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B7-0646/2010 }
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JOINT MOTION FOR A RESOLUTION

pursuant to Rule 122(5) of the Rules of Procedure

replacing the motions by the following groups:

EFD (B7-0635/2010)
S&D (B7-0636/2010)
ALDE (B7-0639/2010)
ECR (B7-0641/2010)
Verts/ALE (B7-0645/2010)
GUE/NGL (B7-0646/2010)
PPE (B7-0647/2010)

on Burma – conduct of elections and the release of opposition leader Aung San
Suu Kyi

**Elmar Brok, José Ignacio Salafranca Sánchez-Neyra, Laima Liucija
Andrikienė, Lena Kolarska-Bobińska, Mario Mauro, Cristian Dan Preda,
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Csaba Sógor**

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on behalf of the PPE Group

Véronique De Keyser, Marc Tarabella, Rovana Plumb

on behalf of the S&D Group

Ramon Tremosa i Balcells, Sonia Alfano, Leonidas Donskis, Niccolò Rinaldi, Edward McMillan-Scott, Sarah Ludford, Frédérique Ries, Renate Weber, Marietje Schaake, Antonyia Parvanova, Adina-Ioana Vălean, Marielle De Sarnez, Kristiina Ojula, Anneli Jäätteenmäki

on behalf of the ALDE Group

Barbara Lochbihler, Christian Engström, Emilie Turunen, Heidi Hautala, Raúl Romeva i Rueda, Gerald Häfner

on behalf of the Verts/ALE Group

Geoffrey Van Orden, Charles Tannock, Michał Tomasz Kamiński, Adam Bielan, Nirj Deva, Ryszard Antoni Legutko, Tomasz Piotr Poręba, Konrad Szymański, Marek Henryk Migalski, Ryszard Czarnecki

on behalf of the ECR Group

Marie-Christine Vergiat

on behalf of the GUE/NGL Group

Fiorello Provera

on behalf of the EFD Group

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European Parliament resolution on Burma – conduct of elections and the release of opposition leader Aung San Suu Kyi

The European Parliament,

- having regard to its previous resolutions on Burma, the most recent adopted on 20 May 2010,
- having regard to Articles 18- 21 of the Universal Declaration of Human Rights (UDHR) of 1948,
- having regard to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) of 1966,
- having regard to the EU Presidency Statement of 23 February 2010 calling for all-inclusive dialogue between the authorities and the democratic forces in Burma,
- having regard to the statement of the President of the European Parliament Jerzy Buzek of 11 March 2010 on Burma's new election laws,
- having regard to the Chairman's Statement at the 16th ASEAN Summit held in Hanoi on 9 April 2010,
- having regard to the Council Conclusions on Burma adopted at the 3009th Foreign Affairs Council meeting in Luxembourg on 26 April 2010,
- having regard to the European Council Conclusions, Declaration on Burma, of 19 June 2010,
- having regard to the UN Secretary-General's report on the situation of human rights in Burma of 28 August 2010,
- having regard to the statement made by UN Secretary-General Ban Ki-moon in Bangkok on 26 October 2010,
- having regard to the Chair's statement at the 8th Asia-Europe meeting in October 2010,
- having regard to the UN Special Rapporteur's report on the situation of human rights in Burma of 15 September 2010,
- having regard to the declaration by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy of 7 November 2010 on the elections in Burma,
- having regard to the statement by the UN Secretary-General and by the President of the European Parliament Jerzy Buzek of 8 November 2010 on the Burmese elections,

- having regard to the statement by the UN Secretary-General of 13 November 2010 on the release of Daw Aung San Suu Kyi,
 - having regard to the statement by the President of the European Council and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy of 13 November 2010 on the release of Aung San Suu Kyi,
 - having regard to the conclusions of the Council of 22 November 2010 on Burma,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas on the evening of 13 November 2010, less than a week after the disputed national elections had been held, Aung San Suu Kyi was released from the house arrest under which she had spent 15 of the last 21 years,
 - B. whereas on 7 November 2010 Burma held its first national elections for over 20 years; whereas the previous elections in 1990 had been won by Aung San Suu Kyi's National League for Democracy (NLD),
 - C. whereas the latest elections were based on the controversial Constitution introduced in 2008, which guarantees the Burmese military a quarter of all parliamentary seats, and not surprisingly were won by the military-backed Union Solidarity and Development Party (USDP),
 - D. whereas the Burmese authorities introduced several new laws in the run-up to the elections of 7 November, restricting free speech and criticism of the government, placing severe limitations on the political and campaign activities of political parties and cracking down on internal calls for the release of political prisoners, and whereas the elections did not meet international standards,
 - E. whereas the pro-junta Union Solidarity and Development Party (USDP) was able to field candidates in almost all constituencies, while pro-democracy parties such as the National Democratic Force were limited to fielding candidates in only a handful of constituencies, largely due to the fact that they had little time to raise funds for the election or to organise properly,
 - F. whereas the National League for Democracy (NLD) decided to boycott the elections in the light of the conditions imposed on participation; whereas the NLD was disbanded by law on 6 May 2010, after failing to register for the elections,
 - G. whereas the elections were conducted in a climate of fear, intimidation and resignation and whereas hundreds of thousands of Burmese citizens, including Buddhist monks and political prisoners, were banned from voting or standing for election,
 - H. whereas there were many complaints over both the basis and the conduct of the elections,

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with failures to protect the secrecy of the ballot, coercion of state employees, and military efforts to force ethnic Karens, for example, to vote for junta-backed parties,

- I. whereas the disputed 2008 Constitution bars Aung San Suu Kyi from public office,
 - J. whereas, provided it is not rescinded, the release of Aung San Suu Kyi could be interpreted as a first step in the right direction; whereas, however, many have expressed concern about Aung San Suu Kyi's safety and note that she is being kept under surveillance by the state security services,
 - K. whereas, while Aung San Suu Kyi has been released, more than 2 200 other pro-democracy activists remain in captivity, as do many of the Buddhist monks who led the anti-government protests in 2007 and the journalists who covered the protests,
 - L. whereas since 2003 the government of Burma has rejected every single suggestion made to it by the United Nations and the wider international community on how to reform its seven-stage 'roadmap to democracy',
 - M. whereas the Burmese military continues to commit atrocious human rights violations against civilians in the ethnic Karen homelands on the Thai border, acts which include extrajudicial killings, forced labour and sexual violence; and whereas thousands of Burmese refugees entered Thailand the day after the elections owing to clashes between the Burmese army and ethnic rebel groups,
 - N. whereas Burma continues widespread and systematic forced recruitment of child soldiers,
 - O. whereas the United Nations, the EU and its Member States, the US and many other governments across the world have said that in order to reach a long-term solution to Burma's problems, tripartite talks between Aung San Suu Kyi and the National League for Democracy, representatives of Burma's ethnic minorities and the Burmese junta, are essential; and whereas the government of Burma still refuses to enter into such talks,
 - P. whereas the EU has imposed restrictive measures on the Burmese regime since 1996, including a freeze on the assets of some 540 individuals and 62 entities, travel bans, a ban on the export of military equipment, and, more recently a ban on equipment for logging and mining and on the import of certain types of timber, precious stones and minerals, until such time as there is evidence of genuine change in the direction of democracy, human rights, freedom of expression and the rule of law,
- 1. Welcomes Aung San Suu Kyi's recent release, but deplores the fact that she was only released after the elections, making it impossible for her to actively campaign for the opposition during the elections; insists that her freshly regained freedom must be unconditional and unrestricted;
 - 2. Deeply regrets that the ruling Burmese military junta refused to hold free and fair elections in Burma on 7 November;

3. Deplores the restrictions placed by the ruling military junta on the main opposition parties, as well as the restrictions placed on the press's freedom to report on and monitor the elections;
4. Deplores the lack of transparency in the organisation of the ballot and vote counting, the refusal of the military to accept international observers and the delay in announcing results;
5. Deplores the fact that the new constitution guarantees the Burmese military a minimum of a quarter of all seats in parliament, enough to veto any constitutional change, and also allows the military to suspend all civil liberties and parliament whenever it deems it necessary;
6. Notes the restricted participation in the ballot of the opposition parties that had to take a difficult decision whether or not to boycott the elections, and takes the view that the participation of opposition and ethnic representatives in both national and regional assemblies, albeit at a very limited level, could constitute a beginning of normalisation and might offer an opportunity for change;
7. Strongly condemns the ongoing violations of the fundamental freedoms and basic democratic rights of the people of Burma at the hands of the Burmese military junta;
8. Urges the Government of Burma to release all Burma's remaining 2 200 political prisoners without delay and without any pre-conditions, as well as to fully restore all their political rights; also insists that the Burmese authorities make no further politically motivated arrests;
9. Strongly calls upon the Burmese regime to lift restrictions on freedom of assembly, freedom of movement and freedom of expression, and calls for an end to politically motivated censorship of the press, as well as politically motivated control of the internet and mobile phone network;
10. Strongly condemns the violence that erupted after widespread complaints of intimidation in the west of Burma, in the town of Myawaddy; the violent fire exchange between Burmese military and ethnic rebels forced thousands to cross the border with Thailand;
11. Deeply regrets the rejection by the Burmese authorities of all offers of technical assistance and monitoring services from the UN, and condemns the restrictions imposed on foreign media trying to report from inside Burma;
12. Condemns the fact that at least nine newspapers and magazines have seen their publication postponed by the Press Supervisory Council, which claims that rules were not followed when the publications published a photo of the release of Aung San Suu Kyi;
13. Strongly urges the Burmese regime to enter into discussions with Aung San Suu Kyi and the National League for Democracy, as well as with representatives of the minority peoples; in this regard, welcomes the mediation efforts made by the UN Secretary-General and his Special Rapporteur on Burma;

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14. Calls not only on the international community, including China, India and Russia as Burma's main trading partners, but also on ASEAN to stop supporting the undemocratic regime that thrives at the expense of its people and to exert more pressure for positive change in the country; further believes that the ASEAN Charter confers upon the ASEAN Member States a special responsibility and moral obligation to act in the event of systematic violations of human rights in a member country;
15. Reiterates its support for the Council's decision of 26 April 2010 to extend the restrictive measures provided for in the current EU decision by another year; urges the Burmese authorities to take the necessary steps to enable these measures to be reconsidered;
16. Expresses concern about the conditions in prisons and other detention facilities, and consistent reports of ill-treatment of prisoners of conscience, including torture, and about the moving of prisoners of conscience to isolated prisons far from their families, where they cannot receive food and medicine; also calls on the Burmese authorities immediately to allow medical treatment for all prisoners and to allow the International Committee of the Red Cross to resume visits to all prisoners;
17. Expresses its deep concern about the resumption of armed conflict in some areas, and calls on the Government of Burma to protect the civilian population in all parts of the country and for all concerned to respect existing ceasefire agreements;
18. Calls on the EU and its Member States to employ their full economic and political influence in order to bring about freedom and democracy in Burma; urges the Member States and the EU to continue to provide funding for refugees on the Thai-Burmese border;
19. Reiterates and endorses its President's invitation to Aung San Suu Kyi to attend the Sakharov prize-giving ceremony in Strasbourg in December; highlights the fact that should she be able to attend, she will be officially presented with the Sakharov Prize that she won in 1990 for all that she has done to promote democracy and freedom in Burma;
20. Insists that Aung San Suu Kyi's freedom of expression and physical freedom, including her unhindered right to travel freely and safely throughout Burma and abroad, and to return to Burma, be guaranteed by the Burmese regime and the services under its control;
21. Welcomes the decision taken by the President of the European Parliament to send a Parliamentary delegation to Burma to present Aung San Suu Kyi with her Sakharov Prize, should she be unable to attend the prize-giving ceremony in Strasbourg;
22. Instructs its President to forward this resolution to Aung San Suu Kyi, to the Council, the Commission, the governments and parliaments of the Member States, the EU Special Envoy for Burma, the Burmese State Peace and Development Council, the governments of the ASEAN and ASEM member states, the ASEM secretariat, the ASEAN Inter-Parliamentary Myanmar Caucus, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Special Rapporteur for Burma.

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