

**Committee: The United Nations Human Rights Council**  
**Agenda: Addressing the Human Rights Issues of the Rohingya People**

**1. Introduction**

*“The Tatmadaw soldiers don’t treat us like humans, they treat us like animals. They look at us as though we shouldn’t even exist.” (during the interview with a member of the independent international fact-finding mission on Myanmar)*



According to the report published by the independent international fact-finding mission on Myanmar, the Rohingya people in Kachin, Rakhine, and Shan states of Myanmar are subject of the infringements of fundamental human rights, committed by the Myanmar security forces. With decades-long government actions to persecute Rohingya population out of the nation and violence targeting them, the Rohingya people lived under unspeakably unright circumstances. After the massacre in August 2017, about 671,000 Rohingya people have fled from Myanmar to Bangladesh. However, due to the mass influx in a short time, the infrastructure to promote the basic needs of the people are unstable, hindering the rights to a standard of living adequate for the health and well-being, as stated in the Article 25 of the Universal Declaration of Human rights.

**2. Definition of the Key Terms**

- Refugees

- (*mandate*) A person who qualifies for the protection of the United Nations provided by the High Commissioner for Refugees (UNHCR), in accordance with UNHCR’s Statute and, notably, subsequent General Assembly’s resolutions clarifying the scope of UNHCR’s competency, regardless of whether or not he or she is in a country that is a

party to the 1951 Convention or the 1967 Protocol – or a relevant regional refugee instrument – or whether or not he or she has been recognized by his or her host country as a refugee under either of these instruments.

- (*prima facie*) Persons recognized as refugees, by a State or the United Nations High Commissioner for Refugees, on the basis of objective criteria related to the circumstances in their country of origin, which justify a presumption that they meet the criteria of the applicable refugee definition.
- (*1951 Convention*) A person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.
  
- Human Rights
  - Universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements and human dignity. The human rights stated in the Universal Declaration of Human rights are the fundamental human rights that are ensured by international organisations.
  
- Rohingya people
  - The Rohingya people are an ethnic group from Myanmar. Most of them live in Rakhine State on Myanmar's western coast. Since they are usually Muslim in the country where the majority is Buddhist, they are targeted for persecution and stigmatisation.
  
- Tatmadaw
  - The Tatmadaw is the official name of the armed forces of Myanmar, administered by the Ministry of Defence. The Myanmar government has been employing the Tatmadaw to promote violence to the Rohingya people in Myanmar.

### **3. Background Information**

Often referred to as 'the world's most persecuted minority', the Rohingya people have undergone centuries-long persecution and discrimination in Myanmar. The first Muslim homesteaders, the root of the Rohingya people today, settled in Arakan state, modern-day Myanmar, in the 1430s and remained as a very minority of the Buddhist-majority region for centuries. After, during the number of foreign domination of the region, the Muslim population progressed, with an influx of Muslim migrant workers.

However, their presence was deemed unpleasant to the Burmese people, and as Myanmar became independent from Britain in 1948, the persecution and exclusion of people became prevalent. In 1982, Myanmar passed a citizenship law denying the citizenship of Rohingya people, and in 1991, the country promoted Operation Clean and Beautiful Nation, aiming to displace the 'foreigners' of the nation. Whereas there exist at least 1.33 million Rohingya people in Myanmar, all except 40,000 of them are stateless and considered threats to national security', allowing them to be vulnerable to human right infringements.

The tension developed for the past decades burst in the form of violence. In 2012, 12 townships suffered two waves of violence, which resulted in 192 people dead, 265 injured and 8,614 houses destroyed. However, considering the statistics were published by the Myanmar government, there is a high possibility that the actual number is higher. Not only violence, but the anti-Rohingya movements and stigmatisation of those people have been advanced by various local organisations, namely Rakhine Nationalities Development Party(RNDP). The violence led to the deterioration of the relationships of the Rohingya people and the Burmese people, and growing mistrust of the people. The government, as a response, promoted safeguarding practices, by enhancing the security forces and regulations, which, de facto, abused the basic human rights of the Rohingya people. The township authorities in Rakhine State exacted curfew and outlawed public gatherings, violating the right to freedom of those people. These restrictions remain in the few towns of Myanmar until now. The limitation from the government does not only tackle their political freedom, but also other basic freedom of the people. The Myanmar government has imposed a two-child policy for Rohingya in the townships of the Northern Rakhine, and the marriage of the Rohingya people also require the state permission, under the law named 'Requirements for Bengali who apply for Permission to Marry'. The freedom of movement also is not guaranteed for the Rohingya people as they are deemed foreigners. Such imposed restrictions indeed resulted in increased tension between the Rohingyans and the Myanmar government.

On 25th August 2017, Arakan Rohingya Salvation Army(ARSA) launched coordinated attacks across the northern Rakhine State as a response to the increasing pressure on the Rohingya people. The response of the security force was 'grossly disproportionate'. To the minimally-trained villagers with sticks and knives, the security forces, in order to eliminate the terrorist threats underwent the 'clearance operations', arranged a massacre, resulting over 10,000 casualties. This also resulted in sexual violence, destruction of living spaces, and mass immigration of the Rohingya people. Large scale gang rapes were perpetrated by the Tatmadaw soldiers in at least 10 villages, and almost 40 per cent of all settlements in northern Rakhine was found to be destroyed. After 25th August 2017, over 671,000 Rohingya people have fled Myanmar to escape from the brutal persecution campaign conducted by the Myanmar government, joining 300,000 pre-existing Rohingya refugees in Bangladesh.

#### **4. Past Actions**

- Independent international fact-finding mission on Myanmar

In March 2017, with its resolution 34/22, the United Nations Human Rights Council organised a fact-finding mission to establish the facts and circumstances of the alleged recent human rights violations by military and security forces and abuses in Myanmar, in particular, in the Rakhine States. The mission published a report on September 2018 to the Human Rights Council under Agenda item 4, Human rights situations that require the Council's attention.

- Inter Sector Coordination Group(ISCG)

Inter Sector Coordination Group(ISCG), formed by IOM and UNHCR, coordinates the overall Rohingya Refugee crisis, by providing humanitarian assistance to both the Rohingya refugees and Bangladesh government. The group publishes reports regularly, and has completed the Joint Response Plan for 2018, and organised the 2019 Joint Response Plan for Rohingya Humanitarian Crisis. The ISCG consists of 12 working groups, each targeting the essential areas of the crisis: Protection, Food Security, Education, Site

Management and Site Development(SMSD), Health, Nutrition, Water, Sanitation and Hygiene(WASH), Shelter, Communication with Communities(CwC), Logistics, Emergency Telecommunications, and Coordination.

- 2018 Joint Response Plan for Rohingya Humanitarian Crisis

The 2018 Joint Response Plan for Rohingya Humanitarian Crisis focused on more primary and fundamental areas compared to that of 2019, as it regarded growing resilience and seeking resilience of the Rohingya people, as well as providing life-saving assistance and protection. The sectors that had their target covered are Health, Shelter, Coordination, Protection, and site management, but the improvements are needed in communication with communities(CwC), food security, WASH(Water, Sanitary, and Hygiene), education, and nutrition. The area that needs the most attention in 2019 is education, as only half of the targeted population were reached.

- 2019 Joint Response Plan for Rohingya Humanitarian Crisis

The 2019 Joint Response Plan for Rohingya Humanitarian Crisis has three objectives: 1. Provide life-saving basic assistance in settlements, camps and host communities; 2. Improve conditions in and management of both existing and new settlements, including infrastructure and site planning; 3. Seek protection, dignity and safety of Rohingya refugees. The plan has 12 sectors in focus and is aiming to strengthen capacity for the further influx of the refugees. The International Organisation for Migration(IOM) is managing an inter-sector coordination structure, by allocating nine sectors to the UN-affiliated organisations. The health sector is mainly organised by IOM and WHO, shelter by NFI, Site management by IOM, WASH by ACF, Education by UNICEF and SCI, Nutrition by UNICEF, and Food Security by WFP.

- UNICEF

The UNICEF is targeting children both in Myanmar and Bangladesh, through a programme called 'Humanitarian Action for Children', along with the 2019 Joint Response Plan for the Rohingya crisis. According to the programme plan, about 2 million children across the countries are in need of humanitarian assistance. The programme targets 6 sectors: nutrition, health, WASH, Child protection and gender-based violence, education, and Communication for development. In the previous years, the UNICEF established more than 1,300 learning centres, tackling about 70 per cent of targeted school-age children in Bangladesh, and organised Nutrition Action Week for the treatment of children with severe acute malnutrition(SAM). The education sector, with the 2018 action plan, developed a learning framework for primary through grade 8, but there still needs improvement for education for adolescents.

- The United Nations High Commissioner for Refugees(UNHCR)

As an organisation primarily established for the refugees, the UNHCR has organised the emergency response in September 2017, immediately after the mass influx of the Rohingya people from Myanmar. Whereas the primary plans targeted physical aspects of the crisis, such as sanitation, health, shelter, and food security, the plan that the UNHCR jointly promotes with various stakeholders(Joint Response Plan for Rohingya Humanitarian Crisis) concerns different aspects of the crisis, including child education, logistics, and communication with communities(CWC). The organisation also plans to develop the resilience of the refugee camps in Bangladesh, considering the fact that Bangladesh is the second natural disaster-prone region in Asia.

## 5. Major Countries

### - Bangladesh

In order to tackle approximately 800,000 Rohingya people in Bangladesh, the government of Bangladesh has accepted Bilateral assistance from the UN member states and promoted National Strategy on Undocumented Myanmar National Refugees so that the basic assistance could be provided to the mass number of refugees in the country. The government allocated 2,000 acres of land for the construction of the refugee camps and initiated biometric registration of the Rohingya refugees with the assistance of UNHCR. The National Task Force(NTF) of Bangladesh regularly monitors the implementation of the national strategy, along with the District Task Force(DTF) that assesses the real-life implementation of the strategy.

### - Myanmar

The government practices in Myanmar involves serious infringements of basic rights of Rohingya people in Rakhine state. The 1982 citizenship law let most of the Rohingya people stateless, leaving them vulnerable to violence targeting them. The existence of Rohingya people also is rejected by the government officials, as they refer the people as ‘Bengali’, ‘so-called Rohingya’, or the defamatory ‘kalar’. The Myanmar government has published discriminative law for the Rohingya, namely two-child policy, marriage restriction policy, and movement restriction policy. The policy states that the Rohingya people residing in Myanmar is only allowed to have two children, and the number of children is strictly monitored and regulated through the practice of taking the family picture regularly. The marriage of the Rohingya people requires the consent of the township official. The movement of Rohingya people across the country also is restricted and requires the permission of the government. These practices indeed are against the Universal Declaration of Human Rights.

The actions by the Tatmadaw operations are also against the human rights of the Rohingya people. In Rakhine state, the assembly of the Rohingya people is restricted, as less than 5 people can be in company. There is a curfew for the Rohingya people, and such practices are monitored by the Tatmadaw soldiers. The freedom of expression, association and peaceful assembly definitely are not guaranteed for the people in the region. Since 2011, sexual violence and rape also are recurrently featured in the Rakhine, Kachin, and Shan states, along with the killing of the people. There should be measures to protect the Rohingya population from such brutalities.

In order to tackle the mass influx of the Rohingya refugees in Bangladesh, Myanmar agreed to accept 1500 properly verified refugees per week in temporary shelters, guarded by the armed forces. However, not a single refugee volunteered to return, showing the brutalities the Rohingya people have suffered in Myanmar.

### - The United States

The United States was the biggest patron of the Joint Response Plan 2018, donating 36.8 per cent of the financial target. The country rebuked the “terrible savagery” in Myanmar for the Rohingya people and referred to the crisis as “great tragedy unfolding”. The United States also insisted that the situation may

“sow seeds of hatred and chaos that may well consume the region for generations to come and threaten the peace of us all.”

- United Kingdom

By 13 September 2017, the United Kingdom had asked the United Nations Security Council to discuss the Rohingya crisis twice: on 29 August and 13 September. The United Kingdom also was the second biggest patron of the Joint Response Plan 2018, as it donated 12.8 per cent of the targeted fund.

- India

In September 2017, the Modi government said that the Rohingya people arrived at India are illegal immigrants and need to be deported. Whereas Varuna Gandhi, head of Modi's political party, opposed to such a decision with the existence of SAARC Terrorism Protocol, which, with Article 17, forbids India from deporting any individual on religious grounds. However, Minister of State of Home denounced Gandhi's view as 'against national interest.' There are contradicting views on the Rohingya issue within India.

- China

The Chinese foreign ministry said "We condemn the violent attacks which happened in Rakhine state in Myanmar ... We support Myanmar's efforts in upholding peace and stability in the Rakhine state. We hope order and the normal life there will be recovered as soon as possible. We think the international community should support the efforts of Myanmar in safeguarding the stability of its national development", and showed that they support the Myanmar government's massacre.

## **6. Future Outlook/Solution**

For the sake of better treatment, the Rohingya people in Myanmar and the Rohingya refugees in Bangladesh should be distinguished, as the human right infringement they suffer roots from different causes.

For the Rohingya people in Myanmar, there should be an effort to combat the stigma targeting the Rohingya population and the consequences of such connotation, including the discriminatory law and targeted violence, along with the deteriorated relationship between the Rohingya people and the Myanmar government. There also needs a method to hinder the violence conducted by the Tatmadaw.

The Rohingya refugee crisis in Bangladesh also requires the same level of attention.

More than 30 per cent of the funding target of the Joint Response Plan remains unmet in 2018, and for 2019, 75 per cent (as 31 May). Since the funding will enable Rohingya people's access to a safer environment, methods to garner monetary support from the various donors should also be discussed. Education is also a sector that should be prioritised in discussing. Considering that over 60 per cent of the refugees in Bangladesh is aged under 18, there should be an immediate response of the government so that there is no generation left behind. Moreover, acknowledging the education sector was the most unsuccessful sector in 2018 Joint Response Plan for Rohingya refugees, there should be an effort to enhance the education provided for the Rohingya people. However, before that, the circumstances should

allow adolescents in refugee camps to be involved in educational activities, as non-attendance also is a huge factor blocking education. Methods to encourage education in a rather devastating situation are needed.

Spreading the Bangladesh government-UNHCR registration programme is also crucial so that effective planning could be done. As of 31 May, only 304,370 people registered through the programme, compared to 900,000 estimated number of people in Bangladesh. The registration aims to create a reliable database of refugees living in camps on Bangladesh's southern coast and collects family and birth details of the refugees. The collected data will be shared with the Myanmar government to support the repatriation process, although any return will be perfectly voluntary.

## 7. Conclusion

The Joint Response Plan and the various past actions indeed tackle the various aspects of the crisis. Still, few aspects need more improvement, especially in the area of implementation and meeting the target. For the sake of the Rohingya people suffering from devastating circumstances, the global society should focus on improving the conditions of the Rohingya people both in Bangladesh and Myanmar.



## Bibliography

Blakemore, Erin. “Who Are the Rohingya People?” *The Rohingya People-Facts and Information*, National Geographic, 14 June 2019, available from:

<https://www.nationalgeographic.com/culture/people/reference/rohingya-people/>

General Assembly A/HRC/39/64, *Report of the independent international fact-finding mission on Myanmar*, 10-28 September 2018, available from: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/274/54/PDF/G1827454.pdf?OpenElement>

“Bangladesh.” Humanitarian Response, available from: [www.humanitarianresponse.info/en/operations/bangladesh](http://www.humanitarianresponse.info/en/operations/bangladesh)

The United Nations International Organisation for Migration, “*International Migration Law Glossary on Migration*”, available from: [https://publications.iom.int/system/files/pdf/iml\\_34\\_glossary.pdf](https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf)

“Myanmar.” UNICEF, available from: [www.unicef.org/appeals/myanmar.html](http://www.unicef.org/appeals/myanmar.html).

“Bangladesh.”, UNICEF, <https://www.unicef.org/appeals/bangladesh.html>

United Nations High Commissioner for Refugees, “*Operational Update Emergency Response In Bangladesh*”, September 2017, available from: [http://reporting.unhcr.org/sites/default/files/UNHCR%20Update%20on%20the%20Emergency%20Response%20in%20Bangladesh%20-%20September%202017.pdf#\\_ga=2.117074246.1141353782.1562657923-2069656197.1560697150](http://reporting.unhcr.org/sites/default/files/UNHCR%20Update%20on%20the%20Emergency%20Response%20in%20Bangladesh%20-%20September%202017.pdf#_ga=2.117074246.1141353782.1562657923-2069656197.1560697150)

Humanitarian Response, “Joint Response Plan for Rohingya Humanitarian Crisis Final Report”, available from:

[https://reliefweb.int/sites/reliefweb.int/files/resources/20190512\\_final\\_report\\_jrp\\_2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/20190512_final_report_jrp_2018.pdf)

Inter Sector Coordination Group, “Preliminary Response Plan”, 7 September 2017, available from: <https://reliefweb.int/sites/reliefweb.int/files/resources/ISCG-Preliminary-response-plan-Influx-into-Coxs-Bazar-7-September-2017.pdf>

United Nations General Assembly, “resolution 217 A Universal Declaration of Human Rights”, 10 December 1948, available from: <https://www.un.org/en/universal-declaration-human-rights/>

UN News, “Myanmar military leaders must face genocide charges – UN report”, available from: <https://news.un.org/en/story/2018/08/1017802>

Fortify Rights, “Policies of Persecution”, 25 February 2014, available from: [https://www.fortifyrights.org/downloads/Policies\\_of\\_Persecution\\_Feb\\_25\\_Fortify\\_Rights.pdf](https://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf)

Financial Tracking Service, “Bangladesh: Rohingya Refugee Crisis Joint Response Plan 2018”, available from: <https://fts.unocha.org/appeals/656/flows>



BBC, "Myanmar Rohingya: What you need to know about the crisis", 24 April 2018, available from: <https://www.bbc.com/news/world-asia-41566561>