

Committee: Security Council

Issue: The issue of ethnic cleansing in Myanmar

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Position: Deputy President

PERSONAL INTRODUCTION

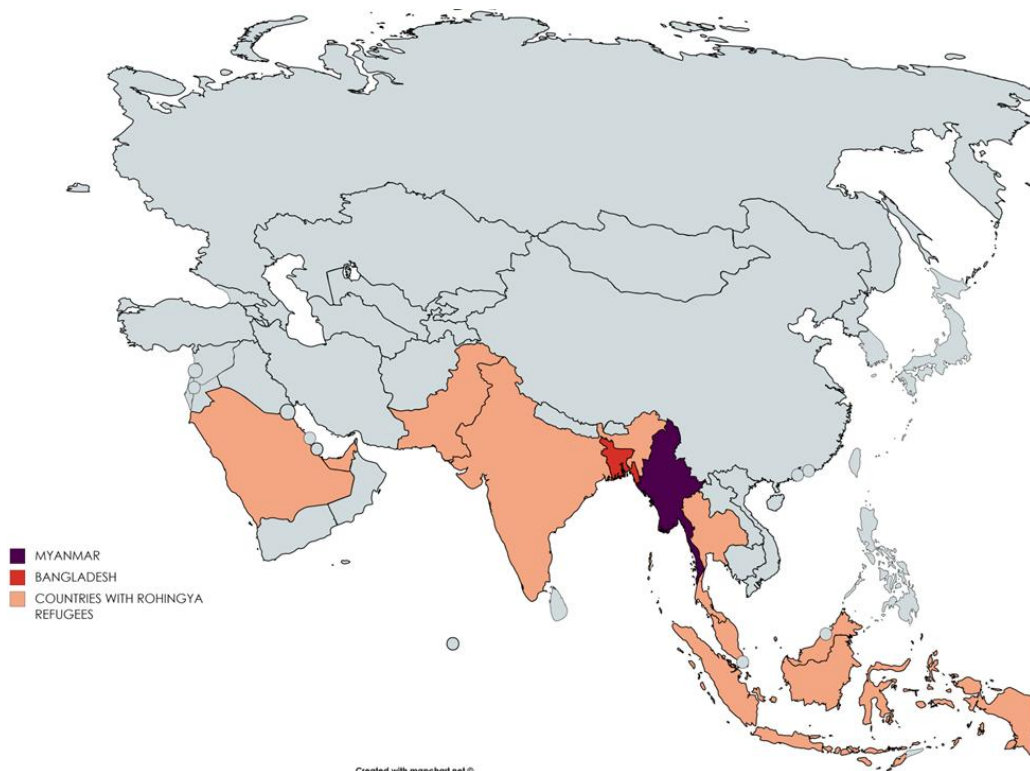
Dear delegates,

My name is Kassiani Beleri and it is with great honor that I will serve as one of the deputy presidents in the Security Council of the 2nd ACGMUN conference. I am seventeen years old and I attend the 11th grade of the Anavryta Model Lyceum, a state high school in Greece. The 2nd ACGMUN is going to be in total my twelfth conference and second time chairing in the Security Council. As I have been doing MUN for quite a while and have attended many different conferences in Greece, I am once again very pleased to be part of such an event.

In the following study guide I have tried to include the most pivotal information regarding the Rohingya refugee crisis as well as a brief history of Myanmar. I sincerely hope that it provides you with adequate information in order for you to get a thorough understanding of the topic, be able to conduct an efficient research and write your clauses. For any further inquiries you might have on the topic don't hesitate to contact me via email (kassianiblr@gmail.com). I am looking forward to meeting and working with all of you!

TOPIC INTRODUCTION

The issue of ethnic cleansing in Myanmar refers to the government of Myanmar forcibly trying to displace from its territory the Rohingya minority. Myanmar is situated in Southeastern Asia bordering Bangladesh, India, China, Laos, Thailand, the Bay of Bengal and the Andaman Sea. It is among the twenty-five most populated countries in the world¹ and has recognized 135 ethnic groups in its territory, not, however, including Rohingyas. 1.1 of the country's 55 million population consists of Rohingya people (2% of its population), a Muslim ethnicity in the Buddhist state of Myanmar that has been denied citizenship and to this day remains stateless.



#1 Map of Asia. In purple is the Burmese territory and in red the Bangladeshi. In pink are the countries who apart from Bangladesh have also hosted Rohingya refugees, namely Saudi Arabia, the United Arab Emirates, Pakistan, India, Thailand, Malaysia and In

The government of Burma² has always opposed the Rohingya, classifying them as illegal immigrants and taking actions against them such as depriving them from their rights and not offering them equal opportunities to other ethnic minorities, eventually contributing to their significantly poor living conditions and forcing them out. The conflict, however ignited in 1962 and recently, violence erupted between the two opposing sides when a Rohingya insurgent group, launched attacks against the Myanmar police. Ever since, the government has

¹ Rank 24 of the CIA World Factbook

² Another name for Myanmar. Its official name is Union of Burma.

responded fiercely, burning down villages and committing extrajudicial killings, causing a big refugee flow from Myanmar to Bangladesh. Currently the UN has accused Myanmar of ethnic cleansing and the number of Rohingya refugees keeps growing.

DEFINITION OF KEY TERMS

Rohingya people

A scattered Muslim ethnic group originally placed in the old Arakan region (situated in today's Rakhine state) of Southeast Asia. The Rohingyas have long been persecuted by the authorities of Myanmar, who have not accepted them in its territory and therefore are now a stateless and misplaced ethnicity.

Rakhine state

A state in the western coast of Myanmar where the vast majority of the Rohingyas live. Rakhine is one of the poorest states of Myanmar and the Rohingyas need governmental permission in order to leave it.

Cox's Bazar

A coastal region of southeast Bangladesh where the main Rohingya refugee camps are established.

Ethnic cleansing

Although not categorized as a crime in international law, ethnic cleansing has been defined as *"a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas"*³.

Ethnic cleansing classifies as one of the *four mass atrocity crimes*⁴, that the United Nations (UN) is committed to ending.

Extrajudicial killing

The execution of an individual or a group of people by governmental authorities without former jurisdiction to commit the killing.

³ RES S/1994/674

⁴ More information on the four mass atrocity crimes:
<http://www.un.org/en/genocideprevention/index.html>

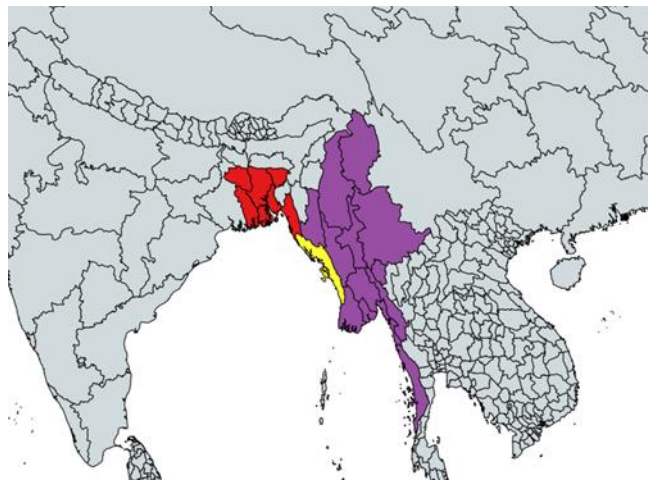
Memorandum of Understanding (MoU)

A bilateral or multilateral agreement between two or more states.

BACKGROUND INFORMATION

Early history of the intolerance

Way back in the 8th century AD, Muslim sailors settled in the independent Arakan region, what is called today the Rakhine state. Migration and settlement of the Muslim population in the region kept on for many centuries after that, until a well-established Muslim community, the Rohingyas, was created in the Arakan. In the 18th century the Burmese annexed the region, causing the first flow of Rohingya refugees in Cox Bazar.



Years later, during the 19th century, the United Kingdom colonized Burma and administrated it as an Indian province. In that time, the Rohingyas having fled to Cox

#2 In red: Bangladesh, in purple: Myanmar, in yellow: the Rakhine state of Myanmar where the majority of the Rohingyas live

Bazaar a century ago, migrated back to the Arakan region, which remained a part of Myanmar. Since Cox Bazaar and Myanmar back in that period of history were both parts of India, the immigration was considered internal by the British. However, the Burmese opposed this and still do to this day, advocating that the immigration was illegal. This is the basis of today's issue of ethnic cleansing in Rakhine.

The situation since the Burmese independence

In 1948 Myanmar attained its independence from the British. The same year a legal document, the *Union Citizenship Act*, was passed by the existing government. The law did not recognize the Rohingya as one of the 135 ethnicities of Myanmar and therefore, the majority of them were denied citizenship. They had the only right to apply for identity cards, although, in rare cases, eventually some were given citizenship. Nonetheless, Rohingyas were unable to participate in the national military and civilian service.

As a result of the above, in the early 1950s, Rohingyas resorted to guerilla warfare against the government. Rohingya armed rebellious groups, named *Mujahids*, with the support of Pakistan, fought against and pushed out of Rakhine's neighboring states any person that did not support their situation. The rebellion ended in 1954, after the intervention of the Burmese military.

After a military coup in 1962, the new government proceeded to taking a series of measures against the Rohingya. They dissolved the minority's political and social organizations and furthermore introduced Operation *Nagamin*, an attempt to register all Burmese citizens and screen out foreigners. This triggered the exodus of 200,000 Rohingyas to Bangladesh, something that the government called proof that they were indeed illegal immigrants. The refugees made claims that the military conducted severe atrocities such as rape and murder of people, which were however never proven. The United Nations (UN) in order to deal with the crisis, established fifteen refugee camps in Bangladesh.

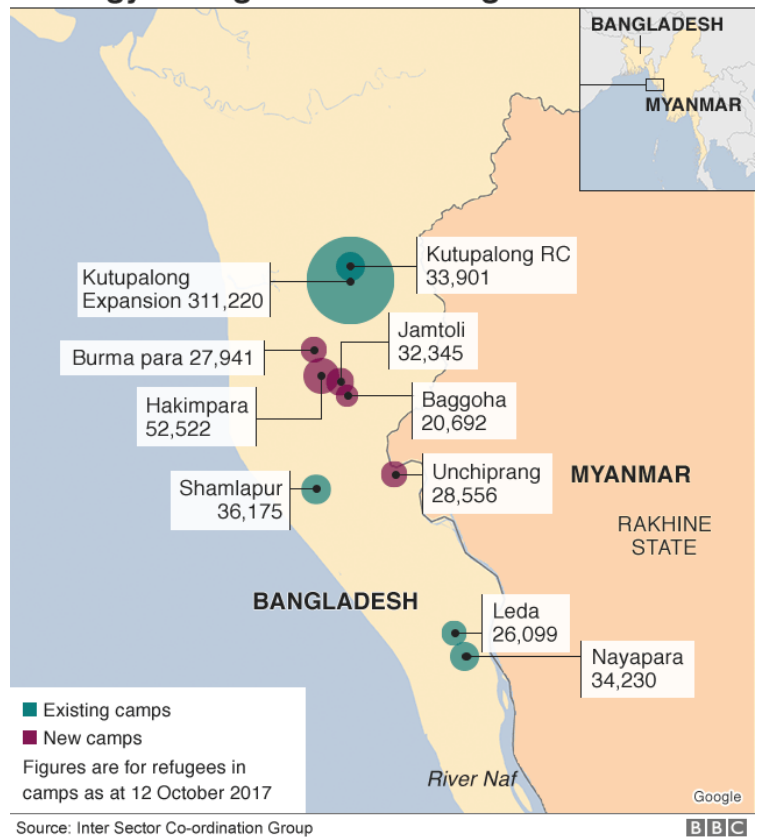
In 1982, the Burma Citizenship Law was created that made it almost impossible for any Rohingya to acquire citizenship. In order for someone to be a Burmese citizen, they should fulfill and provide evidence for such qualifications, that the vast majority of Rohingyas did not have. Moreover, the fact that they were not recognized as an ethnic group in the country and that for many their ancestors had migrated from Bengal back to Myanmar (both Indian regions back then) during the British administration made it even harder for them to attain the status needed for citizenship. The Burma Citizenship Law is still in force.

Ten years later, the atrocities on behalf of the military of Myanmar led to another refugee crisis. More than 250.000 Rohingyas fled to Bangladesh in order to avoid religious prosecution, rape and enforced labor. Bangladesh, however, strongly opposed the influx, asking for the repatriation of the refugees. This created numerous problems. Myanmar on its behalf, refused to take back all the refugees and give them citizenship and Bangladesh, on the other hand, trying to return as many refugees as possible, forced them back to Myanmar. The crisis was ongoing for over a decade and things didn't settle until the early 2000s.

Latest developments

The fourth and latest Rohingya refugee crisis erupted before the countries could fully recover from the previous one. In October 2016 a Rakhine insurgent group, the Arakan Rohingya Salvation Army (ARSA), using knives, attacked the Burmese police and killed nine officers. Following that event and alarmed by the allegations of extensive human rights violations in the region, the UN requested investigations to be carried out in the region that Myanmar did not allow. Finally, in August 2017 the ARSA launched a second attack that this time numbered casualties of twelve police officers.

Rohingya refugee sites in Bangladesh



#3 Rohingya refugee sites in Bangladesh

The reprisals on behalf of the government were tremendous. The military committed extrajudicial killings, torture of Rohingya people and rape of the women. They even burnt down whole villages. Within August approximately 350,000 Rohingyas fled to Bangladesh and the influx keeps growing. Shortly after the second ARSA attack, the UN accused Myanmar of committing ethnic cleansing. In January 2018 the UNCHR reported that over 647,000 people have sought refuge. The Rohingya crisis is the fastest growing refugee emergency in our time.

Human rights violations

As the Rohingyas remain stateless in Myanmar, they have been deprived of fundamental rights. For one, they are not allowed freedom of movement, meaning that they cannot travel any long distance, not even inside the Rakhine. They are also banned from secondary education and working positions in civil service. Moreover, the arbitrary use of their property by the Burmese citizens and their forced labor are a given for the Rohingyas.

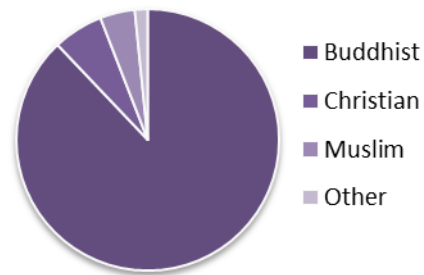
Violations do not stop there. The atrocities the military resorted to after the ARSA attacks against innocent civilians are severely penalized under the status of international law. Extrajudicial killings are an equal crime to homicide and torture of a human is considered an utterly atrocious act. The burning of Rohingyan villages

means destruction of property and sexual violence also signifies a completely disrespectful act towards the life of a person. Of course, ethnic cleansing on its own stands as a major insult against humanity and a great racial discrimination.

Reasoning behind the conflict

The fact that, for the Burmese, the Rohingyas remain illegal migrants is the main motive they have to wish for a state without them and consequently force them out. The reasons why they have decided to exclude them from citizenship in the first place could be divided to social and political. As far as the social reasoning stands, racial and religious discrimination make their appearance. This conflict evolved centuries ago, in a time of war and intolerance between people. Such beliefs have been ingrained to the other generations of Buddhist Burmese ever since. As far as the political aspect is concerned, it is possible that Myanmar wishes for the Rohingyas to abandon the state. In densely populated Myanmar the violation of human rights and low quality life are common for the majority of the people and therefore the reduction of the Rohingya population in the region may serve the purpose of the elimination of these problems.

Religious groups in Myanmar



#4 A graph that shows how religions are distributed among the Burmese population. Buddhist (87,9%), Christian (6,2%), Muslim (4,3%), Other (1,6%)

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Bangladesh

As a result of the four Rohingya refugee crises that have occurred, Bangladesh is currently host to approximately 1 million Rohingyas. Although the country has long cooperated with the UN and has taken measures in order to deal with the situation, the truth is that it is not willing to cooperate much longer. Bangladesh wishes for the influx to cease and the Rohingyas to return to Burmese territory.



#5 The flag of Bangladesh

Myanmar

Myanmar has long denied accusations of conducting ethnic cleansing and violations against the Rohingyas. It was not until recently that the state agreed to cooperate with the UN and allow investigations to be carried out in its region. Burma insists that Rohingyas are illegal immigrants and has not shown any willingness to change its policies.



6 The flag of Myanmar/Burma

Arakan Rohingya Salvation Army (ARSA)

The ARSA is a rebel group operating in Rhakine. Although the date of the group's foundation is unsure, some sources claim that they have been training people since 2013. Myanmar classifies them as a terrorist organization.

United States of America (USA)

In November 2017, the US Secretary of State, Rex Tillerson, stated that his country supports the accusations on Myanmar committing ethnic cleansing. The US is supportive of the Rohingya refugees and even seeks the sanctioning of the Burmese authorities that have committed atrocities.

Human Rights Watch (HRW)

The commission's main duty is to collect data and give advice on the maintenance of human rights. Over the years the HRW has supervised the situation in Myanmar, launching several investigations in the country and monitoring the human rights violations that occur within its territory.

United Nations Higher Commissioner for Refugees (UNHCR)

As the largest UN commission dealing with refugees, stateless and misplaced people, the UNCHR is very involved in the situation, providing assistance to Rohingya families in need. They have sent around 1500 tons of supplies in Kutupalong at Cox's Bazar and other refugee camps, assisting over 250.000 refugees. The UNHCR is committed to spreading awareness regarding the Rohingya crisis, gathering volunteers and donations.

TIMELINE OF EVENTS

Date	Description of event
8 th century AD	The first migration flows of Muslims in the Arakan region take place
19 th century - 1937	British administration: Myanmar is a province of India – 1 st refugee crisis
1937-1948	British administration: Myanmar is autonomous
1948	Myanmar declares independence – the Union Citizenship Act is passed
1950 - 1954	The first Rohingya rebellion against the government occurs
1962 - 1988	When a military coup happens in Myanmar and the existing government is overthrown, things take a horrible turn for the Rohingyas
1977	Operation Nagamin is introduced – 2 nd refugee crisis
1982	Rohingyas are denied citizenship
1991-1992	Over 250.000 Rohingyas flee Myanmar in search for peace -3 rd refugee crisis
October 2016	The first ARSA attack that numbers casualties of 9 police officers happens
March 2017	UN requests to carry out investigations on Myanmar
August 2017	The most fatal ARSA attack in the Rakhine state results to the death of 12 police officers – 4 th refugee crisis
September 2017	Rohingya refugees in Bangladesh top half a million – UN sees ethnic cleansing in Myanmar
November 2017	US accuses Myanmar of ethnic cleansing
January 2018	UNCHR reports that over 647.000 Rohingyas have fled Myanmar

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

General Assembly Resolutions

A/C.3/72/L.48 (31.10.2017) (GA3) (Clauses 1,2,5 & 6)

This is draft resolution brought by Egypt to the humanitarian committee. It includes a number of recommendations, such as investigations to be carried out, in order for the UN to tackle the issue.

A/RES/59/263 (17.3.2005) (Clause 3)

Although adopted in 2005, this resolution still mentions that the Burmese government must cease the raping, torturing and the conducting of extrajudicial killings, showing what the situation was like between the third and fourth Rohingya refugee surge.

A/RES/56/231 (28.2.2002) (Clause 13)

This resolution adopted in 2002 calls unequivocally for the ceasing of the misplacement of the Rohingya population.

A/RES/53/162 (25.2.1999) (Clauses 10, 16)

Similarly with A/RES/56/231, the resolution proposes solutions to the problem that add up to this day.

Human Rights Council (HRC) Resolutions

E/CN.4/RES/1992/58 (3.3.1992) (Clauses 5,9)

This is a resolution created during the third Rohingya refugee surge in Bangladesh in 1992. The HRC called upon the government of Myanmar to take the appropriate measures for the dealing with the exodus and for the fairest human rights distribution among its population.

Security Council Resolutions

S/2007/14 (12.1.2007)(vetoed by Russian Federation and China)

Although vetoed, this resolution is one of the few draft resolutions of the UNSC regarding Myanmar. As proposed, it mainly addressed the government of Myanmar to take immediate and strong action to deal with the Rohingya crisis and the human rights violations.

Meeting Records

Meeting records include the recording of the speeches the representatives make in the UNSC. Therefore they are recommended to the delegates as they represent the states' diplomatic approach. The listed records include the policies of Bolivia, China, Egypt, France, Italy, Japan, Kazakhstan, Russian Federation, Senegal, Sweden, Ukraine, UK, USA and Uruguay regarding the issue.

- S/PV.8133 (12.12.2017)
- S/PV.8060 (28.9.2017)

Presidential Statement on the issue in Myanmar - S/PRST/2017/22 (6.11.2017)

This statement represents the Council's stance on the issue as it derives from the many UNSC sessions on Myanmar. The President of the Council, among other references, states that the SC condemns the ARSA attacks and the ongoing violations of human rights in Rakhine, approves and calls for the assistance of the Burmese government and the international humanitarian organizations involved and asks for investigations to be carried out regarding incidents of sexual violence in the region.

Report of the Special Rapporteur on the situation in Myanmar - A/72/382 (8.9.2017) (paragraph VI. Recommendations)

This is the most recent report of the Special Rapporteur on Myanmar coordinated by the *Office of the United Nations High Commissioner for Human Rights* (OHCHR). The Rapporteur conducted its 6th visit in Myanmar in July 2017 and through investigations and studies in the region posed a general picture of the current situation of human rights in Myanmar to the UN. The report specifically addresses the Rakhine State, the rights of the women and the children. It brings forward the issues of durable peace and sustainable development for all parties involved in the conflict and provides detailed recommendations on how the situation can be improved.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Memorandum of Understanding (MoU) between Myanmar and Bangladesh

In November 2017 Myanmar and Bangladesh signed a MoU, that authorised the repatriation of the Rohingya refugees back to Myanmar during a two month period. However, many details, such as under which conditions the refugees shall be sent back remain unclear and many Rohingyas are afraid to return. The UN has emphasized that any agreement between the two states should take under consideration the fundamental rights of the refugees.

Another MoU serving a similar purpose was also decided upon during the influx of Rohingya refugees in the 1990s, when the repatriation of refugees was not efficiently conducted.

UN Recommendations

The UN has through resolutions and special agencies multiple times recommended that Myanmar alternates its citizenship law and recognizes Rohingyas as Burmese citizens. Myanmar never agreed to such proposals. In addition, the UN has stressed that measures are taken to combat violation of human rights in the

country; however, it has become obvious that any action that Myanmar may have taken to eliminate such violations is not adequate.

POSSIBLE SOLUTIONS

The delegates should focus on solutions on the following aspects of the situation:

Refugees

The fourth Rohingya refugee crisis is evolving rapidly. Therefore the protection and provision of humanitarian aid to the Rohingya refugees is of outmost importance. Anything that can be done to improve the conditions in the Bangladeshi refugee camps and provide medical help and psychological support for the refugees applies. The UNCHR should also be referred to. It is important, that any action taken ensures that the rights of the refugees are not being violated in any way.

Human rights

Violations on human rights occur very often inside of Rakhine. The delegates should propose measures that help Myanmar improve this situation. This could be achieved with the cooperation of the HRW.

The actions of the Burmese government

It is upon the Council's discretion if the government of Myanmar should be punished and what punishment that is going to be. For example, the ones who committed extrajudicial killings or raped Rohingya women could be brought to the International Criminal Court (ICC). Economic sanctioning in Myanmar could also be implemented.

The actions of the ARSA

The two attacks against the Burmese police should also be addressed. Punishment could also apply to the ARSA.

Cooperation

This is the question as to what extent the international community should intervene in the issue. Currently Myanmar and Bangladesh have come to terms via a MoU. However, it is not ensured that such an agreement protects the rights of the refugees. Therefore, the member states should maintain a policy on whether or not the UN, the UNSC and each member state should further intervene and by which means (e.x. a multilateral agreement, a resolution to be implemented)

Citizenship

Any proposal to better the legal status of the Rohingyas in Myanmar should be discussed. However, when it comes to debating upon citizenship, it is necessary to bear in mind that the Burmese government cannot be forced to grant citizenship to the Rohingyas. The suggestion of the reevaluation of the Burmese Citizenship Law could be brought to the table instead.

The very nature of ethnic cleansing

Ethnic cleansing is a terrible violation of international law and contrasts greatly with the UN Charter and its purpose. It is essential that the Council clarifies their stance on ethnic cleansing and its practices with reference to the situation in Myanmar, the UN principals and the standards of the states' membership.

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