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Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 May 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Situation of the Rohingya people and other minorities in the Republic of the Union of Myanmar

Society for Threatened Peoples expresses its concern regarding the situation of the Rohingya people and other Muslim minorities in the Republic of the Union of Myanmar. After decades of discriminations, the Rohingyas have been subject to unacceptable persecutions since June 2012. The latest unrests showed that ethnic violence is turning into anti-Muslim violence, targeting Muslims not only in western Rakhine State, but also in central and southern Myanmar. Along with anti-Muslim hostilities, confrontations are still going on in the Kachin state and the Shan state.

The violent confrontations between Buddhists and Muslim Rohingyas in Rakhine state left some 200 dead and over 125,000 displaced, now living in refugee camps without adequate shelters, food and water supplies, sanitation and education. The Rohingyas are not considered a Burmese ethnic group, but illegal immigrants from Bangladesh and therefore have long been denied Burmese citizenship. The security forces in some areas provided protection to those affected by violence, but more typically they have acted as their persecutors, impeding access to markets, livelihoods and humanitarian assistance. They often joined the Buddhist mobs attacking and burning Muslim neighbourhoods and villages, disarming the Rohingya of their weapons to defend themselves. The local Arakanese party and some senior Buddhist monks fuelled the conflict demonizing the Rohingyas as illegal immigrants and calling for their removal from the country. The crimes committed against Rohingyas – deportation, forced labour, extrajudicial killings, illegal detention, rape and sexual abuses - could be defined as crimes against humanity and part of a campaign of ethnic cleansing.

In June 2011, after 17 years of ceasefire with the KIA (Kachin Independent Army), the Burmese government began a major military offensive in Kachin State. Despite a presidential request that the army cease attacks against the KIA and only fire in self-defence, military operations continued on both sides, leaving over 70,000 IDPs and leading to gross violations of human rights. The Burmese army soldiers have fired upon civilians and abducted them for forced labour, destroying properties and belongings. They also continue to engage in extra-judicial killings; rape and sexual abuses, torture, ill-treatment, along with the use of child soldiers. Abuses committed by the Kachin Independent Army have also been repeatedly reported. The UN raised concerns about the lack of access to IDPs camps and the hardness in providing basic services and protection.

The same abuses have been carried out in the Shan State, where the opposition between the Burmese army and the Shan State Army (SSA) left about 15,000 IDPs, many of whom fled toward the Thai border in search of protection. The tension, which has been very high since mid-march does not seem about to decrease. One of the main reasons for political instability in northern Burma is the richness of both the Kachin and the Shan states in lucrative natural resources, which attract the interests of national and foreign enterprises. The largest projects in northern Burma in terms of capital inputs and expected earnings are several hydropower dams and dual oil and gas pipelines in conflict-ridden territory in Kachin State and northern Shan State.

Since the eruption of violence last year, the Myanmar government has failed to discourage and prevent gross human rights violations of Rohingyas and other ethnic groups. President Thein Sein, along with other members of the government defined the Rohingyas as illegal immigrants, called for their removal to third countries and refused to revise the Citizenship law of 1982, which has rendered Rohingya Muslims effectively stateless.

On April 29th the government-appointed Rakhine Commission released a report investigating the violence between Muslim and Buddhist communities in Rakhine state erupted in June 2012. The report stressed some very important issues, such as the necessity to address the humanitarian crisis and to further investigate the violence through the establishment of a truth-finding commission. However the report failed to call for a review of the current Citizenship Law and instead of encouraging a reconciliation process, suggested that the segregation of the Rakhine Buddhists and Rohingyas should continue until the tensions decrease.

Meanwhile the report called on the government to double the presence of security forces in the area, but deploying more security forces without first investigating those who were involved in human rights violations could only lead to more abuses. The report also suggests implementing a population-control policy among the Rohingya communities, given the sense of insecurity among many Rakhine Buddhists about the rapid population growth of the Rohingya population. The recommendations included in this report, if implemented, would result in the ongoing segregation of the two communities and further violation of human rights.

Despite the release of the report and some praiseworthy initiatives, such as the release of political prisoners and the appeal to end the violence, the Myanmar government is still far from doing all that is required to change the situation. The humanitarian crisis has not been addressed adequately; the central government still refuses to consider the Rohingyas as an ethnic minority of Myanmar and to revise the Citizenship law of 1982. Albeit the government acknowledged that some monks and some members of the security forces were involved in the clashes and called for end to ethnic violence, the army still maintains a very intolerant attitude toward the ethnic minorities and seems to operate independently from the government directions.

Society for Threatened Peoples urges the UN Human Rights Council to urge the government of Myanmar to:

- Immediately stop the violence, abuses and destructions, the use of child soldiers, sexual violence and persecutions carried out by the government army, as well as the violence committed by targeted minorities and the independent armies,
- Investigate those responsible for abuses and persecution, being their belonging to the Myanmar army, the ethnic minorities or the independent armies. This investigation should be carried out thoroughly, independently and impartially by both internal and international agents.
- Allow full access to humanitarian aid to those affected by violence.
- Revise the citizenship law of 1982 in order to allow the Rohingya to apply for citizenship and fully take part in the democratization process of Myanmar. Ethnic minorities should be granted with equal rights and be freed from restrictions.
- Engage all those involved in the violence, whether they are victims or perpetrators, in a long term reconciliation process in order to build sustainable peace and enhance national stability.
- Only the peaceful participation of all the components of society will allow Myanmar to carry on the reform process and legitimately engage with the international community in order to develop its institutions and economy.