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Situation in Burma, particularly the continuing violence in Rakhine State

European Parliament resolution of 22 November 2012 on the situation in Burma/Myanmar, particularly the continuing violence in Rakhine State (2012/2878(RSP))

The European Parliament,

- having regard to its previous resolutions on Burma/Myanmar, in particular those of 20 April 2012¹ and 13 September 2012²,
- having regard to the report of 24 August 2012 by the UN Special Rapporteur on the situation of human rights in Burma/Myanmar,
- having regard to Council decision 2012/225/CFSP of 26 April 2012,
- having regard to the statement by President Thein Sein to the Burmese Parliament of 17 August 2012 concerning the situation in Rakhine State,
- having regard to the statement by the UN Secretary-General of 25 October 2012 on the situation in Burma/Myanmar's Rakhine State,
- having regard to the statement by the spokesperson of the High Representative Catherine Ashton of 26 October 2012 on the renewed violence in Rakhine State in Burma/Myanmar,
- having regard to the Joint Declaration signed on 3 November 2012 by the President of the European Commission, Jose Manuel Barroso, and the Minister of the Office of the President of Myanmar, Mr U Aung Min, at the Burma/Myanmar Peace Centre in Yangon,
- having regard to the appeal by the UN High Commissioner for Human Rights, Navi Pillay, to the Government of Burma/Myanmar of 9 November 2012, asking it to take the necessary steps towards granting the Rohingya citizens' rights and equal treatment,
- having regard to the letter from President Thein Sein to UN Secretary-General Ban Ki-moon of 16 November 2012, in which the President of Burma/Myanmar pledged to consider granting citizenship to the stateless Rohingya Muslims,
- having regard to the 1951 UN Convention on the Status of Refugees and the 1967 Protocol thereto,
- having regard to Articles 18 to 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,

¹ Texts adopted, P7_TA(2012)0142.

² Texts adopted, P7_TA(2012)0355.

- having regard to the declarations by various representatives of the Burmese Government and opposition, including Aung San Suu Kyi, denying the Rohingya ethnic minority citizens' rights and minimising the responsibility of the state authorities in the recent violent clashes,
 - having regard to the declaration by Burma/Myanmar's National Human Rights Commission of August 2012, stating that the persecution of Rohingya and the events in Rakhine State do not pertain to its responsibility,
 - having regard to Rule 122(5) and 110(4) of its Rules of Procedure,
- A. whereas since early 2011 the Burmese Government has taken significant steps to restore civil liberties, yet the recent atrocities in Rakhine State underline the enormous difficulties still to be overcome;
- B. whereas the situation in Rakhine State remains tense, with at least 110 000 people having been forced to flee their homes since June 2012, and with 89 people killed and more than 5 300 homes and religious buildings destroyed since violence reignited in October;
- C. whereas most of the displaced are Rohingya, living in camps in unacceptable conditions, with severe overcrowding, alarming levels of child malnutrition, totally inadequate water supply and sanitation, almost no schooling available and without adequate humanitarian access;
- D. whereas a state of emergency, which allows the introduction of martial law, has been in place in Rakhine State since the communal clashes began in June 2012, and in late October 2012 the Government declared a curfew in the affected areas and deployed additional security forces – measures which have so far failed to stop the violence;
- E. whereas discrimination against the Rohingya minority persists; whereas local authorities have reportedly been complicit in the attacks against Rohingya and are pursuing an active policy of expelling them from the country; whereas the international community has urged the Burmese Government to review its 1982 Citizenship Law to ensure that the Rohingya are no longer stateless and the roots of longstanding discrimination against the Rohingya population are dealt with;
- F. whereas Rakhine is the second-poorest state in Burma/Myanmar, itself one of the least developed countries in the world, and poverty and repression have played a role in fuelling the communal violence, as have the bitter historical memories of both communities;
- G. whereas on 31 October 2012 three UN experts expressed their deep concern over continuing intercommunal violence in Rakhine State and called on the Government to address urgently the underlying causes of the tension and conflict between the Buddhist and Muslim communities in the region;
- H. whereas the Government of Burma/Myanmar set up an investigative commission in August 2012, without including a representative of the Rohingya community, to look into the causes of the outbreak of sectarian violence and make proposals on how to put an end to it, but so far its work has been ineffective;

- I. whereas, in the face of persistent violence, an estimated one million Rohingya have fled to neighbouring countries over the years, with some 300 000 seeking refuge in Bangladesh and 92 000 in Thailand, as well as an estimated 54 000 unregistered asylum-seekers in nine camps along the Thai-Myanmar border;
 - J. whereas at least 4 000 people have fled by boat to Sittwe, the capital of Rakhine State, where the government has separated Muslims, including Rohingya, from the rest of the population and relocated them to camps; and whereas at least 3 000 Rohingya are believed to have fled by sea to the Burma-Bangladesh border, where Bangladeshi security forces have been ordered since June to push back all persons approaching the border;
 - K. whereas European Commission President Jose Manuel Barroso offered Burma EUR 78 million in EU development aid during his visit to the Burmese capital, Nay Pyi Taw, and underlined that the EU stands ready to mobilise EUR 4 million for immediate humanitarian aid, provided access to the affected areas is guaranteed;
1. Is alarmed at the resurgence of ethnic violence in Rakhine, which has caused many deaths and injuries, destruction of property and displacement of local populations, and expresses its concern that the intercommunal clashes may put at risk the country's transition to democracy and could have wider repercussions across the entire region;
 2. Acknowledges the continuing political and civil rights reforms that are taking place in Burma, but urges the authorities to intensify their efforts, including through the release of the remaining political prisoners, and to address intercommunal violence and its consequences as a matter of urgency;
 3. Believes that the current upsurge in communal violence in Rakhine State is a consequence of longstanding discriminatory policies against the Rohingya; stresses that little has been done so far either to prevent or to address the root causes of communal tension and ethnic discrimination;
 4. Notes the Government's assertions that it would carry out a full and independent investigation into the events and take action against the instigators of the violence; calls on the Government of Burma/Myanmar to take immediate measures to put an end to ethnic violence and discrimination and to bring the perpetrators of the violent clashes and other related abuses in Rakhine State to justice;
 5. Calls on all parties to find durable ways to resolve the issues between the communities, and renews its call on political forces to take a clear stand in favour of a pluralist society with an inclusive dialogue with local communities;
 6. Calls on the Government of Burma/Myanmar to end discriminatory practices against the Rohingya; reiterates its earlier calls for amendment or repeal of the 1982 Citizenship Law to ensure that the Rohingya have equal access to Burmese citizenship;
 7. Urges the Burmese authorities to take more vigorous action on the issues of citizens' rights, notably access to education, work permits and freedom of movement for the Rohingya minority;
 8. Calls on the Government of Burma/Myanmar to provide UN agencies and humanitarian NGOs, as well as journalists and diplomats, with unhindered access to all areas of the

country, including Rakhine State, and to give unrestricted access to humanitarian aid for all affected populations; further calls on the Burmese authorities to improve conditions in the Rohingya displacement camps as a matter of urgency;

9. Calls on the EU and the Member States to provide humanitarian assistance and support the Burmese Government in its efforts to stabilise the situation and more rapidly implement reform programmes in ways which embed the rule of law, respect for human rights and political freedom;
10. Welcomes the proposals made by the Rule of Law Committee of the Burmese Parliament and urges the Government to swiftly implement legislative, institutional, and policy reforms to end serious human rights violations in areas affected by ethnic and other armed conflicts and to tackle the ongoing impunity for human rights abuses, particularly where they are committed by state forces;
11. Welcomes the release on 17 September 2012 of 514 prisoners, including 90 political prisoners, and the release on 19 November 2012 of 66 prisoners, including at least 44 political prisoners, in an amnesty that coincided with the visit of US President Obama to Burma/Myanmar; calls on the Burmese Government to release all remaining prisoners of conscience, clarify exactly how many remain in detention and take steps to ensure the reintegration of released prisoners into society;
12. Welcomes the Council conclusions on Burma/Myanmar of 23 April 2012, which include the suspension of restrictive measures imposed on the Government, with the exception of the arms embargo, and the EU's wish to continue its support to the country's transition; whereas human rights issues are central to the EU's concerns: assisting the reform process, contributing to economic, political and social development and establishing the rule of law and fundamental freedoms, in particular freedom of expression and assembly; welcomes in this connection the recent visit of the President of the European Commission and the immediate increase in the Commission's humanitarian funding for 2012 to help the people of Rakhine State;
13. Instructs its President to forward this resolution to the Government and Parliament of Burma/Myanmar, the EU High Representative, the Commission, the parliaments and governments of the Member States, the Secretary General of ASEAN, the ASEAN Intergovernmental Commission on Human Rights, the Secretary General of the Commonwealth, the UN Special Representative for Human Rights in Burma/Myanmar, the UN High Commissioner for Refugees and the UN Human Rights Council.