



Republic of the Union of Myanmar

National Unity Government

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Policy Position on the Rohingya in Rakhine State

3 June 2021

In honour of human rights and human dignity and also to eradicate the conflicts and root causes in the Union, the National Unity Government aims to build a prosperous and federal democratic union where all ethnic groups belonging to the Union can live together peacefully. This objective is clearly stated in the Federal Democratic Charter.¹

Sovereignty belongs to the member states and the people of the member states as proclaimed in the guiding principles for the establishment of a federal democratic union.²

Everyone in the Union has full enjoyment of fundamental human rights. All ethnic groups who are native to the Union have full enjoyment of individual rights held by individual people and collective rights held by ethnic groups. All citizens who swear allegiance to the Union regardless of their ethnic origins are considered to have full enjoyment of citizens' rights.³ The National Unity Government will not tolerate any form of discrimination.

The National Unity Government regards the above-mentioned policies as a basis in addressing the matters related to the Rohingyas in Rakhine State. We are confident that extensive deliberations, which consider the positions of all stakeholders in Rakhine State, their historical backgrounds, and national and international laws, will enable all to find shared solutions in a way that respects the human rights of all persons.

¹ Chapter I, Goal and Objective, Federal Democracy Charter [original English translation]

² Chapter II, Article 1

³ Chapter III, Fundamental Rights and Rights of Ethnic Minorities

At present, the elimination of the military dictatorship has become the common goal of the entire people because of the violence committed by the illegitimate military council. It is also the period of national resistance against the military dictatorship. The solidarity of the entire people is now at its best. We are confident that we can rebuild a Union that meets the needs of all those in the country who have a stake in its future.

After consultations with the many different stakeholders in Rakhine States, including Rohingya groups and refugee representatives from the IDP camps, the NUG here makes clear how it will seek to apply these principles for the good of all in the Rakhine State.

The National Unity Government well understands the violence and gross human rights violations inflicted upon Rohingyas by the thuggish military and the massive displacement, with hundreds of thousands fleeing their homes during the conflicts in Rakhine State over the last decades. We are deeply saddened by this. The entire people of Burma is sympathetic to the plight of the Rohingya as all now experience atrocities and violence perpetrated by the military.

Endeavouring to bring the perpetrators to account is not only for the realization of justice but also acts as a deterrent against future atrocities. Therefore, we regard this as a priority task. Reparation and Justice will be ensured in the future Federal Democratic Union Constitution.

We will actively seek justice and accountability for all crimes committed by the military against the Rohingyas and all other people of Myanmar throughout our history. We intend if necessary to initiate processes to grant International Criminal Court jurisdiction over crimes committed within Myanmar against the Rohingyas and other communities.

We consider that the 88 recommendations set out in the final report of the Advisory Commission on Rakhine State chaired by Dr Kofi Annan must play a crucial role in addressing the affairs in Rakhine State.⁴ These recommendations are based on solutions for the root causes of violence. However, over the past four years, much has changed to make the situation worse in Rakhine State for all ethnic groups there. Using these recommendations as well as other relevant recommendations as inputs, we earnestly believe that we can work together with all the people in Rakhine State to chart a new course towards a democratic inclusive and prosperous future.

We would also like to highlight the importance of legal matters in seeing to the Rakhine question. We will consider the opinions and views of the entire people in the country, including those in Rakhine State, in drafting a new constitution that can resolve the many problems caused by the 2008

⁴ Final Report – the Advisory Commission on Rakhine State, August 2017

constitution. The views and insights of all can contribute to this process. All the people in the country, including all stakeholders in Rakhine State, are invited to participate in the process of drafting the new constitution. Such dialogue is essential to creating a shared future for the country.

The process of repealing, amending, and promulgating laws, including the 1982 Citizenship Law, by the new constitution when the drafting is completed will be beneficial in resolving the conflict in Rakhine State. This new Citizenship Act must base citizenship on birth in Myanmar or birth anywhere as a child of Myanmar Citizens.

We further commit to abolishing the process of issuing National Verification Cards, a process that the military has used against Rohingyas and other ethnic groups coercively and with human rights violations. The Rohingyas are entitled to citizenship by laws that will accord with fundamental human rights norms and democratic federal principles.

The voluntary, safe, and dignified repatriation of Rohingyas who fled to neighbouring countries from Rakhine State due to Tatmadaw violence is a crucial matter. We reaffirm the agreements signed with neighbouring countries for the repatriation process. We are ready to cooperate with all stakeholders of good will in a special programme to implement the process. We are committed to the repatriation of Rohingyas as soon as repatriation can be accomplished voluntarily, safely, and with dignity.

The National Unity Government is a government whose primary duty is to fight the illegal military dictatorship. While we focus on this task, we are also planning for the future. We believe it will be beneficial in building the future democratic federal union to listen to all stakeholders in a spirit of collaboration.

Therefore, we invite Rohingyas to join hands with us and with others to participate in this Spring Revolution against the military dictatorship in all possible ways.