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Deepening Genocide: Junta Repression of Rohingya After the Attempted Coup

- The illegal junta's forced repatriation efforts have put Rohingya, already subjected to genocide and considered one of the most persecuted minorities in the world, at risk of returning to further violence and abuse in Burma.
- Since the Feb 2021 attempted coup, the illegal junta has increased surveillance, arbitrary detention, and mobility restrictions of Rohingya. It has arbitrarily detained at least 3,841 Rohingya, including children, simply for "travelling without official permission".
- The junta's weaponization of aid and starvation has disproportionate impacts on the Rohingya, driving up malnutrition rates and causing the Rohingya to be the hardest hit by Cyclone Mocha (May 2023). Months later, the junta continues to block aid to cyclone survivors.
- Legal frameworks such as the 1948 Union Citizenship Act and 1982 Citizenship Law continue to deny Rohingya citizenship and reject their legitimate claims to indigeneity.
- Rohingya women and girls are worst affected by junta impunity and experience shocking levels of sexual and gender-based violence, including murder.
- Junta repatriation efforts and dire conditions in camps are forcing thousands of Rohingya to flee once again. In Nov 2023 alone, more than 1,000 Rohingya reached Indonesia from Cox's Bazar.
- Women and children are fleeing camps in growing numbers. More than 50% of recent arrivals by boat in Indonesia were women and children. Nearly 20% of new arrivals were unaccompanied children.
- Many neighboring countries, including several in ASEAN, prolong the impacts of the genocide by criminalizing, detaining, and deporting Rohingya.
- While several judicial initiatives have begun in the quest for justice for the Rohingya, and while the National Unity Government (NUG) have made commitments to recognize and support them, much more needs to be done to restore their citizenship and rights.
- The attempted coup and the ongoing violence and persecution of the Rohingya and all other peoples of Burma/Myanmar are now the single largest obstacle to a sustainable solution. The failure to halt impunity in Burma/Myanmar will condemn the Rohingya to an ongoing cycle of violence and displacement, with serious repercussions for the region.
- A rights-based and multi-stakeholder framework which ensures the safe and dignified return of Rohingya is needed before informed and voluntary repatriation can commence.
- Any solution must begin by ensuring recognition of Rohingya indigeneity in Arakan state as a collective group entitled to social, economic, political, cultural and linguistic rights.

CONTENTS

- 2 Forced Repatriation Under the Illegal Junta
- 2 Attempted Coup Intensifies Persecution of Rohingya People
- 3 Violence and Discrimination Underpinned by Legalized Inequality
- 4 Women and Girls Experience Worst of Violence
- 4 Cycles of Expulsion and Refoulement
- 5 Impacts of Genocide on Rohingya Stretches Beyond Borders
- 6 Claims for Justice in Burma and Abroad
- 6 Recommendations: Solutions for Rohingya Are Solutions for All

Forced Repatriation Under the Illegal Junta

Despite leading the rape, murder, and violent erasure of Rohingya in Arakan State over the past 50 years, the Burmese military that are now the junta have recently been focused on trying to **force Rohingya refugees in Bangladesh to return to Burma**. In May 2023, with support from China, the junta announced plans to repatriate at least 1,100 Rohingya in the near future and brought Bangladesh officials and several Rohingya refugees to inspect repatriation camps built in Maungdaw Township.¹ In early September, the Burmese junta doubled down on the claims, saying that they **expected to repatriate 7,000 Rohingya by the end of 2023** and repeatedly toured several country representatives around newly-constructed camps in Arakan State.² While the junta held more fruitless information sessions on repatriation with Rohingya refugees in late Oct 2023, camp residents have largely rejected their plans. Instead of forced return, **many have chosen to flee camps in Bangladesh by boat for Indonesia and Malaysia**.

The Rohingya's rejection of the junta-run repatriation shows what is obvious: The junta not only has **failed to provide reassurances that they will change from their genocidal past** but also has **further ratcheted up their discrimination against, and entrapment of, Rohingya** since the Feb 2021 attempted coup. As one Rohingya invited to visit repatriation camps by the junta said, the Rohingya **would not return to 'be confined in camps'**.³ Jamalida, a Rohingya mother, stated at a rally in June 2023, "The Burmese [junta] want us to return so they can kill us. We do not agree. We will not go. We tell the world... **We will go back with our rights and citizenship.**"⁴

The **worsening treatment of Rohingya under the junta since Feb 2021**, the **deeply discriminatory Burmese legal infrastructure** used to further oppress Rohingya, and the **long history of military-led efforts to force Rohingya out of Burma** show that giving in to the junta's repatriation plans is not the answer. Try as the junta might, the impacts of the Rohingya genocide cannot be wished into non-existence. Justice for the Rohingya is not forced return—instead, it requires addressing the root cause of conflict itself.

Attempted Coup Intensifies Persecution of Rohingya People

The Burmese military's crimes against Rohingya have increased since Feb 2021. The illegal junta has intensified surveillance, detention, and restrictions on Rohingya and drove to near collapse the humanitarian infrastructure providing tenuous support for Rohingya communities.

First, **the junta has expanded the use of the national verification card (NVC) system**. Described by some as 'Genocide Cards', NVCs are identity cards given out by the junta which falsely categorize Rohingya as 'Bengali' and seek to establish them as foreigners.⁵ Since Feb 2021, the junta has required all Rohingya to present their NVC as well as their Form 4 (internal travel permit) to access health care and education.⁶

The junta also expanded the '**Swe Tin Sit**' process in Jan 2022. This process requires Rohingya to allow junta figures to photograph them with their families so they can be registered on the junta's household list. It was first implemented in 2004. Family members not present for the process are put at risk of removal from their family household list and, as a result, face the possibility of detention or arrest. The regime also began collecting 'population lists' of Rohingya several times a year in certain townships after Feb 2021.⁷

During Feb 2021-Jul 2023, **the regime arbitrarily arrested and detained at least 3,841 Rohingya**, 39% of whom were women, for "traveling without official permission".⁸ At least 1,800 of those arrested over this period were individuals fleeing IDP camps.⁹ Children are not free from detention either: **in one incident in Jan 2022, at least 12 children were arrested** and sent to "youth training schools".¹⁰ In Dec 2022, the junta released 34 Rohingya girls, some as young as 4 years old, after holding them in detention for nearly two years.¹¹

Murder at the hands of brokers and junta soldiers has become extremely common for Rohingya following the attempted coup. In Dec 2022, bodies of 13 Rohingya with signs of beatings and other forms of torture, were

¹ CNN (7 May 2023) Rohingya refugees demand citizenship and security on first return to Myanmar

² Narinjara (6 Sep 2023) 7,000 Muslim refugees will be accepted by Myanmar by this year

³ CNN (7 May 2023) Rohingya refugees demand citizenship and security on first return to Myanmar

⁴ Shafiu Rahman, via Twitter (8 Jun 2023) <https://tinyurl.com/ycv7cbbj>

⁵ Al Jazeera (3 Sep 2019) 'Genocide card': Myanmar Rohingya verification scheme condemned

⁶ Women Peace Network (Mar 2023) "We are targeted for being Rohingya in Myanmar and everywhere" The situation of Rohingya since February 1, 2021

⁷ Women Peace Network (Mar 2023) "We are targeted for being Rohingya in Myanmar and everywhere" The situation of Rohingya since February 1, 2021

⁸ BHRN (10 Aug 2023) Summary of Monthly Situation Update for July 2023

⁹ The Guardian (11 Jan 2023) More than 100 Rohingya refugees jailed for trying to flee Myanmar camps

¹⁰ Al Jazeera (10 Jan 2023) Myanmar jails 112 Rohingya who tried to leave country

¹¹ Aung Kyaw Moe via Twitter (8 Dec 2022) <https://tinyurl.com/d6n754d9>

found on the side of a road in Helgu Township (Yangon Region).¹² In early 2023, a group of Rohingya were intercepted at sea and later **shot dead by junta troops** on land in Kyangin Township (Ayeyarwady Region).¹³ In Patheingyi Prison, in Mar 2023, prison guards repeatedly **assaulted Rohingya inmates**, killed one Rohingya man, and left four others to starve to death.¹⁴ On 7 Jun 2023, the elder brother of the NUG's now-Deputy Minister of Human Rights Aung Kyaw Moe, a Rohingya, was stabbed to death by pro-junta activists, in Yangon.¹⁵

Finally, the junta has intensified a **humanitarian crisis to prolong the** Rohingya genocide. As Cyclone Mocha approached Arakan State in May 2023, junta authorities failed to issue prompt evacuation orders to Rohingya communities. Instead, they continued to enforce strict limits on their mobility.¹⁶ As a result, **Cyclone Mocha hit Rohingya communities the hardest, killing at least 400 Rohingya within 24 hours**, and causing some **Rohingya villages to 'completely disappear'** due to flooding.¹⁷ Afterwards, **junta officials blocked aid to camps, refused entry to foreign aid workers, set up yet more security checkpoints along roads, and demanded international organizations channel aid through junta authorities.**¹⁸ Nearly two months after the cyclone hit Arakan State, the junta had yet to authorize building repairs in IDP camps and Rohingya villages.²⁰ One camp committee member estimated that nearly 50% of children under eight in one camp were seriously malnourished.²¹

Violence and Discrimination Underpinned by Legalized Inequality

Throughout history, repeated attacks on Rohingya were **intertwined with the state's denial of basic rights for Rohingya.** Despite extensive historical evidence of their long-standing presence in Burma, successive regimes combined **discriminatory laws**, including the 1948 Union Citizenship Act and 1982 Citizenship Law, with the systematic erasure and exclusion of Rohingya as a collective ethnic group from social, economic, and political institutions.²² The Burmese state used these to not only deny Rohingya citizenship but also reject legitimate claims to Rohingya indigeneity.²³ Both citizenship laws framed citizenship as belonging only to 'indigenous races' or 'national races', categories which the Rohingya were excluded from.²⁴ As a result, Rohingya – and members of other ethnic minorities – were left stateless, without legal protection, with limited access to livelihood, and stripped of their rightful recognition as one of the indigenous peoples of Arakan.²⁵

On top of this, Rohingya **freedom of movement** has been consistently heavily restricted and regulated. Today, Rohingya are required to obtain a license to simply leave their own village, with many unable to afford the processing fees and bribes needed for one.²⁶ Those without this license are forced to carry yet another form, called 'Form 4', to travel. Failing to provide these documents can lead to arrest, detention and even murder. Following violent massacres in 2012, **thousands of Rohingya were forced into tented camps in Arakan State surrounded by barbed wire and military checkpoints.** Simply leaving the camps required permission from security officials.²⁷ **In 2017, even more Rohingya survivors of genocide were confined to squalid IDP camps** with no foreseeable future and limited access to livelihoods or basic services. Security patrols and checkpoints serve to further police the everyday lives of Rohingya in Arakan State.²⁸

¹² RFA (5 Dec 2022) 13 Rohingya found dead in Myanmar's Yangon region

¹³ BNI (19 Jul 2023) Over 300 Arrested Rohingya Sentenced to Prison Terms others were shot dead by the Junta

¹⁴ NMG (24 Mar 2023) Rohingya Inmates Die In Patheingyi Prison

¹⁵ RFA (9 Jun 2023) Unknown group kills brother of National Unity Government human rights adviser

¹⁶ Narinjara (13 May 2023) Evacuation of residents, including IDPs, continues from various Rakhine townships; RFA (17 May 2023) Death toll seen rising in Myanmar's Rakhine state in aftermath of Cyclone Mocha

¹⁷ Burmese Rohingya Organization UK (17 May 2023) At Least 400 Rohingya Feared Dead in IDP Camps – Humanitarian Aid Urgently Needed; RFA (16 May 2023) Nearly 400 feared dead after Cyclone Mocha hit Myanmar's Rakhine state

¹⁸ DMG (29 May 2023) Arakan CSOs call for unrestricted access to storm-hit areas; RFA (30 May 2023) Humanitarian groups say storm aid still not reaching parts of Myanmar's Rakhine state

¹⁹ RFA (8 Jun 2023) Myanmar junta shuts down NGO access to cyclone-hit Rakhine state

²⁰ Mizzima (17 Jul 2023) Myanmar junta fails to approve Rohingya IDP camp post-cyclone renovations

²¹ DMG (25 Jul 2023) Malnutrition stalks children in post-cyclone Arakan State

²² Yasmin Ullah via UNHRC (21 Jun 2023) MORNING - Myanmar Authorities Must Ensure Full Legal Recognition of the Right to Citizenship of All Rohingya People, Deputy High Commissioner tells Human Rights Council

²³ Ronan Lee (2021) Myanmar's Rohingya Genocide; Identity, History and Hate Speech

²⁴ Constitution of the Union of Burma 1947; Burmese Rohingya Organization UK (Dec 2014) Myanmar's 1982 Citizenship Law and Rohingya

²⁵ Burmese Rohingya Organization UK (Dec 2014) Myanmar's 1982 Citizenship Law and Rohingya

²⁶ Irish Center for Human Rights (2010) Crimes against Humanity in Western Burma: The Situation of the Rohingyas

²⁷ International Human Rights Clinic (Oct 2015) Persecution of the Rohingya Muslims: Is Genocide occurring in Myanmar's Rakhine State?

²⁸ Women Peace Network (Mar 2023) "We are targeted for being Rohingya in Myanmar and everywhere" The situation of Rohingya since February 1, 2021

As a result of these limits to mobility and citizenship rights, Rohingya have repeatedly been denied access to healthcare. At state-run hospitals, medical staff often provide preferential treatment to non-Rohingya patients and force Rohingya to pay extra “guard” fees, phone fees, and translator fees. Discriminatory practices frequently lead to preventable deaths of Rohingya patients.²⁹ **Hospitals also segregate Rohingya people** from other patients, sometimes even putting Rohingya in ‘detention wards’.

After the 2012 massacres that targeted Rohingya and Muslims, local authorities imposed strict limits on education access for Rohingya. At this time, many government-run schools in Northern Arakan state closed and teacher absences increased significantly. In some cases, teachers would **segregate Rohingya students** from others and **refuse to teach the Rohingya students**.³⁰

Women and Girls Experience Worst of Violence

Women and girls usually experience the brunt of persecution of Rohingya. The widespread use of **rape as a weapon of war by the junta** and other armed actors has put women and girls at greater risk of already **high levels of sexual violence**.³¹ **52% of Rohingya women interviewed in a 2017 OHCHR report** on Rohingya fleeing Myanmar stated that they had been raped or had experienced sexual violence.³² In hospitals, anti-Rohingya discrimination increases rates of harassment and sexual assault during treatment of Rohingya women.³³ Restrictions on mobility also further entrap women, increasing risks of gender-based violence and sexual assault. In one IDP camp, a camp administrator was found in Feb 2023 to have raped and sexually assaulted at least 40 women, including underage girls and women with mental illness during 2012-2022.³⁴

Gendered discrimination and the risk of sexual violence in camps have meant that high rates of those fleeing by water are women: 45% of people fleeing by boat in 2022 were women and children.³⁵ In 2023, the majority of arrivals were women and children. Additionally, growing desperation has forced parents to take extreme measures to save their children from dire camp conditions. **A total of 196 of the more than 1,000 Nov 2023 arrivals in Indonesia were separated or unaccompanied children**.³⁶

Cycles of Expulsion and Refoulement

The 2017 Rohingya genocide not a one-off event. The drivers of the persecution of the Rohingya run deep, manifest in long-running cycles of violence and displacement.

In 1977, Burmese security forces conducted Operation Dragon King during which they abused, raped, and murdered thousands of Rohingya people in Arakan State and forced over 200,000 to flee to Bangladesh.³⁷ Bangladesh authorities started repatriation initiatives shortly after Rohingya refugees had arrived. Despite Rohingya refugees refusing to return to Burma, Bangladesh forced them to return by cutting food aid and starving 10,000 refugees to death. The remaining refugees had little choice but to return to Burma.³⁸

Between **1991 and 1992**, the Burmese regime conducted **Operation Clean and Beautiful Nation** in Northern Arakan State. Its impacts on Rohingya citizens were similar to Operation Dragon King. The Burmese military killed and raped thousands and forced over 250,000 to flee to Bangladesh. Bangladesh authorities began repatriation efforts in 1992 and again did little to hide that repatriation was to take place without the consent of the displaced. By 1994, about **230,000 Rohingya were forcibly returned to Burma**.³⁹

In 2012, the Burmese military personnel collaborated with local political and religious figures to incite riots and massacre hundreds of Rohingya villagers in Arakan State. Shortly following attacks, the military forced tens of thousands of Rohingya into IDP camps, where they remain today. The attacks were part of a larger effort on behalf of local authorities to permanently displace Rohingya.⁴⁰ **Yet more attacks followed in 2016**. The military used Arakan Rohingya Salvation Army (ARSA) attacks on border guard police posts as pretext for ‘clearance

²⁹ UNHRC (10-28 Sep 2018) Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar

³⁰ UNHRC (10-28 Sep 2018) Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar

³¹ Anadolu Ajansi (23 Aug 2019) UN says Myanmar uses sexual violence as weapon of war

³² OHCHR (3 Feb 2017) Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

³³ Women Peace Network (Mar 2023) "We are targeted for being Rohingya in Myanmar and everywhere" The situation of Rohingya since February 1, 2021

³⁴ Myanmar Now (22 Feb 2022) Rohingya women file charges against alleged serial rapist in Rakhine State IDP camp

³⁵ United Nations (17 Jan 2023) Steep increase in deadly boat journeys reflects Rohingyas' desperation: UNHCR

³⁶ Stats compiled by KONTRAS Aceh

³⁷ HRW (26 Apr 2023) II. HISTORICAL BACKGROUND

³⁸ HRW (26 May 2009) Perilous Plight: Burma's Rohingya Take to the Seas

³⁹ HRW (May 2000) Burmese Refugees in Bangladesh: Still No Durable Solution

⁴⁰ HRW (31 Jul 2012) "The Government Could Have Stopped This": Sectarian Violence and Ensuing Abuses in Burma's Arakan State

operations’ which involved military rape and mass killings.⁴¹ The UN estimated that **over 1,000 Rohingya were killed and almost 69,000 Rohingya fled** to Bangladesh as a result.⁴²

In 2017, the military conducted more ‘clearance operations’. This time, they targeted the entire Rohingya population in Arakan State. **Conservative estimates state that up to 10,000 Rohingya were killed.** Untold others were **subjected to rape and other forms of sexual violence.** During attacks, soldiers **burnt to the ground 40% of all Rohingya houses in northern Arakan.**⁴³ The military’s genocidal attacks **forced 700,000-900,000 Rohingya to flee,** 50% of whom were children.⁴⁴ As of Nov 2023, more than **1.2 million Rohingya refugees have fled to camps in Cox’s Bazar, Bangladesh.**⁴⁵

Impacts of Genocide on Rohingya Stretches Beyond Borders

More than one million Rohingya have fled genocide in Myanmar to seek refuge in neighboring countries such as Bangladesh, India, Malaysia, Indonesia, and Thailand. Unfortunately, these countries have **criminalized, detained, and even (in the case of India, Malaysia, and Thailand) deported Rohingya.**⁴⁶

Bangladesh	1,200,000
India	40,000
Indonesia	2000+ ⁴⁷
Malaysia	102,000
Thailand	3,000-4,000 ⁴⁸

In Bangladesh, where the majority of Rohingya refugees are, **camps are rife with violence and provide few opportunities for livelihood or education.** Bangladeshi officials worsen this situation through frequent physical abuse and extortion of Rohingya.⁴⁹ In 2022, 40 people were killed in Cox’s Bazar. By mid-Oct 2023, Bangladeshi officials reported that at least 66 refugees had already been murdered in camps.⁵⁰ **Access to accredited educational programs is also limited in camps** and Rohingya-run refugee schools are banned.⁵¹ Rohingya continue to have extremely limited mobility, and are **unable to access the formal job market.**⁵² Even outside refugee camps, Rohingya experience widespread hate speech and arbitrary arrest and detention in Bangladesh.⁵³ On top of this, food insecurity and malnutrition has become rife in the camps, particularly following the World Food Program’s (WFP) Jun 2023 cut to food vouchers for Rohingya from USD 12 to USD 8 per month per person.⁵⁴

Conditions are hardly better in the two other countries with significant Rohingya refugee populations, **India and Malaysia.** In India, the ruling Hindu-nationalist Bharatiya Janata Party (BJP) has cracked down on and run a **“campaign of hate speech and harassment”** against the approximately 40,000 Rohingya refugees there.⁵⁵ In Malaysia, where there are around 102,000 officially registered Rohingya refugees, authorities have detained Rohingya en masse for **“illegally entering the country”** and **subjected thousands to indefinite detention.**⁵⁶ In Oct 2022, the Malaysian government **deported over 2,000 Myanmar refugees** in coordination with the junta officials.⁵⁷

The Feb 2021 attempted coup and the junta’s ongoing repatriation efforts have added to these pressures and have forced thousands of Rohingya to leave camps once again, oftentimes **continue to risk their lives at sea to escape**

⁴¹ Human Rights Council (12 Sep 2018) Report of the independent international fact-finding mission on Myanmar*

⁴² Reuters (16 Feb 2017) Myanmar says military operation in troubled Rakhine has ended

⁴³ Human Rights Council (12 Sep 2018) Report of the independent international fact-finding mission on Myanmar*

⁴⁴ UNHCR (Nov 2023) Rohingya emergency

⁴⁵ UNHCR (Nov 2023) The Rohingya Crisis

⁴⁶ Human Rights Council (9 Mar 2023) Situation of human rights in Myanmar; Report of the Special Rapporteur on the situation of human rights in Myanmar, Thomas H. Andrews*; Bangkok Post (11 Jan 2013) Thailand to deport 400 Rohingya migrants after raid

⁴⁷ UNHCR (16 Feb 2023) Recent Developments Concerning Rohingya Refugees in Aceh, Indonesia

⁴⁸ Nathaphob Sungkate (24 Oct 2023) Between Legal Limbo and Hope: The Rohingya’s Silent Struggle in Thailand

⁴⁹ Youth Congress Rohingya (22 Sep 2023) This Persecution Is The Worst There Is

⁵⁰ The Business Standard (09 Oct 2023) Joint operation strengthened at Rohingya camps to curb crimes

⁵¹ HRW (21 Mar 2022) Bangladesh: Officials Threaten Rohingya for Setting Up Schools; PRIO Policy Brief (Feb 2020) Education for Rohingya Refugee Children in Malaysia

⁵² Human Rights Watch (4 Apr 2022) Bangladesh: New Restrictions on Rohingya Camps Authorities Demolish Shops, Close Schools, Curb Movement; Women Peace Network (Mar 2023) "We are targeted for being Rohingya in Myanmar and everywhere" The situation of Rohingya since February 1, 2021

⁵³ Human Rights Watch (7 Jun 2022) Thailand: Allow Newly Arrived Rohingya Access to Asylum; End Indefinite Detention, Stop Boat Pushbacks

⁵⁴ UNHCR (18 Jul 2023) Rohingya refugees face hunger and loss of hope after latest ration cuts

⁵⁵ The Azadi Project (18 May 2023) Report: Shadow of Refuge: Rohingya Refugees in India

⁵⁶ Frontier Myanmar (7 Sep 2022) 'We are just surviving on our own': the plight of Rohingya in Malaysia

⁵⁷ Human Rights Watch (24 Oct 2022) Malaysia: Surge in Summary Deportations to Myanmar

junta persecution and unlivable camp conditions. UNHCR reported that over 3,500 Rohingya attempted sea crossings in 2022, up from 700 people in 2021. At least 348 people died or went missing at sea in 2022, **making 2022 one of the deadliest years for crossings.**⁵⁸

Crossings have continued to pick up pace in 2023. During 14-19 Nov, five boats carrying 876 Rohingya landed and disembarked in three different regencies in Aceh Province, Indonesia.⁵⁹ On 21 Nov, a sixth ship arrived with more than 200 Rohingya, **pushing the arrivals in Nov 2023 alone to over 1,000.**⁶⁰ Concerningly, one boat was twice turned back by local authorities, with support from Indonesian villagers, before the Rohingya refugees were allowed to disembark. The Indonesian foreign ministry stated in response to the new arrivals that the Indonesian state “has no obligation nor capacity to accommodate refugees, let alone to provide [a] permanent solution.”⁶¹

Claims for Justice in Burma and Abroad

As for the entirety of the peoples of Burma/Myanmar, solutions to the Rohingya crisis cannot simply paper over the unending cycles of military-driven violence, displacement, and discrimination. Rather, solutions must cut to the root of the problem. In this vein, efforts to enshrine this accountability for **human rights violations against all ethnic minorities** in Burma have continued to slowly build, developing in court systems around the world and under the National Unity Government (NUG).

Table 2: Different Legal Cases Against the Junta

Nov 2019	The International Criminal Court (ICC) opens a full-scale investigation into the Burma military for mass persecuting and crimes against humanity that forced hundreds of thousands of Rohingya to flee to Bangladesh. ⁶²
Nov 2019	The Gambia files a case in the International Court of Justice (ICJ) against Myanmar for committing genocide against the Rohingya in 2017. ⁶³
Nov 2021	The Argentina justice system agrees to hear a case alleging war crimes against the Rohingya by the Burmese military under the principle of universal jurisdiction. ⁶⁴
Mar 2023	Another case is filed with the Public Prosecutor’s Office in Istanbul, Turkey over allegations of widespread torture since the attempted coup. ⁶⁵

The NUG has indicated that they would support a series of legal reforms that could help secure a more inclusive citizenship for Rohingya. In Jun 2021, the NUG published a Policy Position which discussed the process of repealing laws that discriminate against Rohingya, including the **1982 Citizenship Law**. They also discussed abolishing the **National Verification Card** system. The NUG proposed a policy that grounded citizenship in **‘birth in Myanmar or birth everywhere as a child of Myanmar Citizens’** to replace the repressive law. However, it is unclear if this commitment covers the at least two generations of Rohingya who have been born without citizenship in exile or in refugee camps. They have also noted their intent to cooperate with all stakeholders for the voluntary and safe repatriation of Rohingya refugees.

The NUG has also stated that they will cooperate with the International Court of Justice (ICJ) and accept the jurisdiction of the International Criminal Court (ICC). Finally, in Jun 2022, the NUG declared that the **CRPH will seek to repeal the Race and Religion Laws of 2015 because they explicitly discriminate against religious minorities.**

Recommendations: Solutions for Rohingya Are Solutions for All

INGOs and donors must support the building of social cohesion and socioeconomic inclusion of Rohingya by:

1. Increasing investment in capacity building, access to education, and access to livelihood in all host countries.

⁵⁸ UNHCR (17 Jan 2023) UNHCR seeks comprehensive regional response to address rise in deadly South-East Asia sea journeys

⁵⁹ AP (21 Nov 2023) Nearly 1,000 Rohingya refugees arrive by boat in Indonesia’s Aceh region in one week

⁶⁰ Reuters (22 Nov 2023) Hundreds of Rohingya come ashore in Indonesia, joining about 1,000 this week

⁶¹ Reuters (20 Nov 2023) Hundreds more Rohingya refugees arrive in Indonesia’s Aceh

⁶² Al Jazeera (15 Nov 2019) ICC approves probe into Myanmar’s alleged crimes against Rohingya

⁶³ Al Jazeera (11 Nov 2019) Gambia files Rohingya genocide case against Myanmar at UN court

⁶⁴ The Guardian (29 Nov 2021) Argentina court to investigate Myanmar war crimes against Rohingya Muslims; Justice Info (10 Dec 2021) Argentina Comes to the Aid of Myanmar Rohingyas

⁶⁵ VOA (6 Apr 2023) Rights Group Files Torture Case Against Myanmar Junta in Turkey

2. Prioritizing community-led initiatives.
3. Helping counter hate narratives against Rohingya in the region and beyond.

This will help uphold Rohingya agency and self-reliance, provide pathways for Rohingya to contribute in their host countries, and strengthen the possibility of safe, sustainable, and inclusive reintegration.

The NUG, allies, and other relevant stakeholders must support current and new efforts for social and political inclusion to help Rohingyas feel a sense of belonging as equals to other citizens of Burma.

ASEAN states must uphold their human rights obligations to extend protection to Rohingya asylum seekers. States and relevant maritime authorities must rescue refugee ships at sea and ensure that refugees are not returned to situations that put them at risk. All asylum claims must be processed properly. Deportation of asylum seekers is in violation of international norms and state responsibilities under international human rights law.

The international community should **step up material and political support to bodies such as the NUG** in order to ensure their commitment to **inclusive citizenship and restoration of all human rights are comprehensively secured.**

Stakeholders must put in place **a framework which ensures the safe and dignified return of Rohingya** before **informed and voluntary** repatriation commences. The framework must be rights-based, and have participation from all relevant stakeholders, including Rohingya leadership. It must also have effective monitoring and grievance mechanisms for repatriated Rohingya.

Rohingya must have access to **freedom of movement, a full and inclusive citizenship, and recognition of their indigeneity in Arakan state as a collective group (ethnic nationality) entitled to social, economic, political, cultural and linguistic rights.**

Junta impunity must be halted so that demands for **inclusive citizenship and human rights for all** can finally be heard and realized.

These reforms represent a future for all ethnic nationalities in Burma. Without them, the cycle of violence and displacement will continue.