

# **THE ARAKAN PROJECT**

## **STATEMENT**

### **UPR Pre-session on Myanmar**

#### **(37<sup>th</sup> Session of the UPR Working Group)**

The Arakan Project welcomes the opportunity to participate in this pre-session for the UPR of Myanmar.

During its last UPR review, Myanmar rejected all 27 recommendations specifically relating to the rights of the Rohingya. It also rejected broader recommendations which could have improved respect for and protection of Rohingyas' rights.

Since then, and as has been well documented, the situation of the Rohingya has deteriorated dramatically. In late 2016, and again from August 2017, Myanmar's security forces launched devastating campaigns of violence against the community. More than 800,000 fled mass killings, rape and sexual violence, and widespread arson, amid accusations of war crimes, crimes against humanity, and genocide. Domestic investigations have lacked independence, impartiality, and competence, and it is clear the authorities are incapable of ensuring accountability.

Meanwhile, the situation of an estimated 600,000 Rohingya still in Rakhine state remains serious. Most are deprived of citizenship, and are routinely denied their rights to freedom of movement; access to education, healthcare, and livelihood opportunities; freedom of religion or belief; and participation in public life.

Among them, some 130,000 Rohingya and Kaman remain segregated and confined in 'displacement' camps in central Rakhine State eight years after state-backed violence forced them from their homes. Conditions in these camps are appalling, as they have to rely on humanitarian assistance for their survival.

The government continues to push Rohingya to accept the National Verification Card (NVC), which denies their identity, forcing them to identify as "Bengali". To pressure the community to accept the card, authorities have increased restrictions on movement, and at times used violence or the threat of violence.

Since early 2019, Rakhine State has become the site of a major internal armed conflict between the Myanmar military and the Arakan Army, a Rakhine-led armed group. Caught between the warring parties, Rohingya civilians have been killed and injured in indiscriminate attacks and subjected to forced labour by the Myanmar military. In October two Rohingya children were killed after the military used them as human shields. With the fighting ongoing, abuses against all civilians in the state look set to continue.

The situation has become even more precarious following a major outbreak of COVID-19 from mid-August. Official containment measures – such as stay-at-home-orders and curfews – have disproportionately impacted Rohingya and, when combined with conflict related movement restrictions, are pushing Rohingya in some areas to the brink of starvation. The situation is further exacerbated by new restrictions on humanitarian access, as well as by the suspension of 3G and 4G internet access in conflict-affected areas.

It is against this backdrop that Myanmar will hold general elections in November. As was the case in the 2015 general elections, Rohingya will be excluded from the voting, as only those who hold citizenship documentation will be allowed to cast ballots. Rohingya leaders who applied as candidates have once again been barred from contesting seats, with officials citing their parents' lack of citizenship as justification.

It is clear that the situation of the Rohingya, and other communities in Rakhine State, is not improving. It is therefore essential that Members States make concrete and effective recommendations to the Government of Myanmar at the upcoming UPR. These should include:

- Immediately halting the national “verification” process and restoring Rohingya’s citizenship rights through a prompt and transparent process developed in consultation with the Rohingya community;
- Reviewing and amending the 1982 Citizenship Law to bring it in line with international human rights law and standards;
- Repealing all discriminatory orders and regulations that restrict the right of the Rohingya, in particular their right to freedom of movement;
- Ensuring unfettered humanitarian access to all communities in need, and;
- Fully implementing all recommendations of the Advisory Commission on Rakhine State.

Thank you.

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