



# General Assembly

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## Human Rights Council

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Human rights situations that require the Council's attention

### **Written statement\* submitted by Maat for Peace, Development and Human Rights Association, 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.

[21 August 2019]

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\* Issued as received, in the language(s) of submission only.

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## Human rights situation in Myanmar

### Preface

The Universal Declaration of Human Rights recognizes that all human beings are equal in rights and dignity without differentiation based on race, religion or national origin. The International Convention on the Elimination of All Forms of Racial Discrimination affirms that discrimination between people based on race, color or ethnic origin is an obstacle to peaceful relations between nations. It is also considered an incident that would disturb peace and security among nations and disturb the harmony between people living side by side even within a single state.<sup>1</sup> In its second article, the International Covenant on Civil and Political Rights also recognized the need for States to ensure respect for the rights recognized and guaranteed to all individuals under their jurisdiction and without discrimination on the basis of race, color, sex, language, religion, opinion or origin.<sup>2</sup>

Under these provisions, States Parties are obliged to respect and ensure the human rights of citizens and non-citizens residing in their territory. Although the Myanmar authorities have not taken any steps to join to the above-mentioned treaties, Maat for Peace, Development and Human Rights believes that the fact that the State is not a part of these and other human rights conventions cannot be an excuse for violations or any type of discrimination. Maat calls on the authorities in Myanmar to stop all reprisals and persecution against the Rohingya minority which are taken place since 2017.

Burmese security forces commit numerous violations against the Rohingya minority. These violations include denial of basic rights, murder, sexual violence, especially widespread rape, enforced disappearance, destruction and robbing which are crimes that amount to crimes against humanity. Thus, Maat demands that the human rights situation in Myanmar be referred to the International Criminal Court fearing from the impunity of the perpetrators, especially in light of the contrary claims of the Myanmar authorities.

### Violations against the Rohingya

Crimes committed by the authorities in Myanmar have become alarmingly increasing. These crimes include several types, starting from threatening the security and safety of citizens till genocide. Rohingya Muslims continued to be denied Burmese citizenship and consequently deprived of all political rights. Muhammad Saghron , a Rohingya citizen, states that Rohingya is one of the most oppressed Muslim minorities in the world. "We have been deprived of the right to freedom of movement and education. They have deprived us of Burmese citizenship since the declaration of Burmese citizenship law. We were not allowed to travel without official permission, and they asked us to abide by the fact that there were no more than two children, although the law was not strictly enforced. We were subjected to routine forced labor, where a Rohingya man is usually required one day a week to work on military or government projects and a night of guard duty. The Rohingya also lost lots of their agricultural land that the army seized to give it to Buddhist citizen."

Not only were they deprived of citizenship, they were also denied safe living .On April 3, 2019, a military helicopter fired on Rohingya workers chopping bamboo poles, killing at least six men and boys and least 13 others were injured. The helicopter came from behind the mountain next to the field within minutes and fired rockets, threatening the right of these citizens to live in safe conditions.<sup>3</sup>

<sup>1</sup> - للمزيد يرجى الرجوع إلى ديباجة الاتفاقية الدولية للقضاء على جميع اشكال التمييز العنصري، الرابط، <https://www.ohchr.org/AR/ProfessionalInterest/Pages/CERD.aspx>

<sup>2</sup> للمزيد يرجى الرجوع إلى ديباجة العهد الدولي لحقوق المدنية والسياسية، الرابط، <https://www.ohchr.org/AR/ProfessionalInterest/Pages/CCPR.aspx>

<sup>3</sup> حكايات وبطولات في معسكر الروهينجا، اخبار اليوم، نشر بتاريخ 24 أبريل 2019، متاح عبر الرابط الاتي: <https://bit.ly/2KzgHAP>

Children and women have not been exempted from these unfair practices. Most of the refugees in Bangladesh camps are women and children. There have also been cases of women being assaulted and deprived of their basic rights.<sup>4</sup> These attacks against women and girls have varied from trafficking and sexual exploitation to the kidnapping of women and girls and forcing them to marry soldiers. This violates the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.<sup>5</sup>

However, we lack extensive and accurate data on the situation of Rohingya Muslims within Myanmar. This is due to the deliberate blackout by the Myanmar authorities that intentionally cut off communication between Myanmar and the world, which is explained by the frequent interruption of internet in "Rakhine" and other cities residing in Myanmar by the Rohingya Muslims.<sup>6</sup>

Forced displacement also constitutes the most committed crime against the Rohingya Muslims, which occurs as a result of the forms of torture and discrimination faced by the Rohingya Muslims resulting in migration and displacement to neighboring countries. This processes haven't stopped since the beginning of the tragedy till now. 900,000 Rohingya minority fled to settle in crowded settlements in Cox's Bazar, Bangladesh.

From August 2017 to August 2019, 24,000 Rohingya Muslims were killed by Myanmar's armed forces, 34,000 were burned, nearly 18,000 girls and women were kidnaped, and the house of 118,000 families was burned.<sup>7</sup> Displacement to neighboring countries has not stopped. In July 2019, 37 displaced people were found on Malaysian shores, and Malaysian police confirmed they were Rohingya refugees.<sup>8</sup>

Finally, Maat for Peace, Development and Human Rights believes that the number of Rohingya who have been forced to leave their country of origin has reached nearly one million, which is more than two thirds of the minority, amounting to ethnic cleansing.

## Recommendations

- The need for the international community, especially the United Nations, to pressure the Government of Myanmar to stop violence against the Rohingya minority, to investigate violations and to bring the perpetrators to justice.
- Allow access for UN observers, Commission of Inquiry and human rights investigators to the country to assess the current situation, as well as allow access for independent observers and media representatives.
- Allow Rohingya refugees to return to their homes voluntarily, safely and with dignity, the Myanmar government must make every effort to rebuild the communities and villages destroyed during the conflict, and to end discriminatory and apartheid practices against the Rohingya.
- Extend the existing arms embargo to all military sales, assistance, cooperation, and prohibition of financial transactions with key Burmese companies owned by the military.
- The situation in Myanmar should be referred to the International Criminal Court to prevent impunity for international crimes.

<sup>4</sup> ناشطة إيغورية: إجبار المسلمات على الزواج من صينيين شيوعيين، القدس العربي، نشر بتاريخ 21 مايو 2019، ناشطة-إيغورية-إجبار-المسلمات-على-الزواج-من-<http://mubasher.aljazeera.net/news/> متاح عبر الرابط الآتي: صينيين-شيوعيين

<sup>5</sup> الأمم المتحدة مكتب المفوض السامي، البروتوكول الاختياري لاتفاقية حقوق الطفل بشأن بيع الأطفال واستغلال الأطفال في البغاء وفي المواد الإباحية، متاح عبر الرابط الآتي: <https://www.ohchr.org/AR/ProfessionalInterest/Pages/OPSCCRC.aspx>

<sup>6</sup> ، نشر بتاريخ EARUO NEWS شركة اتصالات تقول إن سلطات ميانمار أمرت بقطع الإنترنت عن ولاية راخي، متاح عبر الرابط الآتي: <https://bit.ly/2YSYqr5> 22 يونيو 2019،

<sup>7</sup> anadol turkey, Conference on Rohingya to be held in New York next week, published at 2march 2019, available via this link ; <https://bit.ly/33wH026>

<sup>8</sup> نازحو الروهينغا يصلون إلى ماليزيا، موقع روسيا بالعربي، 8 أبريل 2019. <https://bit.ly/2MjcTFT>