

Committee: Social Humanitarian and Cultural Committee

Issue: The situation regarding the Rohingya and other minorities in Myanmar

Student Officer: Mata Thomadaki – Kyriakopoulou

Position: Co-Chair

PERSONAL INTRODUCTION

Dear delegates,

My name is Mata Thomadaki - Kyriakopoulou and I have the honour of serving as the co-chair of the Social Humanitarian and Cultural committee in the 3rd DSTMUN. I am 16 years old and currently enrolled in the 11th grade at Pierce, the American College of Greece. My MUN experience began two years ago when I decided to participate in my first conference. Since then, I have participated in eight conferences as a delegate, judge and advocate. MUN through debating, drafting resolutions and generally becoming more aware of the world around me, has made me a holistic personality and has contributed greatly to the person that I am today.

During the committee work, you will be discussing the situation in Myanmar regarding the Rohingya Muslims and other minorities which is a prominent issue nowadays. I am eager to see you debating about the subject and I hope that you will find this study guide helpful. Nevertheless, I implore you to conduct your further research on the topic before the conference. If you have any questions, make sure to contact me without any hesitations (s.thomadaki@acg.edu).

Kind regards,

Mata Thomadaki - Kyriakopoulou

TOPIC INTRODUCTION

Myanmar is a Buddhist majority country with a population of 54.42 million¹. The official language of the nation is Burmese and it is located in Southeast Asia. It borders with Bangladesh, India, Thailand, China and Laos. The official name of the country was Burma until 1989, but afterwards, it was changed to Union of Myanmar. It is also home to more than 100 different ethnic minorities.



Figure 1: Map of Myanmar also showing the bordering countries²

The Rohingya people are a Muslim minority in Myanmar, who have their language and culture and they have been living in the country for many generations. The country claims that they are illegal immigrants that fled Bangladesh and then located in Myanmar. Over 130,000³ Rohingya people remain internally displaced in Myanmar because of the two earlier waves of violence that happened in 2012 and 2016.

Myanmar until now has handled the situation taking place in the Rakhine area, in a manner that is described by the majority of the international community as

¹“Myanmar population 2020 (Demographics, Maps, Graphs).” Worldpopulationreview.Com, 2020, <https://worldpopulationreview.com/countries/myanmar-population/>

² Myanmar image, Encyclopædia Britannica, Encyclopædia Britannica, <https://www.britannica.com/place/Myanmar#/media/1/400119/223463>

³“Pandemic Adds New Threat for Rohingyas in Myanmar”. Human Rights Watch, 29 May 2020, <https://www.hrw.org/news/2020/05/29/pandemic-adds-new-threat-rohingyas-myanmar>

discriminatory towards the Rohingya. The leader and state counsellor of Myanmar, Aung San Suu Kyi, addressed the situation on the 19th of December 2019, and she claimed that she would take actions against it but at the same time, she denied any allegations of the situation being genocide. She has been a strong supporter of the military by saying that it is not responsible for any of the actions taken. In addition, the country officials have stated that the reports of the genocidal acts are exaggerated by the reporters and the international community. They also strongly supported that the actions taken were essential in order to achieve stability in the western region of Myanmar. The military denies targeting innocent civilians and states that they are only targeting Rohingya extremists and militants. Lastly, the Rohingya are prohibited from exiting the Rakhine province.



Figure 2: Rohingya children in line begging for food⁴

Prior to the military crackdown in 2017, two waves of violence occurred. In the first wave in 2012, some Rohingya men were accused of raping a Buddhist woman. The Buddhist nationals resulted in killing Rohingya people and burning down homes and villages. In the second wave that occurred in 2016, many Rohingya fled Myanmar into Bangladesh and other countries or became internally displaced because of genocidal acts that were happening against them. In Bangladesh, the Rohingya live in overcrowded refugee camps, where they are not provided with clean water, sanitation, adequate food and education.

⁴Bbci.Co.Uk, 2020,
https://icchef.bbc.co.uk/news/660/cpsprodpb/0EF1/production/98352830_boy_getty.jpg

Satellite images show destroyed Rohingya village



Source: Human Rights Watch, Satellite image 21 September 2017

BBC

Figure 3: The image displays a destroyed Rohingya village by the military in contrast to an intact one⁵

DEFINITION OF KEY TERMS

Rohingya

“The Rohingya people are a Muslim minority who have been living in Myanmar for many generations. They have their own language and culture and have been located in the area for many generations. Before the crackdown, the number of Rohingya living in Myanmar was estimated to be 1.1 million”^{6,7}.

Genocide

“According to the United Nations, the word genocide derived from the Greek word “genos” that means race and the Latin suffix “cide” meaning killing. It was first recognised as a crime in 1946 under international law by the general assembly. In the 1948 Convention on the Prevention and Punishment of the crime of genocide,⁸ it

⁵Bbc.co.uk, 2020, https://ichef.bbci.co.uk/news/660/cpsprodpb/16A99/production/_98352829_satelliteimage976-nc.png

⁶ Al Jazeera Staff, 2017, AlJazeera.com, Al Jazeera <https://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-170831065142812.html>

⁷ “Myanmar Rohingya: What You Need to Know about the Crisis.” BBC News, 24 Apr. 2018, <https://www.bbc.com/news/world-asia-41566561>

⁸Convention on the Prevention and Punishment of the Crime of Genocide Approved and Proposed for Signature and Ratification or Accession by General Assembly Resolution 260 A (III) of 9 December

was recognised as an independent crime and according to the ICJ, the convention applies whether countries have recognised it or not. Therefore, genocide is one of the actions, which are committed with the intention to hurt, destroy ethnic, religious persons.”⁹

Burmese military

“The Burmese military is the military power of Myanmar. It is the largest branch of the Myanmar armed forces (Tatmadaw). It used a vast amount of power in the past years, before Aung San Suu Kyi became the leader of the Myanmar nation, seeing as the country was military ruled and controlled and some of that power remains even today.”¹⁰

Ethnic cleansing

“Ethnic cleansing means the mass killing of a specific group of people due to racial or religious reasons, by another group of people.”¹¹

Refugee

“The term refugee means the forced fleeing of a group of people or an individual because of war, violence or persecution. Refugees have fears of persecution because of religious beliefs, belonging to a specific social group, race or having a political opinion. Most of the times, they are unable to return to their countries since they have deep-rooted fears of being in grave danger.”¹²

Displaced persons

“According to WHO, a displaced person is someone who has been forced to leave their home because of a “natural, technological or deliberate event”.¹³

1948 Entry into Force: 12 January 1951, in accordance with article XIII, https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

⁹ United Nations, “United Nations Office on Genocide prevention and the Responsibility to Protect”. Un.Org 2018, <https://www.un.org/en/genocideprevention/genocide.shtml>

¹⁰ https://www.researchgate.net/publication/272092747_Building_the_Tatmadaw

¹¹ Nations, United. “United Nations Office on Genocide Prevention and the Responsibility to Protect” Un.Org 2019, <https://www.un.org/en/genocideprevention/ethnic-cleansing.shtml>

¹² “What is a refugee? Definition and Meaning/ USA for UNHCR”, Unrefugees.Org, 2017, <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>

¹³ “WHO/ Displaced people.” WHO, https://www.who.int/environmental_health_emergencies/displaced_people/en/

Religious persecution

“Religious persecution is the mistreatment of a group of people because they follow a specific religion or are not part of religion.”¹⁴

Extrajudicial killing

“The term extrajudicial killing is defined as the killing of an individual by the government without any legal or judicial process.”¹⁵

Mass exodus

“A sudden departure of a large number of people at the same time, from a specific area.”¹⁶

BACKGROUND INFORMATION

History of Rohingya

The persecution of Rohingya began in the British colonisation era of Burma -modern-day Myanmar- where they still refused to recognise their existence even though they had lived there for thousands of years: They first located in Burma in the 1430s when Muslim settlers sailed to the coastal kingdom of Myanmar. During the British ruling era (1824 – 1948), many people fled there from Bangladesh and India as labourers. Myanmar’s government nowadays believes that the people who located there in the 1430s are not Rohingya, but another ethnic minority called Kameins.

Even though their population now is about one million, they have been denied citizenship and they are not recognised as one of the country’s 135 ethnic groups¹⁷ from the citizenship act that was passed in 1982 from the government. This can be justified since, under the British ruling, they were also not recognised in order to gain citizenship under the Union Citizenship Act in 1948.¹⁸ The act mentioned that citizens are the people who: “belong to an “indigenous race”, have a grandparent

¹⁴“What does religious Persecution mean?” www.definitions.net , 31 May 2017

<https://www.definitions.net/definition/religious+persecution>

¹⁵ “Extrajudicial Killing – Translegal.” 31 May 2020

<https://www.translegal.com/dictionary/en/extrajudicial-killing/noun>

¹⁶ “Exodus – Dictionary Definition.” Vocabulary.Com <https://www.vocabulary.com/dictionary/exodus>

¹⁷“Myanmar: Major Ethnic Groups and Where They Live.” Aljazeera.Com, 14 Mar. 2017,

<https://www.aljazeera.com/indepth/interactive/2017/03/myanmar-major-ethnic-groups-live-170309143208539.html>

¹⁸“UNION CITIZENSHIP ACT, 1948” www.Burmalibrary.org,

https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs/UNION_CITIZENSHIP_ACT-1948.htm#:~:text=1..9th%20Waning%2C%20Pyatho%2C%201390%20B.%20E.&text=%22%20Constitution%22%20means%20the%20Constitution%20of%20the%20Union%20of%20Burma.

from an “indigenous race”, are children of citizens, or lived in British Burma prior to 1942. However, people who had lived in the country for more than two generations were allowed to apply.

The situation for the Rohingya became dramatically worse in 1962 when the country became military controlled. The government stated that in order to be considered as a part of the nation, the population should obtain national registration cards. However, the Rohingya were given foreign registration cards, which limited their options and rights regarding healthcare, education and also obtaining a job. This is contradictory to what Aung San Suu Kyi said in 2017 regarding the crisis, which was that: “We have to take care of our citizens. We have to take care of everybody who is in our country, whether or not they are our citizens”.



*Figure 4: Aung San Suu Kyi, a peace Nobel Prize receiver and the leader of the nation of Myanmar*¹⁹

How the discrimination began and when

The Rohingya people have been persecuted by Buddhists since 1970. Since then, the government has conducted two different operations regarding the persecution of the Rohingya. After the first two waves of violence in 2012 and 2016, some Rohingya people decided to form an army in order to fight against the militants who were discriminating them. They named the organisation: Rohingya Salvation Army (ARSA). ARSA attacked Myanmar police officials and did not restrict themselves into protecting the Rohingya people. The attack of the Rohingya Salvation Army was against several Myanmar officials and the result was the killing

¹⁹ file:///Users/matathomkyr/Desktop/BN-VE313_3e94m_OR_20170919075755.jpg

of 12 police officials. It is also said that the army is linked to the ISIS terrorism organisation or al-Qaeda and the country claims that this is the reason that the police along with the Buddhist mobs have been killing the Rohingya. They are essentially afraid of terrorist attacks coming from ARSA. However, the ARSA group has denied any allegations and there hasn't been any evidence found supporting that claim. Nevertheless, that led to the military crackdown and the atrocities against the Muslim minority. However, instead of targeting only the ARSA group, they resorted into killing a vast amount of Rohingya, no matter the age or sex. Many people claim that the army is acting on islamophobia and racism.



Figure 5: Rohingya people fleeing to the neighboring country, Bangladesh ²⁰

However, even though the government and the military are acting unfairly towards the minority, they both play a huge role in politics and have a vast amount of power over the country. The country had been military-controlled for many years, so it still has preserved 25%²¹ of seats at the parliament just for the military. This means that it is difficult to change the constitution without the military's approval. Thus, the leader of the military usually holds a bigger amount of power compared to the leader of the nation. So, essentially Aung San Suu Kyi has little to none power over the military and its actions. At the same time, the Rohingya are denied citizenship from the state of Myanmar under the law that was voted in 1982. That means that they do not have the possibility of accessing social services, education

²⁰ Cfr.Org, 2020,

https://cdn.cfr.org/sites/default/files/styles/full_width_xl/public/image/2017/11/RTS1I5O5.jpg

²¹“Why is Army Still in Myanmar Parliament?” BBC News, <https://www.bbc.com/news/av/world-asia-35457290/why-does-military-still-keep-25-of-the-seats-myanmar-parliament>

and they have also imposed strict regulations regarding birth control, marriage and abortions.

Operations Dragon King and Clean and Beautiful Nation²²

Myanmar had conducted two previous operations regarding the ethnic cleansing of the country from “illegal immigrants” that happened in 1978 and 1991.

The first operation was called Operation Dragon King happened in 1991. The governments’ explanation for the operation was that it was removing foreigners from the area so that only Buddhists would be able to live in the country. However, they ended up forcing 200,000 -250,000²³ Rohingya people to flee to neighboring countries and mainly to Bangladesh.

The second one was called “operation clean and beautiful nation” or otherwise known as operation Pyi Thaya, was conducted by the Myanmar government in 1991. It took place in the Rakhine state and the Myanmar – Bangladesh border. It was conducted by the Myanmar Armed Forces or Tatmadaw and it lasted until 1992. It was an official response to the Rohingya Solidarity Organisation (RSO), which advocated for the Rohingya rights at the time, by the State Law and Order Restoration Council (SLORC).



Figure 6: Destroyed Rohingya village during the Dragon King operation in 1978²⁴

²²“Neither ‘clean’ nor ‘Beautiful’: a Rohingya in Myanmar Speaks.” The Wire, <https://thewire.in/rights/neither-clean-nor-beautiful-a-rohingya-in-myanmar-speaks>

²³ “Timeline: A Visual History of the Rohingya Refugee Crisis.” Doctors Without Borders – USA, 10 Dec. 2019, <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/timeline-visual-history-rohingya-refugee-crisis>

²⁴ “Operation Clean and Beautiful Nation – Google Search”. https://www.google.com/search?q=operation+clean+and+beautiful+nation&rlz=1C5CHFA_enGR894GR894&sxsrf=ALeKk035sZJIQU_e3bZG0q-3CFq-

The situation in the Rakhine area and the refugee camps

Since the crisis is ongoing and there is still a Rohingya population in the Rakhine area, it is also important to observe at the situation in the area as well. On May 16, 2020, a satellite image revealed that 200 homes were burned down, only on that month. Even though the government claims that the operation has discontinued, they keep burning down the Rohingya villages and putting the people in danger.



Figure 7: A satellite image that shows the burned Rohingya villages in 2020²⁵

Currently, the majority of the Rohingya population is located in refugee camps and mainly in Bangladesh. Since August 2017, 742,000²⁶ Rohingya have fled Myanmar and are currently living in refugee camps in Bangladesh and 40% of them are under the age of twelve. Exactly because the number of refugees is vast, in some areas they are overcrowded and exceed the number of Bangladeshi citizens. The Bangladesh community is pressured with this responsibility and people residing in the camps do not have many necessary things such as appropriate medicine for various situations, sanitation, aid, water, shelter and protection. Bangladesh as a

[PFHUIg:1591380992774&source=Inms&tbm=isch&sa=X&ved=2ahUKEwil2ZqWpOvpAhX3XRUIHQ69AZcQ_AUoAXoECBIQAw&biw=686&bih=653&dpr=2#imgsrc=cgdrDN4IQa-HrM](https://www.hrw.org/news/2020/05/26/myanmar-imagery-shows-200-buildings-burned)

²⁵“Myanmar: Imagery Shows 200 Buildings Burned.” Human Rights Watch, 26 May 2020, <https://www.hrw.org/news/2020/05/26/myanmar-imagery-shows-200-buildings-burned>

²⁶ “Timeline: A Visual History of the Rohingya Refugee Crisis.” Doctors Without Borders – USA, 10 Dec. 2019, <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/timeline-visual-history-rohingya-refugee-crisis>

community has limited resources so it is difficult to host such a massive number of refugees. The biggest refugee camp in Bangladesh and the world is Kutupalong and it hosts over 600,000 ²⁷people in only 13 square kilometres.



Figure 8: Rohingya men in a refugee camp in Bangladesh²⁸

The two phases of the ethnic cleansing since 2016²⁹

The crisis is divided into two different phases. The first one took place from October 2016 until September 2017, which was the date that the Myanmar government claimed that the operation against the Rohingya stopped. In this phase, there were 1000+ deaths and thousands more fleeing the Rakhine province. In the second phase, that began in 2017 and is still on-going, more than 24,000 Rohingya were killed by the military. Since then more than 700,000 Rohingya have fled to Bangladesh in order to protect themselves and their families. According to a study, it is estimated that more than 36,000 Rohingya were thrown into fires and 18,000 women and children were raped.³⁰

²⁷ Nations, United. "Rohingya Emergency." UNHCR, 2017, <https://www.unhcr.org/rohingya-emergency.html>

²⁸"Rohingya Crisis – Google Search."

https://www.google.com/search?q=rohingya+crisis&rlz=1C5CHFA_enGR894GR894&sxsrf=ALeKk02LfAy-o2XiLBXh1pm88nr7uCBsaw:1591380728088&source=lnms&tbm=isch&sa=X&ved=2ahUKEwj3vP-Xo-vpAhX5VRUIHaEYD6wQ_AUoAXoECBIQAw&cshid=1591380928202973&biw=686&bih=653#imgrc=XJfOjRHeqL4qeM

²⁹"Prevalence of Violence against Children: Evidence from 2017 Rohingya Refugee Crisis/ Request PDF" researchgate , https://www.researchgate.net/publication/333118905_Prevalence_of_violence_against_children_Evidence_from_2017_Rohingya_Refugee_crises

³⁰ "Rohingya Crisis in Myanmar." Global Conflict Tracker, <https://www.cfr.org/global-conflict-tracker/conflict/rohingya-crisis-myanmar>

As of 2018, the majority of Rohingya are located in Bangladesh (1,300,000) and only 400,000 people of the Muslim minority are located in Myanmar, while most of them are displaced³¹. The country also claims that the total victims from the two stages are dramatically less, in order to hide the fact that they are trying to distinguish the entirety of the Rohingya population from the nation.

Rohingya refugee sites in Bangladesh

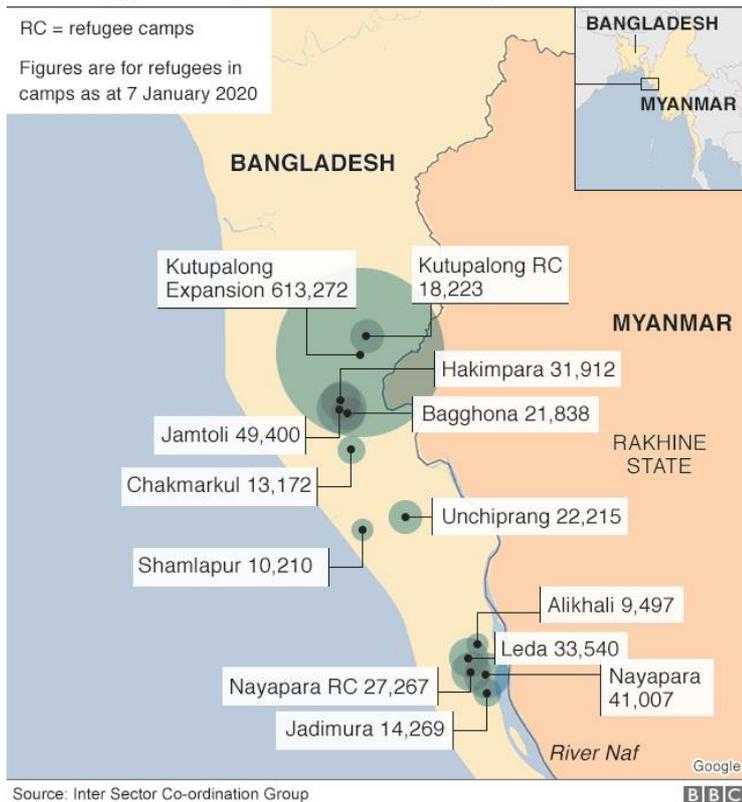


Figure 9: The Rohingya refugee camps in the country of Bangladesh, 7 January 2020³²

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Myanmar

One of the most involved countries in this issue is Myanmar. It is the country in which the issue is taking place and in which the Rohingya are being persecuted. The country has shown its disapproval of the Muslim minority being there many times and it still continues to do so. The leader of the nation, Aung San Suu Kyi, as well as the army, are held accountable for the ethnic cleansing by the international community. As it was previously explained, the military has huge power over politics, since the nation was military-controlled for many years.

³¹ The Rohingya Crisis: Past, Present and Future Summary Report of Findings from Fact-Finding Mission to Bangladesh, 2018, https://reliefweb.int/sites/reliefweb.int/files/resources/APHR_Bangladesh-Fact-Finding-Mission-Report_Mar-2018.pdf

³²Bbc.co.uk, 2020 https://www.bbc.com/news/660/cpsprodpb/11C91/production/_110594827_myanmar_bangladesh_refugee_640_200120-nc.png

Bangladesh

The majority of the refugees that have fled Myanmar have ended up in refugee camps in Bangladesh. However, they are not allowed to exit the camps and the situations there are unsanitary, unhealthy and dangerous towards the people.

The Gambia

The Gambia is the country that issued a report to the International Court of Justice in order to begin having a case Myanmar. The actions taken by the country in the International Court of Justice, were taken in order to also represent the other Muslim countries, take action regarding the issue and raise awareness. The outcome wanted it for the International Court of Justice to issue an emergency ruling in order to protect the Rohingya from further harm.

Canada

Canada has offered to host Rohingya refugees, in order to help them become a part of a community. Since 2017, Canada has understood the importance of this crisis and has acted accordingly. After investigations, it set some goals which include positive political development and holding accountability for the crimes that were committed. The goals will require international cooperation and even though there is not an immediate solution to the issue, Canada has been trying to offer as much as it can. Also, in 2018 the parliament voted in order to revoke Aung San Suu Kyi's honorary Canadian citizenship to express their disapproval with her actions. The motion passed later in 2018 and the Citizenship was revoked. Also, the country will dedicate \$300 million in funds to Myanmar in response to the humanitarian crisis.

Arakan Rohingya Salvation Army (ARSA)³³

ARSA was an organisation formerly known as Harakatul Yakeen and it was formed by Rohingya people in order to address and act against the discriminative acts against them. It was first noticed in October 2016, when it attacked three police stations and killed nine police officers. ARSA is also claimed to have connections with the terrorist organisation ISIS, and that is the main reason that Myanmar begun the

³³ "ARSA: Who are the Arakan Rohingya Salvation Army?" www.Aljazeera.com, <https://www.aljazeera.com/news/2017/09/myanmar-arakan-rohingya-salvation-army-170912060700394.html>

"ARSA Group Denied Links with Al-Qaeda, ISIL and Others.", www.Aljazeera.com, <https://www.aljazeera.com/news/2017/09/arsa-group-denies-links-al-qaeda-isil-170914094048024.html>

ethnic cleansing in 2017 against the Rohingya. However, the organisation until now has denied any such claims.

UNHCR³⁴

The UNHCR has made massive efforts to help the Rohingya. They are working in support of the Bangladesh government to provide aid and the necessary to the refugees currently residing there. They are also working on developing new residing cites in order for the current ones to not be overcrowded.



Figure 10: A Rohingya girl in the rain in a refugee camp

BLOCS EXPECTED

In the issue at hand, there are two prominent sides. One of them supports the stance of the Burmese military and the Myanmar government and the other supports and attempts to help the Rohingya minority.

There have been many countries in the international world, such as Canada, the Gambia and others, which have shown their disapproval on what Aung Saan Suu Kyi is doing and have tried to support the Rohingya in many different ways while also passing resolutions in the United Nations in order to stop the issue.

On the other hand, there are countries such as Bangladesh that have shown their support towards the action of the Myanmar government and that they firmly believe that the Rohingya people are illegal immigrants from Bangladesh who were trying to take over the nation.

³⁴Nations, United. "Rohingya Emergency." UNHCR, 2017, <https://www.unhcr.org/rohingya-emergency.html>

TIMELINE OF EVENTS

Date	Description of event
1948	The Union Citizenship Act indicated the parameters, which the people of Myanmar had to complete in order to be considered as citizens of the country.
1977-1978	Operation Dragon King (Naga Min), which took place in the Rakhine state, where the Rohingya population was and is located.
1982	The citizenship law was passed from the government, in which 130 Myanmar minorities were recognised but the Rohingya were not.
1989	Burma was named as Myanmar and the government made stricter the military presence in the Rakhine area, while also conducting forcing labor, raping and torture to the Rohingya. 250,000 Rohingya fled the nation to Bangladesh.
1991	Operation Clean and Beautiful Nation.
2012	The first wave of violence against the Rohingya.
2016	The second wave of violence against the Rohingya.
August 2017	The first stage of the genocide begun.
January 2017	The final date of the first stage.
March 27 th , 2017	Senior General Min Aung Haling stated in a speech that Rohingya did not exist in Myanmar.
August 25 th , 2017	The first date of the second stage.

November 2017	Myanmar and Bangladesh decided that they would help relocate the Rohingya in Myanmar.
December 2017	The United Nations Human Rights Chief calls for an international investigation on the issue.
March 2019	Bangladesh announced that it would no longer accept Rohingya immigrants fleeing Myanmar.
December 19 th , 2019	Aung San Suu Kyi addresses the situation and refuses to blame the military.
January 23 th , 2020	In the ICJ case, which was brought to the court by the Gambia, the court announced to Myanmar to prevent any genocidal actions.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

The General Assembly passed a resolution regarding the issue, which condemns the genocidal acts against the Rohingya. It called for urgent action to be taken in order to stop the racial hatred. Even though the resolution is not legally binding, it reflects the international community's opinion on the issue (document A/C.3/74/L.26*).

The rights and obligations of recognised refugees³⁵ are relevant to the Rohingya crisis since the majority of them are currently located in Bangladesh as refugees. It is clearly stated that if refugees have been recognised by the country, they have the same rights as asylum seekers. It is also included that the refugees will have access to educational facilities such as schools, something that does not exist in the camps in Bangladesh. Lastly, refugees should be granted the right to practise professions and open their businesses. However, the situation in Bangladesh does not allow refugees to attempt entering the labor market since necessary goods and services such as water and sanitation are not provided, making survival difficult. The government of Myanmar has denied the Rohingya of their citizenship even though

³⁵ Rights and obligations of recognised refugees – UNHCR Greece – Help for refugees and asylum seekers. <https://help.unhcr.org/greece/rights-and-duties/rights-and-duties-of-refugees/>

they have been living in the country for many generations.³⁶ The Citizenship Rights and Responsibilities state that in Myanmar they have the right to freedom of religion and belief, the right to education and healthcare. The Rohingya have been denied citizenship, as mentioned before, officially since the 1982 Citizenship Act. Thus, they were also not able to have access to many of the rights described by the Citizenship Rights and Responsibilities.

The Gambia, which is by majority a Muslim state, initiated the case by making an application to the court in November of 2019 and by stating to the Court that Myanmar had “committed mass murder, rape and destruction of communities against the Rohingya”. Since then, the court has ruled that Myanmar should refrain from having genocidal acts against the Rohingya, but a final decision has not been released yet, since the case is ongoing.

In the International Criminal Court - which tries individuals for genocide, war crimes, crimes against humanity and aggression- the situation was handled between Bangladesh and Myanmar. In November 2019, it was ruled that the prosecutor should continue to their investigation for the alleged genocide. The case is currently ongoing.

The 1982 Citizenship Act³⁷ that was passed, mentioned the people who were considered as legal citizens of Myanmar. The act did not mention Rohingya and it deprived them of their opportunity to be recognised by the state. It was promulgated not long after the operation Dragon King in 1978, in which the Rohingya were persecuted.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

The international community through passing resolutions, through the general assembly and other UN organs, such as the document A/C.3/74/L.26³⁸ and generally talking negatively about the issue have tried to persuade and pressure Myanmar into stopping the violent and genocidal acts against the Muslim minority. The general assembly has passed resolutions that again try to avoid the continuation of the ethnic cleansing in the Rakhine area. However, China and Russia have repeatedly blocked any actions to take the matter to the Security Council.

³⁶“Citizenship and Human Rights in Myanmar : Why Law Reform is Urgent and Possible A Legal Briefing”, 2019, <https://www.icj.org/wp-content/uploads/2019/06/Myanmar-Citizenship-law-reform-Advocacy-Analysis-Brief-2019-ENG.pdf>

³⁷“Burma/ Bangladesh: Burmese refugees in Bangladesh – Discrimination in Arakan”. Hrw.Org, 2019, <https://www.hrw.org/reports/2000/burma/burm005-02.htm>

³⁸“A/C.3/74/L.26 – E A/C.3/74/L.26” Undocs.Org, <https://undocs.org/en/A/C.3/74/L.26>

Countries such as Australia and Canada have stated that they are able to host Rohingya legal immigrants who are currently internally displaced, in danger or refugees in other countries such as Bangladesh, to help them restart their lives and provide them with the necessary things to live. Also, Australia has donated 5 million American dollars to the Rohingya immigrants living in Bangladesh.

The Gambia, which is a Muslim majority country, has taken the issue to the International Court of Justice in order to help the Muslim minority. The court has ruled that Myanmar should refrain from having genocidal acts against the Rohingya and the case is currently ongoing.

Myanmar, in order to address the issue and also try to solve the situation happening at the refugee camps in Bangladesh, has cooperated with the neighboring country, in order to try and repatriate them in the Rakhine area, which they fled. There have been two repatriation attempts, however, the Rohingya refuse to return to Myanmar, since they are afraid that the same thing as has happened to countless other Rohingya, will also happen to them and that they will be killed by the country's officials.

Destroyed villages in Rakhine state

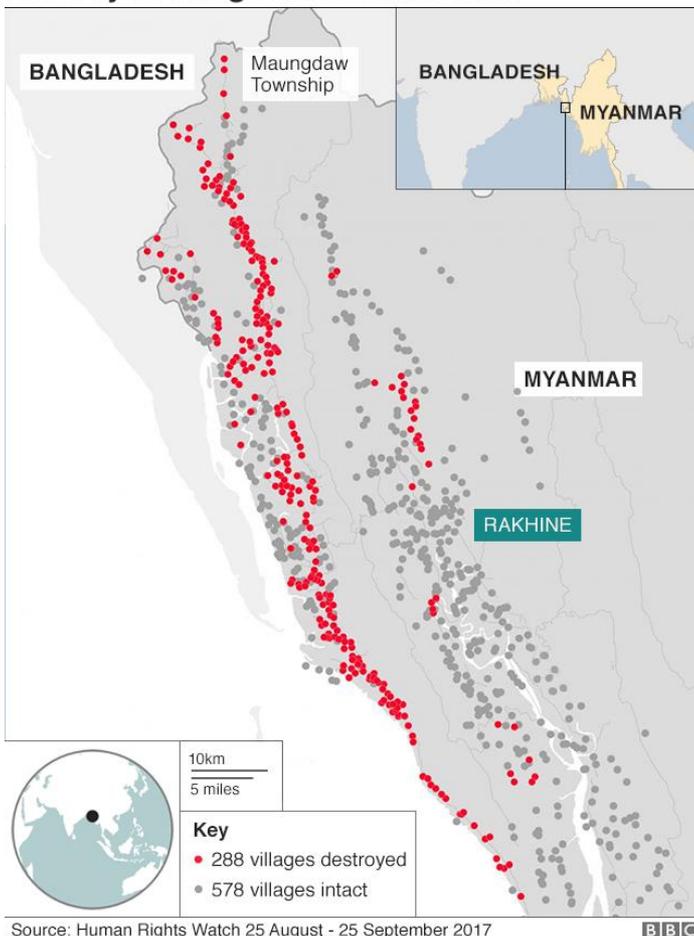


Figure 11: The number of Rohingya villages destroyed along Myanmar³⁹

³⁹ Bbci.Co.Uk, 2020, https://ichef.bbci.co.uk/news/660/cpsprodpb/16AB1/production/110594829_rohingya_burned_villages_640_v1-nc.png

POSSIBLE SOLUTIONS

Even though this issue is very prominent and challenging, various actions can be taken. First of all, since, the Rohingya crisis is also a refugee one, countries such as Canada have shown interest in taking in a large amount of Rohingya refugees and help them become a part of society. Further countries deciding to do so as well, could be a considerable possible solution.

The international community has already tried to pressure Myanmar into taking immediate and effective action in the issue. However, the actions taken have not been enough. Passing a resolution that indicates exactly what Myanmar should do to stop the military and the Bangladesh mobs from killing the Rohingya minority would be ideal.

Since the Myanmar economy is a struggling one, after many years of military ruling, imposing sanctions would pressure them even more. The government would, after some point be forced to listen to the international opinion and criticism and accept the Rohingya people as a part of the community and including them as a minority in the 1982 law.

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