



TEXTS ADOPTED

P9_TA(2022)0079

Myanmar, one year after the coup

European Parliament resolution of 10 March 2022 on Myanmar, one year after the coup (2022/2581(RSP))

The European Parliament,

- having regard to its previous resolutions on Myanmar, namely its resolutions of 7 July 2016¹, 15 December 2016², and 14 September 2017 on Myanmar³, in particular the situation of Rohingyas, of 14 June 2018 on the situation of Rohingya refugees, in particular the plight of children⁴, of 13 September 2018 on Myanmar, notably the case of journalists Wa Lone and Kyaw Soe Oo⁵, of 19 September 2019 on Myanmar, notably the situation of the Rohingyas⁶, of 11 February 2021 on the situation in Myanmar⁷, and of 7 October 2021 on the human rights situation in Myanmar, including the situation of religious and ethnic groups⁸,
- having regard to Council Regulation (EU) 2022/238 of 21 February 2022 concerning restrictive measures in view of the situation in Myanmar⁹,
- having regard to the Council conclusions of 22 February 2021 on Myanmar,
- having regard to Council Decision (CFSP) 2021/711 of 29 April 2021 concerning restrictive measures in view of the situation in Myanmar/Burma¹⁰,
- having regard to the joint statement of 1 February 2022 by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the European Union, and the Foreign Ministers of Albania, Australia, Canada, New Zealand, Norway, the Republic of

¹ OJ C 101, 16.3.2018, p. 134.

² OJ C 238, 6.7.2018, p. 112.

³ OJ C 337, 20.9.2018, p. 109.

⁴ OJ C 28, 27.1.2020, p. 80.

⁵ OJ C 433, 23.12.2019, p. 124.

⁶ OJ C 171, 6.5.2021, p. 12.

⁷ OJ C 465, 17.11.2021, p. 135.

⁸ Texts adopted, P9_TA(2021)0417.

⁹ OJ L 40, 21.2.2022, p. 8.

¹⁰ OJ L 147, 30.4.2021, p. 17.

Korea, Switzerland, the United Kingdom and the United States on the one year anniversary of the military coup in Myanmar,

- having regard to the declarations by the High Representative on behalf of the EU of 31 January 2022 on the continuing escalation of violence in Myanmar, of 8 November and 6 December 2021 on the situation in Myanmar, of 13 October 2021 to support the work of the Association of Southeast Asian Nations (ASEAN) special envoy, and of 30 April 2021 on the outcome of the ASEAN Leaders' Meeting,
- having regard to the statement of 11 January 2022 by the Spokesperson of the European External Action Service on the latest sentencing of State Counsellor Daw Aung San Suu Kyi,
- having regard to the EU guidelines on the promotion and protection of freedom of religion or belief,
- having regard to ASEAN's Five Point Consensus of 24 April 2021,
- having regard to the ASEAN Chairman's statement of 2 February 2022 on the situation in Myanmar,
- having regard to the statements on Myanmar of 23 September 2021 by the UN High Commissioner for Human Rights and of 22 September 2021 by the UN Special Rapporteur on the Situation of Human Rights in Myanmar,
- having regard to the report of 16 September 2021 of the Office of the UN High Commissioner for Human Rights on the situation of human rights in Myanmar,
- having regard to the statement of 29 December 2021 of the UN Security Council on the situation in Myanmar,
- having regard to the UN Security Council press statement of 2 February 2022 on the situation in Myanmar,
- having regard to the statement of 30 January 2022 attributable to the Spokesperson for the UN Secretary-General on the situation in Myanmar,
- having regard to the statement of 28 January 2022 by the UN High Commissioner for Human Rights on the situation in Myanmar,
- having regard to the reports of the UN Special Rapporteur on the Situation of Human Rights in Myanmar, notably the report of 22 February 2022 entitled 'Enabling Atrocities: UN Member States' Arms Transfers to the Myanmar Military',
- having regard to the conclusion of 28 February 2022 of the public hearings on the preliminary objections raised by Myanmar in the case concerning the application of the Convention on the Prevention and Punishment of the Crime of Genocide (*The Gambia v Myanmar*),
- having regard to UN General Assembly Resolution 75/287 of 18 June 2021 on the situation in Myanmar,

- having regard to the report of December 2021 by the UN Office for the Coordination of Humanitarian Affairs entitled ‘Humanitarian Needs Overview – Myanmar’,
 - having regard to the statement of 27 December 2021 attributable to the UN Special Envoy of the Secretary-General on Myanmar,
 - having regard to the reports of the UN Secretary-General on Myanmar the situation of the human rights of Rohingya Muslims and other minorities in Myanmar,
 - having regard to the 2021 report of the UN Independent Investigative Mechanism for Myanmar,
 - having regard to the report of 22 August 2019 of the UN Independent International Fact-Finding Mission on Myanmar on sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts,
 - having regard to the reports of the International Labour Organization Supervisory Mechanism on Myanmar,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
 - having regard to the UN Convention on the Prevention and Punishment of the Crime of Genocide of 1948,
 - having regard to Article 25 of the International Covenant on Civil and Political Rights of 1966,
 - having regard to Rule 144(5) and 132(4) of its Rules of Procedure,
- A. whereas on 1 February 2021, the military of Myanmar, known as the Tatmadaw, in a clear violation of the constitution of Myanmar and of the electoral results of November 2020, arrested President Win Myint, State Counsellor Aung San Suu Kyi and leading members of the government, seized power over the legislative, judicial and executive branches of the government by means of a coup d’état, and declared a one-year state of emergency; whereas in August 2021, the commander-in-chief of the military junta, Min Aung Hlaing, announced that he was appointing himself Prime Minister and that the state of emergency would be extended until August 2023; whereas only Win Myint, as the President of Myanmar, is authorised under the constitution to enact a state of emergency;
- B. whereas in response to the military takeover, peaceful protests and demonstrations broke out in various cities in Myanmar demanding a return to democracy; whereas various groups took part, including the Civil Disobedience Movement; whereas security forces used excessive and lethal force against the demonstrators; whereas popular resistance has continued and the violence used in response by the Tatmadaw has increased daily;
- C. whereas the Committee Representing Pyidaungsu Hluttaw (CRPH) and the National Unity Government (NUG) were formed to represent the democratic wishes of the people of Myanmar;

- D. whereas on 24 April 2021, ASEAN leaders met Min Aung Hlaing, commander-in-chief of the military junta, in Jakarta and reached a five-point consensus; whereas, as of today, the military junta has taken no action to implement this five-point consensus; whereas since the adoption of the five-point consensus, violence has actually escalated and dramatically increased;
- E. whereas in May 2021, the military junta took the initial steps towards dissolving the political party of Aung San Suu Kyi, which was in government until the coup d'état of February 2021; whereas State Counsellor Aung San Suu Kyi and President Win Myint remain in jail and have received their first sentences from a range of charges brought against them; whereas Aung San Suu Kyi was initially sentenced to four years in prison, later reduced to two, but faces at least a dozen charges in total;
- F. whereas the junta has committed killings, enforced disappearances, torture and rape and other crimes of sexual violence; whereas since 1 February 2021, politicians, government officials, human rights defenders, civil society representatives, religious actors, peaceful protestors and writers have been unlawfully arrested or put under house arrest; whereas the latest press release of the Office of the UN High Commissioner for Human Rights of 28 January 2022 states that since the coup, at least 1 500 people have been killed and at least 11 787 people have been arbitrarily arrested by the military authorities; whereas as of 21 January 2022, the junta had jailed 649 opposition National League for Democracy members and 14 had died during or shortly after being detained; whereas as of 4 March 2022, military courts had sentenced 84 people to death; whereas there were at least 4 924 clashes and 1 724 attacks on civilians between February 2021 and January 2022;
- G. whereas the junta has targeted women through extrajudicial killings, widespread arbitrary detention, sexual assault and gender-based violence; whereas over 2 000 of those detained since 1 February 2021 are women; whereas as of December 2021, junta security forces had killed 94 women during offensives, interrogations and anti-junta rallies;
- H. whereas violations of the freedom of religion or belief and other human rights are being perpetrated against religious and ethnic minorities in Myanmar; whereas since the beginning of the coup, there have been more than 35 documented reports of attacks on churches and other places of worship and people of faith, including Christians and Muslims;
- I. whereas the military has, in parallel, been increasing its crackdown on the media in Myanmar, with a growing number of journalists having been arbitrarily arrested, detained and charged in order to silence the media and eradicate freedom of expression; whereas the junta is increasingly making use of tools of surveillance and censorship through restrictions on telecommunications and the internet; whereas as of 21 January 2022, the junta had jailed 120 journalists and killed three, turning Myanmar into the world's second highest jailer of journalists; whereas the military has charged 12 news outlets with crimes and/or revoked their licences;
- J. whereas since the coup, at least 27 union activists have been killed and 116 workers and unionists have been arrested; whereas 16 labour rights organisations were declared illegal organisations and many of them were forced to go underground to protect themselves; whereas two weeks after the coup, the military introduced significant changes to the Penal Code and the Code of Criminal Procedure, which have become the primary legal

provisions used to charge those opposing the military regime, including trade union leaders and labour rights defenders;

- K. whereas the junta is composed of the same forces that launched the genocidal attacks in 2017 and which are continuing to practise genocidal policies and segregation on the Rohingya; whereas the roughly 600 000 Rohingya who remain in Rakhine State are being subjected to persistent discriminatory policies and practices, systematic violations of their fundamental rights, arbitrary arrests, confinement in overcrowded camps for internally displaced persons and severely limited access to education and healthcare; whereas Myanmar's Citizenship Law declares the Rohingya 'non-nationals' or 'foreign residents' and therefore deprives them of citizenship, which further exacerbates their precarious situation; whereas the persecution of the Rohingya minority has not ended, despite numerous calls by the international community;
- L. whereas the junta in Myanmar refuses to seriously investigate human rights violations against the Rohingya and hold their perpetrators accountable; whereas the authorities refuse to cooperate with UN mechanisms; whereas this prompted the International Criminal Court to open an investigation specifically on the situation of the Rohingya minority;
- M. whereas since December 2021, the military junta has increased the number of airstrikes against villages in the ethnic minority states, tragically involving at least 200 000 civilians; whereas according to the UN, in December 2021 several unarmed people were killed by the military, including five minors who were burned alive;
- N. whereas the UN Secretary-General has warned that 'the risk of a large-scale armed conflict requires a collective approach to prevent a multi-dimensional catastrophe in the heart of Southeast Asia and beyond';
- O. whereas over 453 000 newly displaced persons, most of whom are women and children, are still trapped in the conflict zones, in addition to another 370 400 people who were already living in protracted displacement before February 2021 and almost one million Myanmar refugees who are in neighbouring countries; whereas the UN has estimated that there are 14,4 million people across Myanmar in need of humanitarian assistance, of whom 5 million are children and 13,3 million are people at risk of food insecurity and hunger, up from 2,8 million prior to the military takeover; whereas in December 2021, the UN Office for the Coordination of Humanitarian Affairs released the 2022 humanitarian response plan, which states that USD 826 million is needed to reach the 6,2 million people in need of lifesaving humanitarian support;
- P. whereas humanitarian aid access and distribution has been severely constrained and intentionally hindered by the regime, which has destroyed infrastructure in areas in need, arrested healthcare workers, deprived people of medicines and oxygen and arrested and killed church leaders and local volunteers providing humanitarian support;
- Q. whereas the humanitarian situation in Myanmar has also been worsened by the junta's negligent handling of the COVID-19 crisis; whereas the military has used COVID-19 measures to crack down on pro-democracy activists, human rights defenders and journalists; whereas the junta has shut down hospitals and targeted medical professionals, leading to the collapse of the health system as COVID-19 surges across the country; whereas troops have destroyed medical supplies and equipment and have occupied dozens

of medical facilities, which has prompted the people of Myanmar to stay away from medical facilities for fear of being detained or shot; whereas crowded prisons and the overall neglect of prisoners' health have contributed to an increase in the number of COVID-19 infections;

- R. whereas the Tatmadaw and its generals are illegally securing funds through the illegal sale of timber, gems, gas and oil, and are faced with widespread allegations of corruption; whereas adequate due diligence measures are not yet in place to determine the sources of the precious stones European businesses and consumers buy; whereas gas revenues are the military's largest source of foreign currency income, adding up to an estimated USD 1 billion annually in duties, taxes, royalties, fees, tariffs, and other profits; whereas 19 internationally operating banks have invested over USD 65 billion in 18 companies that have direct and longstanding commercial ties either to Myanmar's military or to state entities that the military is attempting to control as a result of the coup;
- S. whereas on 21 February 2022, the EU announced the adoption of additional sanctions against individuals and entities for their involvement in serious human rights violations in Myanmar; whereas the Myanmar Oil and Gas Enterprise (MOGE), one of the listed entities, is a state-owned enterprise that has fallen under the control of the military junta since last year's coup; whereas a derogation from the sanctions regime explicitly allows EU oil and gas operators remaining in Myanmar to pursue financial transactions with MOGE;
- T. whereas the military junta is receiving fighter jets and armoured vehicles from China and Russia; whereas these have been used against the civilian population since the coup last year; whereas Serbia has authorised rockets and artillery for export to the Myanmar military; whereas China and Russia have made many political, military and economic efforts aimed at legitimising the junta; whereas both have ties to Myanmar's armed forces, as the largest suppliers of arms to the country; whereas both countries have repeatedly blocked the UN Security Council's attempts to agree on declarations on the situation in Myanmar;
- U. whereas the Myanmar junta has expressed its support for Putin's war on Ukraine;
- V. whereas the UN Special Rapporteur on the situation of human rights in Myanmar indicated in a formal statement that the military's widespread, systematic attacks against the people of Myanmar likely amount to crimes against humanity and war crimes under international law; whereas the UN Special Rapporteur explicitly stated that the architects and perpetrators of the coup and these violations should be held accountable;
- W. whereas, to date, the Commission has not yet launched an investigation under Article 19(1)(a) of the GSP Regulation¹ with a view to suspending the trade preferences from which Myanmar benefits, as formally requested by Parliament, by a very large majority, in June 2018, in September 2018, in September 2019, in February 2021 and in October 2021;

¹ Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences (OJ L 303, 31.10.2012, p. 1).

1. Strongly condemns the coup d'état of 1 February 2021, executed by the Tatmadaw under the leadership of commander-in-chief Min Aung Hlaing, and the ensuing heinous atrocities, mass killings and widespread human rights violations against the population of Myanmar;
2. Calls on the Tatmadaw to fully respect the outcome of the democratic elections of November 2020, reinstate the civilian government and end the state of emergency; supports the CRPH, the NUG and the National Unity Consultative Council (NUCC) as the only legitimate representatives of the democratic wishes of the people of Myanmar;
3. Calls on Myanmar's military to cease immediately all violence and attacks against Myanmar's people in all parts of the country, to release Aung San Suu Kyi and all other political prisoners, including religious leaders, immediately and unconditionally, and to take steps to establish a path to dialogue and reconciliation with all parties concerned, including the NUG, the CRPH and representatives of all ethnic groups involved, while ensuring that the fundamental freedoms of expression, association and peaceful assembly, as well as of religion or belief, are fully upheld;
4. Is appalled by the Tatmadaw's crimes against ethnic and religious groups in Myanmar; strongly condemns the attacks by the Tatmadaw in the states of Kayah, Kayah, Kachin, Shan and Chin, and the Magwe and Sagaing regions, which have led to large-scale displacement, the death of civilians, including children, the destruction of religious buildings, and other violations of human rights and humanitarian law;
5. Reiterates its condemnation of these human rights violations and the systematic and widespread attacks against the Rohingya population; underlines that the EU will continue to closely monitor the actions of the military leadership against minorities in the country, including the Rohingya;
6. Condemns the persecution of Christians in the country; urges the Tatmadaw to stop killing and arresting Christians and to end the shelling and raiding of churches; stresses that the international community has expressed deep concerns about the violent targeting of Christian communities in Myanmar;
7. Condemns any use of violence by the junta against its citizens as well as other forms of harassment, especially against human rights defenders, civil society activists and journalists; 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;
8. Strongly condemns and rejects all sexual and gender-based violence perpetrated by the military as part of a deliberate strategy to intimidate, terrorise and punish the civilian population, including ethnic minorities; condemns all forms of violence against women, which constitute a serious violation of the human rights and dignity of women and girls;
9. Condemns the increase in labour rights violations, notably in the garment sectors, and the attacks against and abuse of trade unions and labour rights defenders; calls for an immediate end to the violence against labourers and unions, and for the rights of unions and their members to be protected, including the right to operate freely;

10. Condemns the attacks perpetrated by the military authorities against medical professionals and facilities, and their response to the COVID-19 pandemic; urges the junta to re-establish a containment strategy and a contact tracing system, and to ensure that the people have access to healthcare services and vaccines; asks the Commission to step up its support in this regard, including by providing doses of COVID-19 vaccines, and to guarantee that they reach the citizens of Myanmar;
11. Regrets that the UN Security Council has failed to discuss a draft resolution on Myanmar and calls on the EU Member States and the European External Action Service to increase pressure on the UN Security Council with a view to achieving unity in adopting targeted sanctions, including global travel bans and asset freezes on the leadership of the junta and military-owned conglomerates, and in imposing a global comprehensive arms embargo on Myanmar and suspending all direct and indirect supply, sale or transfer weapons and dual-use products, munitions and other military and security equipment, as well as the provision of training or other military and security assistance; calls on the 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 further investigation of the situation by the International Criminal Court;
12. Strongly condemns the supply of arms and military equipment to the Tatmadaw by China, Russia and Serbia; stresses that those countries which, like China, Russia and Serbia, are supplying arms to the Myanmar junta, are directly responsible for the atrocities committed with those arms;
13. Strongly condemns the Myanmar junta's support for the illegal war Russia is waging in Ukraine;
14. Is of the view that the ASEAN five-point consensus has not yet led to any results; calls on ASEAN, its members and particularly its special envoy to Myanmar to make more proactive use of their special role in Myanmar, to cooperate with the UN special envoy and to engage with all parties involved, notably with the NUG and representatives of civil society, in particular women and ethnic groups, in order to promote, at a minimum, the effective and meaningful implementation of the five-point consensus with a view to achieving a sustainable and democratic resolution of the current crisis in the near future; deplores the visit of Cambodian Prime Minister Hun Sen to Myanmar's military ruler Min Aung Hlaing on 7 January 2022, which, being the first visit by a head of government to the junta since the coup, conferred legitimacy on the junta;
15. Urges all parties to the crisis in Myanmar to facilitate safe and unhindered access for humanitarian assistance and to grant access to humanitarian workers; calls on the Commission to disengage from working relations with the junta in the provision of humanitarian assistance, thereby preventing it from weaponising humanitarian aid; asks the Commission to redirect and step up humanitarian aid, including healthcare support, through cross-border channels, local humanitarian networks, ethnic service providers, and community-based and civil society organisations; asks the Commission to analyse in which way development projects can be pursued with these groups and to direct development assistance accordingly;

16. Condemns pushbacks of refugees by neighbouring countries back to Myanmar, which are in contravention of the principle of non-refoulement; calls on the neighbouring countries, especially Thailand, India and China, to ensure access to refugees crossing the border; calls on these governments to ensure that aid organisations and local civil society organisations are allowed to access areas with internally displaced people along their borders with Myanmar;
17. Calls for the EU, its Member States and the international community to urgently meet their financial obligations under the 2021 UN Myanmar Humanitarian Response Plan;
18. Welcomes the four rounds of EU sanctions over the military coup and subsequent repression; urges the Council to include the State Administrative Council (SAC) as an entity instead of its individual members on the list of natural and legal persons, entities and bodies subject to restrictive measures; welcomes the decision by the EU to add MOGE to the list of sanctioned entities; calls on the Council to reverse the derogation explicitly allowing EU oil and gas operators remaining in Myanmar to pursue financial transactions with MOGE and urges Member States to refrain from implementing the derogation; urges the Commission and EU Member States to ensure that the withdrawal of EU companies complying with sanctions does not benefit the junta, in line with the UN Guiding Principles on Business and Human Rights, including by clarifying that companies' shares cannot be sold or transferred to MOGE or other junta enterprises under the enforcement of sanctions; highlights that further international coordination with like-minded jurisdictions is essential; calls on the Council also to target the central bank reserves in a further round of sanctions; stresses that this would require imposing asset freezes and bans on international financial transfers on the two state-owned banks, Myanmar Foreign Trade Bank and Myanmar Investment and Commercial Bank;
19. Urges the EU and its Member States to explore all avenues for justice and accountability for grave international crimes committed by the security forces, including crimes against humanity committed in the wake of the coup, as well as crimes against humanity, war crimes and acts of genocide committed in Rakhine and other ethnic states over a period of decades, by supporting a referral of the situation by the UN Security Council to the ICC, formally supporting the case brought by Gambia against Myanmar before the International Court of Justice concerning the Genocide Convention, and continuing to ensure that the Independent Investigative Mechanism on Myanmar is fully funded and supported;
20. Calls on the Commission to monitor closely whether an investigation should be launched into the withdrawal of the Everything But Arms scheme, with a view to suspending the trade preferences that benefit Myanmar in specific sectors, particularly companies belonging to members of Myanmar's military, and to keep Parliament duly informed of the steps to take;
21. Stresses that local and multinational businesses operating in Myanmar must respect human rights and stop enabling perpetrators of abuses; strongly urges EU-based businesses, in that sense, to ensure that they have no ties with Myanmar's security forces, their individual members, or entities owned or controlled by them, and that they are not contributing, directly or indirectly, to the military's crackdown on democracy and human rights;
22. 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, the UN Special Rapporteur on the situation of human rights in Myanmar, the UN High Commissioner for Refugees and the UN Human Rights Council.