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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 16 October 2017
To: Delegations

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Subject: Myanmar/Burma
- Council conclusions (16 October 2017)

Delegations will find in the annex the Council conclusions on Myanmar/Burma, as adopted by the Council at its 3566th meeting held on 16 October 2017.

Council conclusions on Myanmar/Burma

1. The humanitarian and human rights situation in Rakhine State is extremely serious. There are deeply worrying reports of continuing arson and violence against people and serious human rights violations, including indiscriminate firing of weapons, the presence of landmines and sexual and gender based violence. This is not acceptable and must end immediately. More than 500 000 people, mostly Rohingya, have fled their homes and sought refuge in Bangladesh, as a result of violence and fear. When so many people are displaced so quickly this strongly indicates a deliberate action to expel a minority. Therefore it is of utmost importance that refugees can return in safety and dignity. Access for humanitarian assistance and the media is severely restricted in Rakhine State. Needs can therefore not be fully assessed nor addressed.
2. The EU has called on all sides to bring an immediate end to all violence. It urges the Myanmar/Burma military to end its operations and to ensure the protection of all civilians without discrimination and to fully observe international human rights law. The EU also reiterates its call on the Myanmar/Burma government to take all measures to defuse tensions between communities; grant full, safe and unconditional humanitarian access without delay, including for UN, ICRC, and international NGOs; and establish a credible and practical process to enable the safe, voluntary, dignified, and sustainable return of all those who fled their homes to their places of origin. The EU has stepped up its humanitarian assistance for Rohingya refugees in Bangladesh and stands ready to extend its activities in Rakhine State in favour of all people in need once access is granted.

3. The EU and its Member States reconfirm their strong engagement underlined in its Strategy on Myanmar (June 2016) to support the country's democratic transition, peace, national reconciliation and socio-economic development. In this context, the EU stands ready to support the government of Myanmar/Burma in order to ensure the swift and full implementation of the recommendations of the Advisory Commission on Rakhine State, including the crucial issue of citizenship for the stateless Rohingya population. The EU welcomes that the government has set-up an Inter-Ministerial Committee for the implementation of these recommendations.
4. The EU welcomes the State Counsellor's commitment to bringing all the perpetrators of human rights violations and other criminal acts to justice, in accordance with the rule of law to avoid all impunity, and her statement on 19 September that Myanmar/Burma does not fear international scrutiny. Credible allegations of serious human rights violations and abuses, including brutal attacks on children, must be thoroughly investigated. In this context the EU urges Myanmar/Burma to cooperate fully with the Human Rights Council's independent international Fact-Finding Mission and to allow it full, safe and unhindered access to the country without delay. The EU welcomes that the UN Human Rights Council recently extended the mandate of the Fact-Finding Mission.
5. Furthermore, the EU encourages Myanmar/Burma to enter into a dialogue with its neighbouring countries, in particular Bangladesh, on finding solutions to common concerns, notably the repatriation of refugees to their place of origin, in the spirit of good neighbourly relations. The EU appreciates the constructive role played by Bangladesh under difficult circumstances.

6. In the light of the disproportionate use of force carried out by the security forces, the EU and its Member States will suspend invitations to the Commander-in-chief of the Myanmar/Burma armed forces and other senior military officers and review all practical defence cooperation. The EU confirms the relevance of the current EU restrictive measures which consist of an embargo on arms and on equipment that can be used for internal repression. The Council may consider additional measures if the situation does not improve but also stands ready to respond accordingly to positive developments.
 7. The humanitarian situation of populations affected by conflict in Kachin and Shan States, including 100.000 internally displaced people, is also of great concern. Humanitarian assistance has also been severely curtailed there and the EU calls on the government of Myanmar/Burma to restore humanitarian access to all communities affected in these areas.
 8. The EU will continue to address these vital issues and all challenges linked to the process of democratic transition in the framework of its continuing engagement with the government of Myanmar/Burma and in all relevant international fora, notably the UN. The EU also intends to seize the opportunity of the forthcoming ASEM Foreign Ministerial Meeting (Nay Pyi Taw, 20/21 November 2017) to engage, in the margins thereof, in a constructive dialogue with the government and will also continue to liaise with all Asian partners in this regard. The EU also encourages its partners in ASEAN and the region to engage in this process.
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