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Plight of Rohingya refugees, including mass graves in Thailand

Greens/EFA motion for resolution

Tabled by ***Barbara Lochbihler, Jean Lambert, Ernest Urtasun, Bodil Ceballos*** *on behalf of the Greens/EFA group*

The European Parliament,

Having regard to the 1951 UN Convention relating to the Status of Refugees and its amending and Protocol of 1967

Having regards to the ASEAN Human Rights Declaration and notably paragraphs 13, 15, 16, and 18 thereof,

Having regard to its former resolutions, notably the one of 12 March 2014 on the situation and future prospects of the European fishing sector in the context of the Free Trade Agreement between the EU and Thailand, of 6 February 2014 on the situation in Thailand, of 13 June 2013 on the situation of Rohingya Muslims, of 13 September 2012 on the persecution of Rohingya Muslims in Burma/Myanmar and of 5 February 2009 on the situation of Burmese refugees in Thailand,

Having regard to the statement by the Spokesperson of the European External Action Service on developments in Thailand, 2 April 2015

Having regard to the Local EU Statement on democracy, human rights and the rule of law, Thailand of 13 February 2015 and on the increasing misuse of criminal defamation laws in Thailand of 14 November 2014

Having regard to the Co-Chairs' Statement of the 20th EU-ASEAN Ministerial Meeting in Brussels, 23 July 2014

Having regard to the statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein of 15 May 2015 on the refugee crisis in which he rebuked Thailand, Indonesia and Malaysia for turning back the vessels. "I am appalled at reports that Thailand, Indonesia and Malaysia have been pushing boats full of vulnerable migrants back out to sea, which will evitably lead to many avoidable deaths," he said. "The focus should be on saving lives, not further endangering them."Mr. al-Hussein also emphasized Myanmar's responsibility in the unfolding crisis, saying that until its government addressed "the institutional discrimination against the Rohingya population, including equal access to citizenship, this precarious migration will continue."

Having regard to the concluding observations of the UN Committee against Torture considered the initial report of Thailand adopted at its 1239th meeting held on 16 May 2014.

Having regard to the declaration of UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, on 1 April 2015, concerning Thailand

Having regard to the Appeal of the Office of the United Nations High Commissioner for Refugees on 15 May 2015 to regional governments to conduct search-and-rescue operations and warning of "a potential humanitarian disaster,"

A. Whereas in an escalating region wide crisis, an estimated 6,000 to 20,000 Rohingya, fleeing ethnic persecution in Myanmar and poverty in Bangladesh are said to be on boats in the Andaman Sea and the Strait of Malacca, some abandoned by their traffickers with little food or water, and with no country willing anymore to take them in;

B. Whereas according to estimates of human rights NGOs, nearly 60 000 Rohingya have fled Myanmar by sea since October 2014,

C. Whereas the Myanmar government which refuses to accept the Rohingyas as citizens of the Myanmar, a Muslim ethnic minority living in Arakan/Rakine state, on April 1, 2015 took a further step to escalate the situation by rescinding the temporary ID cards, or "white cards," that were the last form of official government identification extended to stateless Rohingya, and stripped them of voting rights, which had been linked to the ID cards; whereas the Myanmar Government has yet to carry out the repatriation from Bangladesh of even the few they have recognized as citizens in the past;

D. Whereas in October 2012, the Rohingya were subject to attacks across Arakan/Rakine State that

Human Rights Watch determined - based on satellite imagines - constituted ethnic cleansing and crimes against humanity and whereas the authorities have not held anyone accountable for the violence, which destroyed thousands of Rohingya homes and caused massive displacement; whereas more than 130,000 of the estimated 800 000 Rohingya have been confined to internally displaced persons camps with little freedom of movement to pursue livelihoods, and a lack of access to adequate food, health care, and education.

E. Whereas after the recent discovery of a mass grave in Thailand believed to contain the bodies of 33 Rohingya refugees, officials raided several smuggling camps in southern Thailand and charged dozens of police officers and senior officials with being complicit in the trafficking,

F. Whereas the UN Committee against torture expressed concern at the numerous allegations of torture and ill-treatment during the state of emergency in the southern border provinces of Thailand; Whereas on March 31, 2015, Prime Minister Gen. Prayuth Chan-ocha announced that he has requested King Bhumibol Adulyadej's permission to lift martial law, which has been enforced nationwide since the May 2014 military coup, but that he would replace the Martial Law Act of 1914 with section 44 of the 2014 interim constitution, which would allow him to issue orders without administrative, legislative, or judicial oversight or accountability,

G. Whereas according to reports, Thai immigration and police officers often remove Rohingya refugees from Thailand's immigration detention centers and deliver them to human traffickers, whereas the refugees are then being transported across Southern Thailand and are being held hostage in camps hidden near the border with Malaysia until relatives pay thousands of euros for their release and smuggle into Malaysia,

H. Whereas since the crackdown, the preferred land route through the country has become too risky causing traffickers to turn to sea routes; whereas there are increasing cases of migrants being abandoned at sea, their traffickers afraid to set foot in Thailand,

I. Whereas notably a wooden fishing boat carrying hundreds of desperate migrants from Myanmar left Thailand's waters on 15 May after the Thai Navy repaired its engine and provided food, water, batteries and fuel,

J. Whereas the boat is without qualified crew; the captain and five other crew members abandoned the vessel last week, according to press reports; whereas passengers didn't want to come to Thailand because of the heavy crackdown on human traffickers, fearful to be arrested and sent back to Myanmar,

K. Whereas several passengers also told reporters that they had boarded the boat three months ago in the hope of reaching Malaysia but that the Malaysian authorities had turned their boat away,

L. Whereas after more than 1,500 migrants came ashore in Malaysia and Indonesia in the past week, both countries declared their intention to turn away any more boats carrying migrants,

M. Whereas according to UN reports, a boat carrying at least 660 migrants landed in Indonesia on 15 May after being rescued by local fishermen; whereas an Indonesian military spokesman said that the Indonesian Navy had intercepted another boat carrying hundreds of others in the Strait of Malacca on 12 May and was preventing it from coming ashore, pushing it on to Malaysia; Whereas Indonesia pursues a policy not to turn back ships once they have made landfall,

N. Whereas Malaysia, a predominantly Muslim nation, has quietly admitted tens of thousands of Rohingya but turned away two boats with a total of at least 800 passengers on 13 May,

O. Whereas the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein in addressing the countries which are pushing migrant boats back into the sea stated that “The focus should be on saving lives, not further endangering them” and emphasized that until the Myanmar government addressed “the institutional discrimination against the Rohingya population, including equal access to citizenship, this precarious migration will continue”,

P. Whereas Thailand has been convening a regional conference to discuss the problem on 29 May,

1. Expresses its great concern over the plight of the Rohingya refugees and the migration drama taking place at the moment on the high sea and in the territorial waters between Myanmar, Bangladesh, Thailand, Malaysia and Indonesia,

2. Believes that sea crossings in Southeast-Asia as in the Mediterranean are a symptom of desperation as people are left with no other choice but to risk their lives, and recalls that in both cases ASEAN and EU countries are obliged under UN rules to come to the aid of those in distress,

3. Calls on the Myanmar government to imperatively end the policy of oppression and discrimination against the Rohingya minority and to ensure full security so that Rohingya can safely and with dignity return to their homes in Rakine/Arakan State,

4. Calls on the Myanmar government to fully engage in the regional conference on 29 May,

5. Calls on Thailand, Indonesia and Malaysia to stop pushing migrant boats back into international waters and do their utmost to find solutions which do not put the migrants' lives in danger,

6. Calls on the Governments of the ASEAN countries to come up with an emergency plan in order to seriously discuss the root causes of the Rohingya wave of refugees and to remind the Myanmar Government of the duties vis-à-vis its citizens,

7. Calls on all ASEAN countries to provide asylum-seekers with meaningful access to asylum procedures and to the UNHCR and to ensure that individuals who are fleeing persecution are afforded international

protection,

8. Calls notably on Thailand, Indonesia, Bangladesh, Burma and Malaysia to sign and ratify the UN Convention on the Status of Refugees of 1951;

9. Urges the ASEAN countries to continue work on a regional legal instrument establishing the rights of migrant workers and the minimum standards of treatment accorded to them;

10. Welcomes the drafting of the ASEAN Convention Against Trafficking in Persons Especially Women and Children (ACTIP) and its corresponding action-oriented document, the Regional Plan of Action Against Trafficking In Persons (RPA), which will still be presented and should still be endorsed by ASEAN leaders in the course of this year.

11. Welcomes the EU humanitarian assistance to Internally Displaced Persons (IDPs) in Arakan/Rakhine state, to undocumented Rohingya and vulnerable host populations in Bagladesh as well as for Rohingya and Bangladeshi migrants currently being held in immigration detention (men) and social welfare centers (women and children) in Thailand and calls on ECHO to further increase this financial support,

12. Calls on the Thai government to return to democratic civilian rule and to stop attempts towards further extension of authoritarian rule, including the application of martial law, which have exacerbated impunity for human rights violations, arbitrary detentions and restrictions on freedom of expression and peaceful assembly,

13. Instructs its President to forward this resolution to the VP/HR of the Common Foreign Policy, Council, Commission, the Secretary General of ASEAN and the Governments and Parliaments of Myanmar, Bangladesh, Thailand, Malaysia and Indonesia.

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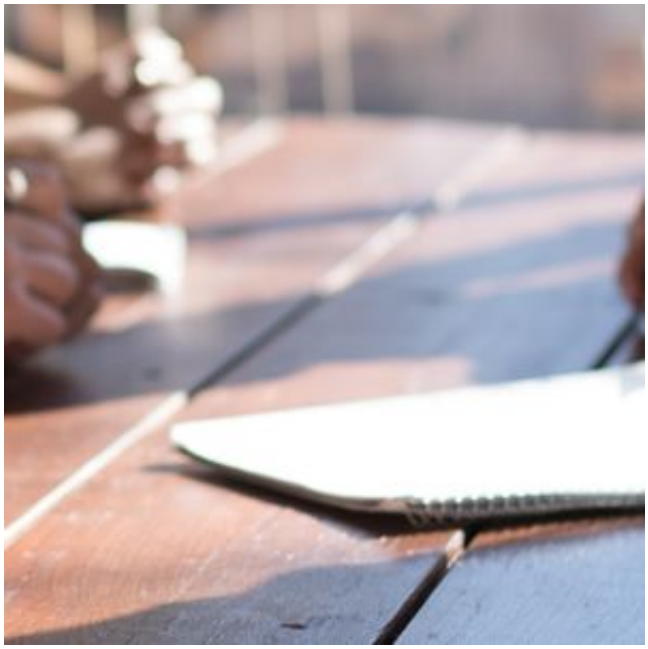
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Heads of national delegations in the GREENS/EFA Group

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