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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Pasqualina Napoletano, Glenys Kinnock, Thijs Berman, Alain Hutchinson,
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on behalf of the PSE Group

on the situation in Burma

European Parliament resolution on the situation in Burma

The European Parliament,

- having regard to its resolutions of 14 December 2006 and 21 June 2007 on Burma,
- having regard to the Council conclusions of 19 November 2007 adopting strengthened and additional restrictive measures against Burma,
- having regard to Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma and repealing Regulation (EC) No 817/2006,
- having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the Burmese State Peace and Development Council (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,
- B. whereas the violent crushing of protests led by Buddhist monks and democracy activists in Burma in late 2007 has shaken up the political status quo, and whereas the international community has been mobilised to an unprecedented extent,
- C. whereas the SPDC has announced that a referendum on a new constitution will be held in May 2008, with multiparty elections following in 2010,
- D. 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,
- E. whereas the Burmese Government has included in the draft constitution provisions that bar candidates from running for president if they have a foreign spouse or child (which would apply to detained opposition leader Aung San Suu Kyi) and reserve a quarter of parliamentary seats for serving military officers,
- F. whereas, since announcing the referendum, the government has issued Law No 1/2008, which denies voting rights to members of religious orders,
- G. whereas a majority of the Burmese opposition has decided to boycott the referendum,
- H. whereas there are still around 1800 political prisoners in Burma, including the National League for Democracy leader and winner of the Nobel Peace Prize and the Sakharov Prize 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 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 the UN Special Envoy, Ibrahim 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 work constructively with the UN Special Envoy;
 3. Stresses that the main objective of the EU strategy towards Burma is to bring about democratic transition through an inclusive process of national reconciliation and dialogue; believes that sustainable development in Burma, offering a stable environment in the longer term, can only be brought about by respect for democratic values, human rights and the rule of law;
 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. Supports the opposition forces in Burma, and believes that it is up to these groups to decide on their position on the referendum;
 6. Calls for the immediate and unconditional release of political opponents of the regime and more than 1800 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;
 7. Calls for all the casualties and missing persons from last September's crackdown on protests by Buddhist monks and democracy activists to be accounted for and for the whereabouts of missing monks and nuns to be established;
 8. Urges the EU 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;

9. Calls on the EU to involve China, as a member of the UN Security Council and a party to the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in the work of securing concrete progress on Burma's violations of children's rights in this regard;
10. Supports the good offices of the UN Secretary-General and Ibrahim 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 cohesiveness of the international community's involvement in Burma;
11. Calls on Western countries to maintain the focus on key human rights issues in all relevant forums, including the UN Security Council, and to support active engagement in and access to Burma by the special rapporteur and other representatives of the relevant human rights mechanisms;
12. Supports the efforts of the EU's special envoy on Burma, Piero Fassino, to promote dialogue with ASEAN countries, which have a direct interest in stability in the region; underlines the importance of continuing the search for a common position with the ASEAN countries; stresses, however, that a common position cannot come at the expense of EU policy on human rights;
13. Calls on the countries in the region to provide unequivocal support for the good offices of the UN Secretary-General and his efforts to move Burma towards national reconciliation and improvements in human rights; to organise regional multiparty talks, including Burma, China and key ASEAN countries, to address issues of common concern; and to create a forum in which to prioritise Burma's development aims;
14. Urges the Council to broaden the range of targets of sanctions, focusing on restrictions on access to international banking services for military-owned companies and 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 in the EU's jurisdiction;
15. 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;
16. 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 free expression, association and assembly; an accurate official account of the numbers, whereabouts, and condition of individuals killed, arrested and detained by the security forces, including in the recent crackdown; cessation of military attacks on civilians; and a transition to democracy;
17. 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 actively campaign for a worldwide arms embargo on Burma;

18. Stresses that in the course of the current negotiations between the EU and ASEAN on a free trade agreement the question of trade with Burma must be raised; insists on tight controls to ensure that imports from Burmese companies are not diverted via neighbouring countries;
19. Calls on the EU Member States and other Western countries to offer incentives for reform in order to balance the threat and/or imposition of sanctions and provide the military leadership with positive motivation for change;
20. Calls on the Council and Commission to actively engage in a dialogue with businesses in order to gain support for and a commitment to corporate social responsibility with regard to Burma; stresses that banks, financial institutions and businesses should demonstrate their commitment to standards of sustainable economic development on the basis of which human rights abuses are unacceptable;
21. Calls on the Council and Commission to offer more support to human rights activists and opposition forces inside Burma;
22. Calls on the international community, Western governments and campaign groups to step up humanitarian work, particularly by scaling up existing programmes in the health sector, and initiate new and broader programmes to support basic education, reaching internally displaced persons (IDPs) and others caught in conflict zones, mainly along the Thai border; in this context, calls on the Commission to expand its humanitarian aid budget under the Development Cooperation Instrument (DCI) for Burma (currently € 32 million for 2007-2010) and invest more in humanitarian aid for internally displaced persons (IDPs) delivered on a cross-border basis;
23. 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;
24. Calls on the Commission to increase support for Burmese living outside the country through the DCI programme on uprooted people and look into other ways of providing support;
25. Stresses that aid given should be linked to benchmarks and timelines, with a view to combating risks of corruption more effectively;
26. 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.