F. whereas the National Convention in Burma has been reconvened without the participation of the NLD, other political parties and all ethnic nationality ceasefire groups,
  - G. whereas, since November 2004, ASEAN parliamentarians - from Cambodia, Malaysia, Philippines, Singapore and Thailand - have been calling on their respective governments not to allow Burma to assume the chair of ASEAN in 2006,

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- H. whereas the United Nations Special Envoy for Burma, Ambassador Razali, who has been barred by the Burmese regime from visiting Burma for over a year, has voiced his support for the efforts being made by ASEAN lawmakers,
  - I. whereas the USA has officially stated that it will not participate in any ASEAN meeting should Burma assume the chair of ASEAN in 2006,
  - J. whereas, in February 2005, the Burmese regime arrested Hkun Htun Oo, Chairman of the Shan Nationalities League for Democracy, and other ethnic leaders,
  - K. whereas, on 15 March 2005, the Burmese regime charged Hkun Htun Oo, General Hso Hten, President of the Shan State Peace Council, and eight other Shan leaders with conspiracy against the state, which carries the death penalty,
  - L. whereas the UN Human Rights Special Rapporteur for Burma, Paulo Sergio Pinheiro, has said that the Burmese regime is stifling any hope of democratic transition by arresting and jailing political and ethnic opposition leaders,
  - M. whereas Council Regulation (EC) No 1853/2004 does not include the Myanmar Oil and Gas Enterprise (MOGE) in the list of prohibited companies, and whereas, according to the Economist Intelligence Unit, gas exports from Burma were worth US\$ 987 million in 2003/4,
  - N. whereas the Commission organised and provided full funding for a meeting, held on 5 April 2005, with a panel consisting solely of those critical of the current EU measures against Burma, with none of Europe's pro-democracy group allowed to attend,
  - O. whereas, on 24 March 2005, the Governing Body of the International Labour Organisation (ILO) decided to 'reactivate' the measures that it had adopted in June 2000 calling for members to review their relations (under Article 33) with Burma because of its continuing large-scale use of forced labour,
1. Points out that any meeting with senior members of the Burmese regime cannot be taken as an indicator of a relaxation of EU opposition to the State Peace and Development Council (SPDC) dictatorship;
  2. Condemns the total disregard of the Burma junta for the welfare of the people of Burma;
  3. Strongly condemns the bomb attacks that took place in Rangoon on 7 May 2005, killing 11 people and wounding 162 others; asks for a policy of peaceful solution of political problems, and expresses its condolences to the victims and the families of those who died in the 7 May bomb attacks;

4. Deplores the Burmese regime's campaign of ethnic cleansing against several major ethnic groups fighting for autonomy;
5. Condemns the use of chemical weapons and urges the government of Burma immediately to stop any new attack using chemical arms;
6. Demands the immediate release of and full freedom of movement and expression for Aung San Suu Kyi, Hkun Htun Oo, General Hso Hten, other political leaders and all political prisoners held by the SPDC;
7. Calls on the SPDC to initiate immediately a meaningful dialogue with the National League for Democracy (NLD) and ethnic groups to bring about a return to democracy and respect for human rights, including ethnic minorities' rights and state rights in Burma;
8. Calls on the Burmese regime to rescind SPDC Law No 5/96, which carries a 20-year sentence for any discussion of constitutional matters outside the National Convention;
9. Calls on the SPDC to modify National Convention procedures which currently do not allow delegates to discuss issues outside the set agenda and consider all matters within the Convention to be state secrets;
10. Insists that the SPDC respect the will of the people of Burma as expressed in the results of the 1990 elections;
11. Insists that the EU's Common Policy on Burma be strengthened immediately by
  - (a) officially stating that the EU will not consider accepting any outcome of the current National Convention unless the minimum conditions laid down at the Sixth ASEM Foreign Ministers' Meeting in Kildare in April 2004 are met,
  - (b) officially stating that the EU will not participate in the ASEAN Regional Forum, the ASEAN Post Ministerial Meeting and other ASEAN meetings and events should Burma become the chair of ASEAN in 2006 without meeting any of the minimum conditions,
  - (c) re-defining the prohibition on EU-registered companies in Council Regulation (EC) No 1853/2004 of 25 October 2004 from 'investing in or extending loans to named Burmese state-owned enterprises' to 'entering into business contracts with named Burmese state-owned enterprises',
  - (d) re-defining the prohibition on EU-registered companies in Council Regulation (EC) No 1853/2004 of 25 October 2004 from 'named Burmese state-owned enterprises' to 'all Burmese state-owned enterprises',
  - (e) alternatively, adding the Myanmar Oil and Gas Enterprise (MOGE) to the list of prohibited companies in Council Regulation (EC) No 1853/2004 of 25 October 2004,

- (f) amending Article 5 of the EU Common Position on Burma to read: 'Non-humanitarian aid or development programmes, including those funded by the World Bank, the Asian Development bank, and or any other international financial institutions in which Member States participate, shall be suspended',
  - (g) calling on travel agencies and independent tour operators in the EU to stop promoting and selling tourist visits to Burma;
12. Calls for an investigation to be carried out into the decision to hold the 'Burma Day' and the selection process of the panelists, and for a full report to be published in order to ensure that such a use of public funding cannot be repeated;
  13. Regrets the presentation on the occasion of Burma Day 2005 of a report, financed by the Commission, that has indicated the possibility of widening economic and social cooperation with the Burmese authorities;
  14. Calls for a high-ranking EU envoy to be appointed to work towards securing the release of Aung San Suu Kyi, and developing a comprehensive EU strategy on Burma;
  15. Deeply regrets the fact that the Government of Burma has not yet undertaken all the relevant measures to allow the Joint Government of the Union of Myanmar - International Labour Organisation Plan of Action for the elimination of Forced Labour Practices in Myanmar to come into force;
  16. Urges all members of the ILO within the EU to seriously review their relations, under Article 33, with Burma as called for by the ILO Governing Body;
  17. Commends the efforts of the ASEAN parliamentarians to exercise their influence with their respective governments so as to bring about change for the better in Burma;
  18. Urges the ASEAN states to reconsider the assumption that Burma should chair ASEAN in 2006;
  19. Calls on the UN Security Council to address the situation in Burma as a matter of urgency and to empower the UN Secretary-General and his Special Envoy to mediate in Burma in order to bring about national reconciliation and a transition to democracy;
  20. Instructs its President to forward this resolution to the Council, the Commission, the governments of the ASEAN and ASEM member states, the ASEAN Inter-Parliamentary Myanmar Caucus, Aung San Suu Kyi, the NLD, the SPDC, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Special Rapporteur for Burma.