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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Council Conclusions on the Comprehensive Framework for the European Union's policy and support to Myanmar/Burma

At its meeting on 22 July 2013, the Council adopted the Council Conclusions set out in the Annex to this note.

Council Conclusions
on the Comprehensive Framework for the European Union's policy and support to
Myanmar/Burma

1. The Council welcomes and endorses the attached Comprehensive Framework consisting of priorities for the European Union's policy and support in the next three years to the on-going reforms in Myanmar/Burma. This Framework sets forth EU's goals and priorities geared towards building a lasting partnership and promoting closer engagement with the country as a whole.

2. The Comprehensive Framework will be subject to regular review.

Comprehensive Framework for the European Union's policy and support to Myanmar/Burma

Introduction

Myanmar/Burma has embarked on a remarkable process of reform under the new Government that took office in March 2011, significant both for its own people and for the region. Dealing with the legacy of conflict, poverty, oppression and weak institutions will be the work of decades. The European Union - which has, over the years, called for change and imposed sanctions - has a responsibility to help. Equally, European experiences and lessons learned regarding political transition and democratisation could be actively shared.

Two years into the reform process our policy priorities remain valid. Recognising that the period leading to general elections in 2015 is critical for the overall transition, the 22 April 2013 Council Conclusions on Myanmar/Burma call for a comprehensive framework to support reform over the next three years.

Our goals are to support political, social and economic development, fostering respect for human rights and assisting the Government in rebuilding its place in the international community. The EU looks forward to working in partnership with the Government and other stakeholders to promote peace, democracy and inclusive sustainable development to the benefit of the Myanmar/Burma people.

This is a collective effort involving actions by EU Member States and/or EU institutions.

Peace

Peace is a precondition for consolidating democracy, promoting development and protecting human rights. The EU will:

- Encourage the immediate end of hostilities across the country, including in the Kachin State.

- Support the early launch of inclusive political negotiations aimed at a lasting peace settlement. These should involve all stakeholders and ensure the participation of women. Build capacity of all stakeholders, i.e. the Government (via the ongoing support to the Myanmar Peace Centre), political parties, organisations which bring the different ethnic groups together, non-state actors, including women and local communities.
- Press the Government for unhindered access for humanitarian assistance to tend to the needs of the internally displaced population and to build confidence in the peace process.
- Undertake rehabilitation and development in ethnic areas, including clearing landmines, the provision of health and education services, and improving livelihoods.
- Ensure that all actions are conflict sensitive and implemented in an inclusive way.

Inter-communal violence needs to be addressed. The EU will:

- Give priority to supporting the development of an accountable and responsible police service trusted by all communities, which has the capacity to respond effectively to future instances of public insecurity.
- Press the Government to ensure the accountability of all offenders, including those inciting hate and violence, and urge political and religious leaders to take a stand against extremism. Support credible measures aimed at reconciliation between communities and to avoid long-term separation between them.
- Encourage the Government, Opposition and civic leaders to increase efforts to prevent inter-communal violence through advocating non-violent means of addressing the root causes of social instability.
- Urge the Government to pursue and implement durable solutions to the underlying causes of the tensions in the Rakhine State. These should include addressing the welfare needs and the status of the Rohingya minority. Most urgent is the need to deal with human rights and humanitarian needs of the displaced population. Restrictions on the freedom of movement and denial of access to health care should not be allowed to continue. The Government should secure unfettered access for humanitarian and development workers in all areas. At the same time, solutions for longer-term community reintegration should be pursued, including through the census in 2014. The Government should ensure the security of the affected population and of aid workers in the Rakhine State.

Democracy

Building a functioning democracy is a task primarily for the people of Myanmar/Burma. Respect for human rights and fundamental freedoms are essential parts of democracy. The EU actions aim at supporting, advising and assisting in the following areas:

- Constitutional review already underway. The country's constitution should be amended, in line with the requirements of a modern democracy.
- Strengthening the Parliament as an institution. Both the European Parliament and National Parliaments in Member States have much to contribute.
- Work for credible, transparent and inclusive elections in 2015. The joint work with the Union Election Commission needs to continue with a view of strengthening the electoral system.
- Unconditional release of remaining political prisoners, as well as lifting of restrictions, including on travel, for those already released. The Commission tasked with reviewing remaining cases should complete its work before the end of 2013.
- Strengthen human rights, encompassing both political and civil as well as economic, social and cultural rights, and the rule of law, including the rights of persons belonging to minorities. Attention should be given to strengthening freedom of expression, land rights and to the ethnic areas where the overwhelming majority of abuses are reported.
- Swift ratification and efficient implementation of core international human rights conventions, including ICCPR, ICESCR and CAT, should be promoted. The Government should follow-up on commitments relevant to opening a country office of the OHCHR. The national Human Rights Commission should be granted the status, mandate and means to perform its duties effectively and independently pursuant to the Paris Principles.
- The EU will aim to establish an EU-Myanmar/Burma Human Rights dialogue, allowing for constructive and open discussions on issues of mutual interest and concern, based on equality and cooperation. This will allow to highlight concerns and to exchange best practices and expertise. Initial discussions with authorities have already begun and the aim is to establish a formal dialogue in the near future. Offering assistance to the reform of the security sector will further contribute to the respect of human rights.

- In order to strengthen rule of law the EU will support efforts towards building an independent, impartial and efficient judiciary.
- Civil Society. The EU attaches great importance to the involvement of civil society in building the institutions that are necessary for a modern inclusive democracy. In this endeavour, the EU shall strive to enlist the assistance of local and foreign NGOs where possible, encouraging the Government and institutions in reaching out and supporting interactions between the state and the civil society.

Development and trade

The EU will help:

- Rebuild state institutions and reform the civil service. The success of the transition depends on a professional civil service and capacity of state institutions to implement policies. Reliable national statistics is a necessary element of such capacity.
- Lay the foundations for inclusive economic development. The country should continue making progress towards inclusive growth, equitable and sustainable development with a focus on poverty reduction, a market economy and a level-playing field for business, including through the protection and promotion of economic, social and cultural rights and corporate social responsibility. It should also endeavour to enable the population at large to reap the full benefits of a sequenced trade liberalisation, full integration into the ASEAN Economic Community as well as in the broader international economic arena, including re-engagement in the WTO.
- The Government in promoting transparency and accountability in extractive industries, including through joining the Extractive Industries Transparency Initiative.
- To eliminate all forms of forced labour, as well as adopt sustainable and responsible business standards, such as Decent Work. Ratification of remaining core ILO conventions should be promoted.

- Establish a trade and investment partnership. This includes in particular taking full advantage of the reinstated GSP preferences in respect of international core human and labour rights, and negotiating and concluding an Investment Agreement. The EU will complement these actions with an assistance package to support trade and private sector development.
- Promote the practice of the highest standards of integrity and corporate social responsibility (CSR), as laid out in the OECD Guidelines for Multinational Enterprises, UN guiding principles on business and human rights and the EU's own CSR strategy 2011-2014.
- Build a development partnership for sustainable development and achievement of the MDGs. In line with the Nay Pyi Taw Accord and the Government's Action Plan and commitment to poverty reduction, the EU is committed to maintaining its increased assistance for national development activities.
- Strengthen the institutional capacity and ensure that the private sector is able to reap the benefits of Myanmar/Burma's integration into ASEAN. The EU will work with the authorities, the private sector and the people of Myanmar/Burma to create the best possible regulatory environment and to promote responsible investment.
- Improve rural livelihoods and food security. Agriculture is central to the Government's economic policy. The EU will work with the authorities so that the rural population shall benefit from economic liberalization. Action should result in increased rural incomes, improved productive infrastructure and better access to financial services.
- Rebuild the education system. The EU will support national plans following the Comprehensive Education Sector Review undertaken by the authorities.
- Provide support to the health sector, and in particular to help Myanmar/Burma to attain the MDG targets.

- Promote transparency and environmental protection. The EU will also assist Myanmar/Burma in, notably, addressing the environmental challenges related to sustainable management of natural resources, and halting illegal logging and trade. Support could include in particular the conclusion of a Voluntary Partnership Agreement under the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan.
- Promote the development of sustainable tourism also through the improvement and protection of Myanmar/Burma's diverse cultural heritage.

Myanmar/Burma engagement with the international community

The EU will work to:

- Enhance the country's emergency response and early warning capability through capacity building and knowledge sharing as well as strengthening the resilience of communities to disasters – including inter alia the adaptation to the adverse impacts of climate change.
- Support Myanmar/Burma's participation in regional integration, with particular emphasis in the upcoming chairmanship of ASEAN and the implementation of the Roadmap towards an ASEAN Community by 2015, including through fostering connectivity.
- Promote the adherence to and implementation of all relevant international agreements in the field of non-proliferation and disarmament, including the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Comprehensive Nuclear-Test-Ban Treaty, the Arms Trade Treaty, the Ottawa Convention on Anti-Personnel Mines, the amended Small Quantities Protocol and the Additional Protocol to the IAEA's Comprehensive Safeguards Agreement and full compliance with the relevant UNSC resolutions.

When planning their programmes of assistance to Myanmar/Burma, authorities in Member States and EU institutions will work together and be guided by the priority areas indicated above.

The EU is fully engaged in the donor coordination efforts, jointly with non-EU development partners, as set up by the Government in the framework of the Nay Pyi Taw Accord agreed in January 2013. EU Member States and EU institutions are proceeding towards joint programming of development aid for Myanmar/Burma, while supporting the existing harmonisation efforts. In addition to embodying the principles of ownership and alignment, working towards joint programming will be the best way of guarding against gaps and overlaps, and maximising the impact of EU assistance in Myanmar/Burma.

This is a formative moment in the country's transition, allowing more possibilities for achieving results. Political partnership requires regular exchanges. In November 2013, an EU-Myanmar Task Force will give a visible signal to that effect, as well as offer a high-level platform to pull together EU resources for helping the transition move ahead taking into consideration the priorities above.
