

Statement of the Arakan-Burma Research Institute

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Dr. Habib Siddiqui

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The prolonged military rule in Burma has worsened human rights situation leading to the exodus of hundreds of thousands of minorities, especially the Rohingya Muslims, who have been declared 'stateless' with the 1982 Citizenship Act. Many of these refugees now live in various parts of the world, including Japan.

The First International Conference on Problems of Democratic Development in Burma and the Rohingya people was held on July 16 and 17, 2007 in Tokyo and Tatebayashi City, Japan, respectively. The conference was hosted jointly by the Arakan-Burma Research Institute (USA), Arakan Rohingya Organization-Japan (JARO) and National Democratic Party for Human Rights (in-exile) USA (HQ). Sixteen papers were presented by academics, scholars and human rights activists. The conference was attended by Japanese and Burmese NGOs, Rakhine and Karen members, representatives from Japan's Ministry of Justice and Foreign Affairs, and Rohingya exiles, including the senior members of BRAJ.

At the end of the conference following declarations were made:

1. The Muslim minority community that identifies itself as the 'Rohingya' is an indigenous people of the Rakhine (former Arakan) state of Myanmar (Burma).
2. The 1982 Citizenship Act of Burma, which has effectively declared the Rohingya as 'stateless', is inconsistent with the United Nations and international laws recognizing inherent dignity, equality and inalienable rights of ALL members of the human family. Through its discriminatory laws and practices against the Rohingya people, the Myanmar government is in violation of each and every Article of the Universal Declaration of Human Rights, making the Rohingya an 'endangered' people of the 21st century who need protection of their human rights.

(A) To the Myanmar Government:

(1) The State Peace and Development Council (SPDC), now ruling Myanmar (Burma), should immediately amend or repeal the 1982 Citizenship Act to remove the burdensome standard of proof for attaining citizenship. The government should grant the Rohingya and other minority entities full citizenship and accompanying rights. The SPDC should furthermore sign and ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and fulfill its international obligation to prevent statelessness of all affected people.

(2) The Myanmar authorities should address the other fundamental human rights problems which have caused the Rohingya and other minority communities to flee to Bangladesh and elsewhere. Specifically, it should abolish the practice of forced labor in compliance with the 1930 International Labor Organization (ILO) Convention on Forced Labor, which the Burmese government signed in 1955. Towards this end, as recommended by the ILO, the Myanmar government should amend or repeal the sections of the Village and Towns Acts that legally sanction the conscription of labor.

(3) The rights of the child should be especially protected, in accordance with the government's commitment to children's rights through its ratification of the Convention on the Rights of the Child in 1991. In particular, all children born of Rohingya parents (and other 'stateless' minorities) should be granted Burmese nationality, including those born in refugee camps in Bangladesh, Thailand and elsewhere. Children must not be forced to work under any circumstance, and the government should not discriminate against Muslim (and non-Buddhist) children in its provision of education benefits.

(4) The Myanmar government must ensure that all refugees are able to exercise their right to return and must guarantee their full reintegration with full respect for their human rights.

(5) The Myanmar government should release ALL its political prisoners, including Daw Aung San Suu Kyi and U Kyaw Min (aka) Shamsul Anwarul Hoque, dropping all charges against them and their family members.

(B) To the Rohingya brotherly Organizations:

(1) Unity with others is not even a beautiful dream when victims of persecution are divided amongst themselves, mostly on petty matters. For achieving Rohingyas' legitimate rights, all organizations working for the Rohingya community should foster brotherly relationships, mutual trust and respect for each other. Any activity that is detrimental to Rohingya interest and unity should be shunned at all costs. Members and leaders should iron out their differences and

find common grounds to unite and cooperate like organs of a body.

(C) To all the Democratic Forces of Burma

(1) Promotion of racism and xenophobia are crimes against humanity, and as such, should be shunned by all leaders and members of the Burmese Democratic Movement.

(2) The ideology of the Myanmar regime is "Myanmarism", which is arrogant, racist, militaristic, feudal, exclusionary and thus, self-defeating. It is a recipe for a "failed" state, setting off perpetual war within itself, and destabilizing the region.

(3) Rohingya rights cannot take a back seat while demands for equality, freedom, democracy and human rights are sought from the military junta. That is hypocrisy! The dissident leaders must treat Rohingyas as their equal partners and comrades, craving for equity and human rights.

(4) The ENC should include representation from the Rohingya community to address and accommodate their legitimate grievances, especially those relating to the 1982 Citizenship Act.

(5) The leaderships of the Rakhaing, Rohingya and all Democratic Movements must preach that racism and discrimination against any minority community (including the Rohingya) are unacceptable and are in violation of the Universal Declaration of Human Rights. If Burma is to survive as a Federal Union, enough trust-building provisions must be made so that every minority community — religious, ethnic, or otherwise — feels equal with other dominant races and groups. The true spirit of Republicanism, in clear distinction to "Myanmarism", must be embraced as the only alternative for survival of a future democratic Burma.

(D) To all the United Nations Member States:

(1) The SPDC regime must be pressed to repeal its 1982 Citizenship Act that is highly discriminatory and in violation of several international laws and charters of the UN and its member agencies.

(2) The SPDC regime must be pressed to stop its inhuman and degrading treatment of all minorities, esp. the Rohingyas of the Rakhine State of Burma.

(3) Fleeing refugees from Myanmar should not be pushed back against their wishes. And, instead, such should be given shelter with adequate provisions for food, education, job and healthcare. They should not be barred from seeking asylum in a third country.

(4) The UNHCR must improve living conditions within the refugee camps, and ensure that the returning refugees are not mistreated and abused by the Myanmar regime.

(5) The UN member states, esp. the ASEAN countries, must demand a return of democracy with provisions guaranteeing human rights of all minorities (including the Rohingya) in a federal state system that is inclusive and not discriminatory.

(E) To the United Nations Security Council:

(1) The UNSC must demand immediate and unconditional release of all political prisoners within Myanmar, allowing them to leave the country voluntarily, if they so choose.

(2) A clear deadline must be set for the Myanmar regime to honor its international obligations for honoring people's verdict in the 1990 election.

(3) The UNSC must ensure that the Myanmar regime stops its crime against its own people.

(4) Through its failure to repeal the 1982 Citizenship Act, the Myanmar regime is guilty of promoting racism, xenophobia, inequality, intolerance and discrimination against minority communities like the Rohingya. The Act has effectively reduced the Rohingya people to be deprived of their fundamental rights to citizenship, movement, education, job, marriage, property and healthcare. The Act must be recognized as challenging the very principle and spirit of the UN. Myanmar's membership to the United Nations must, therefore, be revoked for its monumental crimes against humanity.

(5) As per UN Charter — Article 55 (c) and 56, Myanmar being a member of the UN, its government is legally obliged to honor the Universal Declaration of Human Rights and promote human rights and fundamental freedom for all without distinction as to race, sex, language and religion. Instead, through its criminal actions against minorities like the Rohingyas, the Myanmar regime has proven itself to be guilty of crimes against humanity, and as such, deserve serious punitive actions from the UN from annulling its membership in the world body to sanctions that force the regime to change its uncivilized and brutal ways.

Dr. Habib Siddiqui, Director, Arakan-Burma Research Institute,
On behalf of the ARAKAN-BURMA RESEARCH INSTITUTE (NY, USA), Arakan Rohingya Organization-Japan (JARO) &
National Democratic Party for Human Rights (exile) USA (HQ)