

## Texts adopted by Parliament

Thursday, 19 June 2008 -  
Strasbourg

Provisional edition

Burma

P6\_TA-PROV(2008)0312  
0315, 0317, 0320, 0321 and 0324/2008

B6-0314,

### ▶ European Parliament resolution on the continued detention of political prisoners in Burma

*The European Parliament*,

- having regard to its previous resolutions on Burma, in particular those of 24 April 2008<sup>(1)</sup> and 27 September 2007<sup>(2)</sup>,
- having regard to the Council's conclusions on Burma/Myanmar of 29 April 2008, adopted at the General Affairs and External Relations Council, in Luxembourg and the Council Common Position 2006/318/CFSP of 27 April 2006 renewing restrictive measures against Burma/Myanmar<sup>(3)</sup>,
- having regard to the report of 3 June 2008 by the United Nations (UN) Special Rapporteur Tomás Ojea Quintana on the situation of human rights in Burma on the implementation of UN Human Rights Council resolutions S-5/1 and 6/33,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas Aung San Suu Kyi, the General Secretary of the National League for Democracy (NLD), has spent thirteen of the last eighteen years as a political prisoner under house arrest; whereas a further 1 900 individuals have been imprisoned in atrocious conditions merely for expressing the wish to bring democracy to Burma or for protesting against the constitutional referendum, and whereas it is still unclear what happened to dozens of participants in the monk-led protests of September 2007 who remain missing,

B. whereas, by extending Aung San Suu Kyi's house arrest, the junta is infringing its own law (the State Protection Law of 1975) which stipulates that no one may be detained without charge or trial for more than five years, and whereas the regime continues to resist international demands for the release of political prisoners unjustly held in Burmese gaols,

C. whereas, far from heeding the UN Secretary-General's call for the release of prisoners, on 10 June 2008 the Burmese regime actually arrested a further 16 individuals, victims of Cyclone Nargis, for the crime of presenting themselves at the offices of the UN Development Programme and asking for humanitarian assistance,

D. D whereas on 11 June 2008 official newspapers of the Burmese military junta, including the regime's mouthpiece, *The New Light of Myanmar*, called for the public flogging of Daw Aung San Suu Kyi, and whereas the military junta has refused to distance itself from this disgraceful suggestion,

E. whereas in the early hours of 3 May 2008, after smoke caused panic among the inmates when Cyclone Nargis hit Insein prison in Rangoon, soldiers and riot police opened fire on prisoners, unlawfully and unnecessarily killing an estimated 36 and injuring a further 70,,

F. whereas the UN human rights expert for Burma has demanded that the ruling junta investigate reports that its soldiers shot dead a number of prison inmates during Cyclone Nargis, and whereas the regime has refused to sanction any such investigation,

G. whereas human rights groups report that, since 20 May 2008, the Burmese authorities have stepped up their efforts to remove survivors of the cyclone from temporary shelters such as schools and monasteries and to force them to go back to their homes, even if they are no longer standing,

1. Strongly condemns the decision by the Burmese authorities to extend the house arrest of Aung San Suu Kyi;
2. Also deplores the detention of the group of political activists demanding the release of Aung San Suu Kyi and urges the Burmese authorities to free all political prisoners without further delay;
3. Denounces the prospect of the flogging of Aung San Suu Kyi as a crime against humanity,
4. Calls for a judicial investigation to be carried out under UN auspices into reports that the Burmese army murdered political prisoners in the aftermath of Cyclone Nargis;
5. Deplores the ongoing imprisonment by the Burmese authorities of victims of Cyclone Nargis who attempted to seek aid from international aid organisations in Burma;

6. Views as deeply regrettable the holding by the Burmese junta of a referendum on the constitution only days after a devastating cyclone had hit the country, and regards the results of the referendum as wholly lacking credibility;
7. Calls on the Burmese authorities to lift all restrictions on peaceful political activities in the country and to progress towards an inclusive process of national reconciliation and the restoration of democracy, the rule of law and full respect for human rights;
8. Calls on the regime also to provide explanations regarding the individuals still missing after September 2007 crackdown on protests by Buddhist monks and democracy activists;
9. Calls on the military government of Burma to uphold the agreement reached with the UN Secretary-General to allow international humanitarian workers and supplies unhindered access to the areas affected by Cyclone Nargis and to cooperate fully with the international community in assessing assistance needs; calls on the Burmese authorities to stop official interference in the delivery of aid and to cooperate fully with humanitarian organisations;
10. Reiterates its calls to the Burmese authorities to engage in dialogue with all sectors of society in Burma in order to achieve genuine national reconciliation, democratisation and full respect for human rights and the rule of law;
11. Appreciates the latest report by the UN Special Rapporteur, which compiles important evidence of continuing violations of human rights in the country; notes with great concern the conclusion of the report that almost no improvement has been made in the human rights situation in Burma since 26 March 2008;
12. Urges the Burmese authorities to enter into close dialogue with the UN Special Rapporteur and to accept his request to visit Burma;
13. Calls on countries of the Association of Southeast Asian Nations (ASEAN) with which Burma enjoys close economic and political relations to put heavy pressure on the Burmese authorities to bring about democratic change;
14. Is of the opinion that the EU's clearly defined and targeted sanctions against the Burmese junta, although broadened after the September 2007 events with the introduction of an embargo on further sectors of the economy, are still having only a limited effect on the regime, thus falling short of the objectives sought; reiterates, therefore, its call on the Council to take further steps and effectively prevent the Burmese junta from accessing EU funding; calls on the Council and the Member States to monitor closely, and ensure the effective application of, the targeted sanctions;
15. Instructs its President to forward this resolution 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 the member states of the Asia-Europe Meeting, the ASEAN Inter-Parliamentary Myanmar Caucus, Aung San Suu Kyi, the NLD, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Commission Special Rapporteur for Burma.

---

(1) Texts adopted, P6\_TA(2008)0178.

(2) Texts adopted, P6\_TA(2007)0420.

(3) OJ L 116, 29.4.2006, p. 77.

## Texts adopted by Parliament

Thursday, 22 May 2008 -  
Strasbourg

Provisional edition

Burma

P6\_TA-PROV(2008)0231  
0245, 0246, 0247, 0248 and 0249/2008

B6-0244,

### ▶ European Parliament resolution of 22 May 2008 on the tragic situation in Burma

*The European Parliament,*

- having regard to its previous resolutions on Burma,
  - having regard to the conclusions of the extraordinary meeting of the General Affairs and External Relations Council of 13 May 2008 on the humanitarian situation in Burma/Myanmar,
  - having regard to UN General Assembly Resolution 60/1 of 24 October 2005 on the World Summit Outcome, paragraph 139 of which endorsed the possibility of collective cohesive action against individual states where "national authorities are manifestly failing to protect their populations from genocide, war crime, ethnic cleansing and crimes against humanity",
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas on 2 and 3 May 2008 cyclone Nargis severely struck southern regions of Burma, including the country's main city Rangoon and the Irrawaddy Delta region, home to nearly half of the population of Burma,
- B. whereas the Burmese state media report 77 738 dead so far, with 55 917 missing, while independent observers and international aid agencies put the toll at at least 100 000 dead; whereas the UN estimates that between 1,6 and 2,5 million people were severely affected and urgently needed aid,
- C. whereas the ruling State Peace and Development Council ignored warnings and was exceptionally slow in reacting to the emergency and accepting foreign assistance: to date it has permitted only very limited deliveries of international humanitarian aid into the country, insisting that they must be distributed by the military, and has been delaying the issuance of visas to UN and other disaster relief and logistics experts,
- D. whereas humanitarian law dictates that delivery of humanitarian assistance must be neutral and independent,
- E. whereas the junta pressed ahead with the referendum on 10 May 2008, despite the plight of tens of thousands of people left stricken by the devastating cyclone, with the exception of the worst-hit districts, where it has been postponed until 24 May 2008, in spite of the call for its cancellation or postponement by the UN Under-Secretary -General for Humanitarian Affairs,
- F. whereas the Burmese Government has been blocking international aid efforts, with total disregarding for the fact that the lack of clean water, food and medical care is likely to cause infectious diseases, significantly increasing the number of victims,
- G. whereas ethnic nationalities, notably the Karen – who have already suffered from inordinate discrimination and deprivation – have been severely affected in the Delta area,
- H. whereas the operating environment for the provision of humanitarian aid has already been severely restricted since the issue of new guidelines by the Burmese Government in February 2006, resulting in complicated travel and monitoring procedures for foreign staff,
- I. whereas, two days after the cyclone, the Commission disbursed EUR 2 million to help meet the basic needs of the survivors in the disaster zone; whereas the current level of pledged EU aid amounts to EUR 17 million and could be raised to more than EUR 30 million if the Burmese leadership allowed international aid,
- J. whereas the Member of the Commission responsible for Development was not allowed to travel to the worst affected areas and his pledges for aid workers to be given better access to the Irrawaddy Delta have been ignored,
- K. whereas several governments, including those of EU Member States, have called for the principle of 'responsibility to protect', established by the UN to rescue the victims of genocide and crimes against humanity, to be applied in the case

of Burma,

1. Expresses its sincere condolences to and solidarity with the people of Burma and the numerous victims; expresses its sorrow for all those who are suffering the consequences of the disaster;
2. Strongly condemns the unacceptably slow response to this grave humanitarian crisis by the Burmese authorities, which have put preservation of their own power before the survival of their citizens;
3. Calls on the Burmese Government in the most strenuous terms to put its people's lives first and open cyclone-affected areas to international humanitarian aid operations, to immediately grant visas to aid workers, to allow UN and international humanitarian agencies to distribute the aid directly to those in need and to allow nearby countries to deliver aid by air and sea to the victims who cannot be reached quickly in any other way;
4. Deplores the distorted priorities of the regime in pushing ahead with its so-called referendum on the sham constitution, and rejects the implausible outcome at a time when a large part of the country has been devastated and millions are suffering from what has been aptly described as a natural disaster turned into a man-made catastrophe;
5. Reiterates that the sovereignty of a nation cannot be allowed to override the human rights of its people, as enshrined in the UN principle of 'responsibility to protect'; calls on the Government of the United Kingdom, which holds the May Presidency of the UN Security Council, to take urgent action to put the situation in Burma on the agenda of the Security Council, and calls on the Council to examine whether aid shipments to Burma can be authorised even without the consent of the Burmese military junta;
6. Welcomes the agreement, reached at the summit meeting of ASEAN, India and China in Singapore on 19 May 2008, to allow the Association of Southeast Asian Nations to coordinate international relief efforts, as well as the decision to hold an international pledging conference in cooperation with the UN in Rangoon on 25 May 2008 in order to pool aid for the victims;
7. Calls in this regard for a special fund to be set up as a matter of urgency under the auspices of the UN to facilitate the effective distribution of aid in the country;
8. Urges the Governments of China and India to use their influence with the Burmese authorities in order to open Burma for immediate access by all possible humanitarian relief;
9. Stresses the urgent nature of the assistance to be delivered to the suffering population as the weather conditions in the affected areas are worsening owing to the beginning of the Monsoon, which poses an additional threat to destitute survivors; considers it important to ensure that affected farmers receive assistance to be able to plant a new crop of rice in time so as to avoid another disaster;
10. Expresses support for the efforts of the EU, the UN, individual countries and other international and non-governmental organisations to obtain access for humanitarian aid workers and stresses that, without the full cooperation of the Burmese authorities, there is a substantial threat of an even greater tragedy; sets great hopes on the forthcoming mission of the UN Secretary-General, Ban Ki-moon, who has been invited for talks with the Burmese authorities; urges the UN Secretary-General to use his influence with the Burmese authorities in order to open Burma for immediate access by all possible humanitarian relief;
11. Takes the view that, if the Burmese authorities continue to prevent aid from reaching those in danger, they should be held accountable for crimes against humanity before the ICC; calls on the EU Member States to press for a UN Security Council resolution referring the case to the Prosecutor of the ICC for investigation and prosecution;
12. Instructs its President to forward this resolution 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 ASEAN Inter-Parliamentary Myanmar Caucus, Ms Aung San Suu Kyi, the NLD, the UN Secretary-General, the UN High Commissioner for Human Rights and the UN Human Rights Special Rapporteur for Burma.

## Texts adopted by Parliament

Thursday, 24 April 2008 -  
Strasbourg

Provisional edition

Situation in Burma

P6\_TA-PROV(2008)0178

B6-0191,

0192, 0199, 0203 and 0204/2008

### ► European Parliament resolution of 24 April 2008 on the situation in Burma

*The European Parliament*,

- having regard to its resolution of 14 December 2006 on the situation in Burma<sup>(1)</sup> and its resolution of 21 June 2007 on Burma<sup>(2)</sup>,
  - having regard to the Council conclusions of 19 November 2007 adopting strengthened and additional restrictive measures against Burma<sup>(3)</sup>,
  - having regard to Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar and repealing Regulation (EC) No 817/2006<sup>(4)</sup>,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the Burmese State Peace and Development Council (SPDC), led by General Than Shwe, has announced that a referendum will be held on 10 May 2008 on a new constitution, with multi-party elections following in 2010,
- B. whereas the SPDC continues to subject the people of Burma to appalling human rights abuses, such as forced labour, persecution of dissidents, conscription of child soldiers and forced relocation,
- C. whereas the Burmese Government has rejected proposals made by the UN Special Envoy, Ibrahim Gambari, to ensure the free and fair conduct of the referendum, in the presence of international observers,
- D. whereas the Burmese Government has included in the draft constitution provisions which reserve one quarter of the seats in both houses of parliament for military officers, give the country's military chief the right to suspend the constitution at any time and bar candidates from running for president if they have a foreign spouse or child (which would apply to the detained opposition leader of the National League for Democracy (NLD) and winner of the Nobel Peace Prize and Sakharov Prize, Aung San Suu Kyi); whereas the draft constitution also offers impunity for state agents for acts committed in office,
- E. whereas, since announcing the referendum, the government has issued Law No 1/2008, which denies voting rights to members of religious orders,
- F. whereas the democratic opposition has not been involved in the constitutional process,
- G. whereas the majority of the Burmese opposition has decided to vote no in the referendum,
- H. whereas there are still around 1 800 political prisoners in Burma, including Aung San Suu Kyi,
- I. whereas the Burmese Government has failed to address in any meaningful way the continued recruitment and use of children in armed conflict,
- J. whereas the sanctions adopted by the EU against the Burmese Government have not been effective so far,
- K. whereas the Burmese Government continues to enjoy close political and economic relations with neighbouring countries and with ASEAN,
- L. whereas 30% of Burma's population, an estimated 15 million people, are subsisting below the poverty line,
1. Deplores the fact that the constitutional referendum process is devoid of any democratic legitimacy, as Burmese citizens lack all basic democratic rights that would allow them to hold an open debate on the constitutional text, amend it and subsequently freely express themselves through a referendum;
  2. Condemns the rejection by the Burmese Government of the proposals made by UN Special Envoy Gambari, to allow an open and inclusive campaign in the run-up to the constitutional referendum; calls on the Burmese Government to act

in good faith and to work constructively with the UN Special Envoy;

3. Supports the democratic transition through an inclusive process of national reconciliation and tripartite dialogue between the regime, the NLD and ethnic representatives;
4. Seeks from the Burmese Government guarantees that it will convene an independent election commission, compile a proper voter registration list, lift long-standing restrictions on the media, allow freedom of association, expression and assembly in Burma, revoke new regulations that criminalise legitimate debate on the referendum, and agree to the presence of international observers;
5. Calls for the immediate and unconditional release of political opponents of the regime and of more than 1 800 political prisoners, including Aung San Suu Kyi, the leaders of the "88 Generation Students, and the leaders of the Shan Nationalities League for Democracy arrested in 2005;
6. Calls for the regime to account for all casualties and missing persons from last September's crackdown on protests by Buddhist monks and democracy activists and to establish the whereabouts of missing monks and nuns;
7. Urges the Commission, the Council and Member States to take every opportunity to speak out in the international arena against the continuing and persistent abuse of children in Burma, especially through the use of child soldiers; condemns in the strongest possible terms the recruitment of child soldiers in Burma, and calls on the UN Security Council to thoroughly investigate the situation in Burma in this regard;
8. Notes that China has recently ratified the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, draws attention to the deplorable abuses perpetrated in this regard by the Burmese military junta, and urges China to take action in this regard;
9. Supports the good offices of the UN Secretary-General and Mr Gambari's efforts to negotiate with the Burmese authorities; calls on the EU and the Member States to work closely with the UN Special Envoy to ensure the consistency of the international community's involvement in Burma;
10. Supports the efforts of the EU's special envoy on Burma, Piero Fassino, to promote dialogue with ASEAN countries; urges ASEAN to put substantive pressure on the Burmese authorities to bring about democratic change;
11. Urges the Council to renew its targeted sanctions, and to broaden them, focusing on restrictions on access to international banking services for military-owned companies and for conglomerates and businesses that are closely linked to the military or whose earnings benefit the military, and restrictions on access to personal business opportunities, health care, shopping, and foreign education for their children for selected generals and their immediate families; urges the Council to comprehensively and explicitly prohibit selected individuals and entities from making any financial transactions that pass through clearing-house banks or otherwise using financial services within the EU's jurisdiction;
12. Calls on the Council to ensure the effective application of targeted sanctions, to adequately investigate potential targets of sanctions, to allow for a review of decisions and ongoing monitoring, and to ensure that the measures adopted are implemented;
13. Calls on the Council to continue to review sanctions against specific human rights benchmarks that should include the following: the release of political prisoners and all other persons arbitrarily detained for exercising their basic human rights to freedom of expression, association and assembly; the provision of an accurate official account of the numbers, whereabouts and conditions of individuals killed, arrested and/or detained by the security forces, including in the recent crackdown; a cessation of military attacks on civilians; and a transition to democracy; calls also on the Council to consider further targeted sanctions, such as a complete ban on new investment, a ban on the provision of insurance services for investment in Burma, and an embargo on trade in key commodities that provide significant revenue to the military government;
14. At the same time, calls on the EU and the wider international community to offer incentives for reform as a counterbalance to the threat and/or imposition of sanctions and provide the military leadership with positive motivation for change;
15. Notes that the EU arms embargo on Burma is ineffective, as the military government purchases its military goods in China, Russia and India; urges the EU, therefore, to campaign actively for a worldwide embargo on arms exports to Burma;
16. Calls on the international community, Western governments and campaign groups to scale up their humanitarian work, particularly through existing programmes in the health sector, and to initiate new and broader programmes to support basic education, reaching internally displaced persons (IDPs) and others caught in the conflict zones, mainly along the Thai border; in this context, calls on the Commission to extend its humanitarian aid budget under the Development Cooperation Instrument (DCI) for Burma (currently 32 million EUR for 2007-2010) and to invest more in cross-border humanitarian aid for IDPs;
17. Calls on the Commission to create and expand assistance programmes aimed at empowering disenfranchised

groups, including women and ethnic and religious minorities, and alleviating political, ethnic, religious and other divisions;

18. Calls on the Commission to increase support for Burmese living outside the country through the DCI programme on uprooted people and to look into other ways of providing support;

19. Stresses that the provision of aid should be linked to benchmarks and timelines, with a view to combating risks of corruption more effectively;

20. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments and parliaments of the ASEAN countries, the Burmese National League for Democracy, the Burmese State Peace and Development Council, the Government of the People's Republic of China, the Government and Parliament of India, the Government of Russia and the United Nations Secretary-General.

---

(1) OJ C 317 E, 23.12.2006, p. 902.

(2) Texts adopted, [P6\\_TA\(2007\)0290](#).

(3) See Council Common Position 2007/750/CFSP of 19 November 2007 amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar (OJ L 308, 24.11.2007, p. 1).

(4) OJ L 66, 10.3.2008, p. 1.

► **European Parliament resolution of 27 September 2007 on Burma**

*The European Parliament*,

- having regard to its previous resolutions on Burma, particularly that of 6 September 2007<sup>(1)</sup>,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the Alliance of All Burmese Buddhist Monks has led a massive wave of peaceful demonstrations against the repressive military junta in Burma and demanded freedom for Aung San Suu Kyi and other political prisoners,
- B. whereas the demonstrations have continued to grow in spite of arrests and fears of a violent reaction by government forces,
- C. whereas on 23 September 2007 the Dalai Lama appealed to the Burmese authorities to avoid violence toward Buddhist monks and other protestors,
- D. whereas on 20 September 2007 the situation in Burma was only briefly discussed in the UN Security Council,
1. Applauds the courageous action of the Burmese monks and tens of thousands of other peaceful demonstrators in confronting the anti-democratic and repressive regime in Burma and utterly condemns the brutal response by the Burmese authorities;
  2. Reiterates its call for the immediate release and full freedom of movement and expression of Aung San Suu Kyi;
  3. Expresses its horror at the killing of peaceful protestors, insists that the security forces return to barracks and calls for recognition of the legitimacy of the demands that are being made, for international medical assistance for the injured and for the release of arrested demonstrators and other political prisoners;
  4. Calls for the cessation of the current illegitimate constitutional process, and its replacement by a fully representative National Convention including the National League for Democracy and other political parties and groups;
  5. Asks China and Russia fully to support a clear statement by the UN Security Council condemning the use of brutal force in Burma, calls on the UN Security Council to empower the UN Secretary-General to take action in order to facilitate national reconciliation and a transition to democracy in Burma, and calls on the UN General Assembly to take appropriate action;
  6. Calls on the UN Security Council to ensure that the Special Advisor to the UN Secretary-General on Burma, Mr Ibrahim Gambari, makes his planned visit to Burma as a matter of urgency and is given unfettered freedom of movement and access;
  7. Calls on the Council of the European Union, as a matter of urgency, to liaise with the United States, the Association of Southeast Asian Nations (ASEAN) and other members of the international community in order to prepare a coordinated series of additional measures, including targeted economic sanctions, that might be taken against the Burmese regime if it resorts to violence and does not respond to the call for a return to democracy;
  8. Asks the Commission to make the appropriate means available in the framework of the Financial Instrument for the Promotion of Democracy and Human Rights Worldwide in order to actively support the pro-democracy movement and NGOs that work for the restitution of good governance in Burma;
  9. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the governments of the ASEAN member countries, the National League for Democracy, the State Peace and Development Council and the Secretary-General of the United Nations.

<sup>(1)</sup> Texts adopted, P6\_TA(2007)0384.