

Myanmar's Response on the Report of the United Nations High Commissioner for Human Rights entitled "the Root Causes of Human Rights Violations and Abuses against Rohingya Muslims and Other Minorities in Myanmar" submitted to the 52nd Session of Human Rights Council

(3 March 2023, Geneva)

Report of the United Nations High Commissioner for Human Rights

- The report contains a summary of the panel discussion incorporating recommendations from one-sided statements of panellists who do not have balanced views on Myanmar. While there are many elements Myanmar cannot agree with, the Permanent Mission wishes to point out some facts which are misleading and totally wrong.
- Instead of addressing bias factor in the panel, controversial term such as so-called "Rohingya" was used rather loosely in the report. Although Advisory Commission on Rakhine State is mentioned in the recommendations, "Muslims" or "the Muslim community in Rakhine" which was included in the final report of the Advisory Commission on Rakhine State was not used. There is no record of the term 'Rohingya' in colonial-era data and only 'Arakan Mohamedans, Chittagonians and Bengalis' are listed in the 1931 census.¹ The genuine intention of using this term is to claim wider ethnicity and territorial status. Such usage has never existed in legal and historical records of the country. Using controversial term such as so-called "Rohingya" has negative effect on social cohesion in Rakhine State provoking resentment among the different communities and therefore is unacceptable to Myanmar.
- The panel report attempts to address issues in Rakhine State but it failed to reveal the root cause namely terrorism provoked by Arakan Rohingya Salvation Army (ARSA) aka Aqa Mul Mujahidin attacks against Muslims,

¹ Anthony Ware and Costas Laoutides, 'Rakhine-Burman Narratives', in Myanmar's 'Rohingya' Conflict (New York: Oxford University Press, 2018).

Hindus, Buddhists, other minority groups and security forces in Rakhine State in 2016 and 2017 which caused exodus of several hundred thousand Muslims from Rakhine into Bangladesh. Without addressing this significant phenomenon, the panel became another breeding ground for delivering imbalanced opinions.

- Myanmar stands ready to receive verified residents of Rakhine State as per relevant bilateral agreements between Myanmar and Bangladesh. The tripartite MoU signed between Myanmar Government and the UNDP–UNHCR on 6 June 2018 to help create a conducive environment for the voluntary, safe, dignified and sustainable repatriation of displaced persons from Bangladesh as well as support recovery and resilience-based development for the benefit of all communities living in the northern Rakhine State, was renewed on 11 March 2022.
- The fifth meeting of Myanmar–Bangladesh Joint Working Group (JWG) on the repatriation of displaced persons from Rakhine State was held virtually on 14 June 2022 and the two sides agreed to regularly convene the Joint Working Group meetings and Ad Hoc Task Force for verification meetings. As of February 2023, the Myanmar immigration authorities have checked the data of 77,063 persons and their detailed information has already been sent back to Bangladesh for necessary action. It should be noted that repatriation cannot be done by Myanmar alone. Several attempts for the commencement of repatriation were aborted as prospective returnees faced intimidation and threats in the Bangladesh side. In addition, Bangladesh side did not properly distribute the verification forms nor managed to obtain the displaced persons' consent for voluntary return prior to the scheduled date.

- The Permanent Mission strongly objects the recommendations made by the panel which are tantamount to interference in internal affairs of Myanmar such as repealing 1982 Citizenship Law and releasing all those detained. Being a sovereign state, Myanmar has every right to exercise its jurisdiction. Detaining individuals were not politically motivated but purely for their criminal and terrorist acts that have endangered the lives of numerous innocent people.
- Furthermore, Myanmar stands ready to grant appropriate citizenship status to those who met criteria set out in the 1982 Myanmar Citizenship Law upon application. The Law applies to everyone without any discrimination within the country. Everyone who wishes to obtain citizenship must undergo national verification process and relevant citizenship status is granted as per the Law.
- It is evident that the intention of holding the panel discussion is to interfere in the domestic matters of Myanmar and one-sided recommendations with no factual accounts on the ground do not bring any constructive solution. The Permanent Mission regards this report as coordinated campaign designed to directly impose preferred agenda on a sovereign state in the name of human rights. As such, the Permanent Mission categorically rejects the report of the panel discussion entitled “the root causes of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar”.

**Permanent Mission of the Republic of the Union of Myanmar to the United Nations
Office and other International Organizations
GENEVA**

