

Forum: *HRC (Human Rights Council)*

Issue: The question of preserving the Human Rights in reference to providing aid to the indigenous Rohingyas in Myanmar.

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Introduction

Myanmar (the internationally equally recognized name for the country is Burma) is a country located in Southeastern Asia. Its 57.000.000 inhabitants relate to over 130 different ethnic groups, and since the beginning of a process of legislative reform in the country following the transition of power from a military junta which ruled Myanmar for decades to a democratic government, the human and civil rights situation in Myanmar improved in many aspects. This improvement, however, did not affect one of the largest ethnic and religious groups in the country: The Rohingya people are an ethnic group originating mainly from Bangladesh, which started settling in Myanmar during the time the region was under British rule. Close to 99% of all Rohingya, 1.000.000 of whom live in the Rakhine State of Myanmar, practice Islam, whereas 90% of the total population of Myanmar is attributed to Buddhism. This has led to a century-long history of social discrimination and racially motivated violence between the Rohingya and predominantly Buddhist ethnicities: For instance, Rohingya are no natural citizens of Myanmar, which makes access to political platforms and even basic civil rights hard to attain. Thus, a Rohingya born in Myanmar is a person without citizenship, a condition viewed with scorn by international bodies. In addition to that, radical Buddhist groups appear to have been targeting Rohingya for decades and continue to do so: At least 200 were killed as a result of racially motivated acts of violence in the years 2012 and 2013 alone. With discrimination facing them and their lives in danger, hundreds of thousands of Rohingya have fled into neighboring countries, mainly Bangladesh, Malaysia and Thailand. 140.000 continue to live in encampments in Myanmar, where humanitarian conditions are getting worse by the day. The international community has been called upon many times to deal with a process many already call a genocide, until now no attempt generated an effective response. In the spirit of reform and civic liberty in Myanmar, it might be time for the same liberty to reach the Rohingya people.

Background Information

Up to 800000 Muslims originate to the Rakhine State in Western Myanmar, and they mostly call themselves as Rohingyas and has been facing discriminations from the major civilization, the

Arkanese. The Rohingya issue is combined with deep historic and social conflicts between the two groups and it makes it seem like the tension between the two groups will continue.

The reason why they are persecuted

The Rohingya conflict was happening ever since the Second World War. The conflict between the Rohingyas and Arkanese started when the Rohingyas showed their loyalty to the British and the Arkanese to the Japanese. Even after that, the Rohingyas had to suffer from the discrimination from the Anti-Rohingya campaign, and the discrimination was legalized since the establishment of the 1982 Citizenship Law. This law denied the citizenship of the Rohingyas and made them to illegal and unaccepted immigrants in Myanmar. The Myanmar's government recalls them as "Bengalis", which is defined as illegal immigrants. The persecution was made worse, when violence by Rohingyas happened. The most famous violence was when a Arakanese woman was raped and killed by three Rohingyas, this led to military enforcement to several villages.

Issues they face in Myanmar

The Rohingya community has faced discrimination of their humanity and violence of human rights since the Second World War. Their ethnic identity was destroyed and even their freedom to marriage and to have children was denied. The most cruel denial is their citizenship and they are constantly attacked by the military because of the issue. For example on October 2016, a military lockdown was practiced from the Myanmar Government, which led to several deaths. Even to this date, Rohingyas are trapped in concentration camps and the access of humanitarian aid is denied, which results in starvation and diseases.

Migration routes



Rohingyas Migration Map

Since 1978, Bangladesh was the first destination for Rohingyas, because the country shared the same religion and was welcoming the Rohingyas. But the most important fact is, that Bangladesh is one of the world's poorest countries, therefore, has many financial issues. And since 2012, the humanitarian assistance to the Rohingyas was cut and left them face critical health

issues. Also on 2015, when the emergency was released, Bangladesh has turned away from new Rohingyas and denied their entry to the country. Mostly, the ping-pong strategy is practiced with other countries like Malaysia, Thailand, and Indonesia. In most of the other destinations, they can receive citizenship and for example in Malaysia, the right to work, which was started with the pilot program from March 2017. Thailand is famous for its claim to provide humanitarian aid for the Rohingyas, but many news show that the Rohingyas aren't treated as well as Thailand promised.

Major Countries and Organizations Involved

Myanmar

Up to million Muslims, known as the "Rohingyas" claim to belong to the Rakhine state in Myanmar. But the government deny their origin and identify them as illegal immigrants, "Bengalis". Only about 40000 people were recognized by the government and given citizenship. The Government of Myanmar thinks them as natives from Bangladesh.

Bangladesh

The Refugees International (RI) estimates that 29000 Rohingyas live in official refugee camps in Bangladesh, while another 200000 are in unofficial camps, again, like Myanmar, they denied from legal protections and humanitarian assistance. The majority of them live near Cox's Bazar, a city located on Bangladesh's southeastern coast.

Malaysia

More than 45,000 Rohingyas are in Malaysia. Malaysia not only represents an Islamic country, but thanks to UNHCR, Rohingyas can be granted refugee status there and most importantly, Malaysia began a pilot project on the beginning of March 2017, allowing Rohingyas to work legally in the country.

The United Nations High Commissioner for Refugees

The United Nations High Commissioner for Refugees (UNHCR) gives its best to provide the possibility to have the right to seek asylum and safety for everyone. When times displacement of refugees and migrants, they seek to provide assistance of humanitarian aid.

The United Nations High Commissioner for Human Rights

The United Nations High Commissioner for Human Rights (OHCHR) tries to strengthen and protect Human Rights for all. The OHCHR provides assistance to Government, such as

expertise and technical trainings in the areas of administration of justice, legislative reform, and electoral process, to help implement international human rights standards on the ground.

International Organization for Migration

International Organization for Migration (IOM) works to help ensure humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian aid to migrants in need, also refugees and displaced people.

Timeline of Events

| Date | Description of event |
|--------------------------|--|
| 19 th century | Arakan, which now constitutes the Rakhine State of Myanmar, falls under British colonial rule. Its Muslim inhabitants, the Rohingya people, are administratively grouped with the people of Burma. It is now that a history of conflict between rivalling monarchies spark the first racial pogroms against the Rohingya. |
| 1942 | The region becomes Japanese occupied territory, sending tens of thousands of Arakanese refugees westward, towards what will later be known as Bangladesh. |
| 1948 | Burma achieves independence from the British Empire. Hopes of working on the Rohingya situation become extinguished once the first democratically elected leader of the country, Auung San, is assassinated and a military junta is put into place. |
| 1962-2010 | During the regime of the Burmese military, hundreds of thousands of Rohingya are either expelled from the country and refused re-entry, or leave Burma as refugees. The practice that Rohingya are denied full citizenship officially becomes policy with the Citizenship Act of 1982. Military presence is drastically increased within Rakhine state as a means of intimidation and revolt prevention; hundreds of deadly incidents between Rohingya civilians and military personnel ensue. |
| 2012 | Auung San Su Kyi, the leader of Burma's democratic movement, is elected to the nation's legislative assembly. Despite upcoming reform and the de facto end of the military regime, the Rohingya continue to be neglected by the country's lawmakers, stemming from the fact that they are not citizens and therefore don't have voting rights. |
| 2016 | Legislation that requires women in Burma to not get pregnant two years |

after the birth of a child is passed. It is believed by experts that the law, which was introduced by a radical Buddhist faction, is targeted at the Rohingya, as they are the fastest growing ethnicity in the country.

Relevant UN Treaties and Events

- International Convention on the Elimination of All Forms of Racial Discrimination (CAT)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CERD)
- International Covenant on Civil and Political Rights (CCPR)

Previous Attempts to solve the Issue

In November 2015, when Myanmar's first civilian government, National League for Democracy (NLD) won the elections, Aung San Suu Kyi, the leader of the elected party, established a nine person party commission in August 2016. The commission, led by the former UN Secretary-General Kofi Annan, discusses options for resolving ethnic strife in the Rakhine State. Furthermore, by the end of August 2017, the advisory committee has shown its interest to make recommendations to reduce communal tension and support needed development efforts in the impoverished state. The latest attempt practiced by the UN was in March 2017, when the UN has agreed to send a fact finding mission to Myanmar to investigate alleged abuses by security forces against Rohingya Muslims. The February UN report said the operation targeting the Rohingyas involved mass rapes and killings, possibly amounting to crimes against humanity. But recently, the official of Myanmar indicated that the UN probe is unwanted.

Possible Solutions

- raising awareness for the problem and thereby pressurize the government.
- trying to give aid of any kind to the Rohingya people in their situation right now.
- urging the government to grant citizenship to the Rohingyas.
- urging neighboring countries, especially Bangladesh, to accept Rohingya people as refugees and grant them a life in safety.

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