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Human rights violation due to internal
conflicts with special emphasis on
Myanmar and Sudan.

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Human rights violation in Myanmar

Who are the Rohingya? Why did they flee Myanmar?

The Rohingya people belong to a Muslim ethnic minority group of about 1 million people in Myanmar, which has a total population of 52 million. They live in the country's northern part of Rakhine State that borders Bangladesh and India. The Rohingya were not among the 135 officially recognized ethnic groups included in Myanmar's 2014 census. The Rohingya have faced decades of discrimination and repression under successive Burmese governments. Effectively denied citizenship under the 1982 Citizenship Law, they are one of the largest stateless populations in the world. Restrictions on movement and lack of access to basic health care have led to dire humanitarian conditions for those displaced by earlier waves of violence in 2012 and 2016. Essentially stateless, the Rohingya consider themselves under threat and without legal recourse.

Armed conflict between minority groups and government military forces has gone on for decades in Myanmar. It accelerated significantly in August 2017 in Rakhine State, causing more Rohingya people and others to flee. United Nations Secretary-General António Guterres described the situation to the Security Council in September as "the world's fastest-developing refugee emergency and a humanitarian and human rights nightmare."

Since late August 2017, more than 671,000 Rohingya Muslims have fled Burma's Rakhine State to escape the military's large-scale campaign of ethnic cleansing. The atrocities committed by Burmese security forces, including mass killings, sexual violence, and widespread arson, amount to crimes against humanity.

What's behind the violence against the Rohingya?

The main reason for clashes and violent attacks occurring between the Myanmar government and the Rohingya people lies solely in their differing religious and ethnic identities. Dating back to the 1800s, the British colonized the area of Myanmar. Under British rule, Rakhine saw an expansion of the Muslim community, doubling in a span of 50 years.

World War II cleaved a massive divide within the population in Rakhine State. While the Muslims favored the British and allied troops, many of the Buddhists within Rakhine supported the Japanese. After the war, in 1948, Myanmar won independence from British rule. Soon after, the Muslim population began a rebellion in Rakhine State seeking equal rights and autonomy. The government in Myanmar defeated the uprising, cementing the divide and negative prejudice against the Rohingya people.

After these defeats, tensions amplified, forcibly displacing the remaining population of the Rohingya people.

Myanmar is a country in flux and is still grappling with its vision and identity. For some, that vision does not include the Rohingya at all.

Summarised History of Rohingya refugees:

1948: After Burma's independence from British rule, a Muslim rebellion erupts in Rakhine State, with people demanding equal rights and an autonomous area. The rebellion is eventually defeated.

1962: Military rule begins in Burma.

1977 to 1978: Some 200,000 ethnic Muslims identifying as Rohingya flee to refugee camps in Bangladesh.

1982: A new citizenship law identifies 135 national ethnic groups, excluding the Rohingya — effectively rendering them stateless.

1989 to 1991: A military crackdown follows a popular uprising. Burma is renamed Myanmar. An additional 250,000 refugees flee to Bangladesh.

1992: The Myanmar and Bangladesh governments agree to repatriate refugees. Hundreds of thousands of people return to Myanmar over several years.

2003: Two of 20 refugee camps remain in Bangladesh. U.N. studies show widespread malnutrition in the camps.

2012: Religious violence flares in Rakhine, leaving many people homeless. More than 100,000 people flee to Malaysia.

2014: In Myanmar's first census in 30 years, the Rohingya are still not included as an ethnic group.

2016: A military crackdown follows an attack on a border post in which police officers were killed. During the crackdown, about 87,000 people fled to Bangladesh.

2017: Fleeing Myanmar

- August: Violence increases in Rakhine State among ethnic groups and Myanmar military forces, triggering a massive exodus of people to Bangladesh.
- September: The U.N. refugee agency declares the Rohingya refugee crisis to be a major emergency and scales up its response.
- October: More than 600,000 refugees have arrived in Bangladesh.
- November: Myanmar and Bangladesh agree to start repatriating refugees within the next two months.

2018: Facing insecurity

- January: The agreed start date for repatriation passes without action.
- April: U.N. Security Council envoys visit Myanmar and Bangladesh to observe needs and conditions.
- April through November: Monsoon and cyclone seasons increase hazards for refugees living in stick-and-bamboo tents in camps.
- Mid-November: Repatriation was supposed to begin, according to a working group of Bangladesh and Myanmar government representatives. However, it has again been delayed.

2019: Continued uncertainty

- January: Increased violence in Myanmar's Rakhine State led to an additional 4,500 people being displaced since December 2018, casting doubt on the feasibility of refugees returning anytime soon.

Where are Rohingya refugees fleeing?

The Rohingya have fled to a variety of countries. While Bangladesh has undoubtedly seen the highest number of refugees, the Rohingya have spread out across Asia by water, risking death, hunger and disease along the way. In 1978, the

first flight of refugees began, leading many to cross waters by boat to southeast Asia and beyond. The Rohingya reside in the following countries:

- Bangladesh
- Thailand
- Philippines
- Malaysia
- Indonesia
- The Gambia
- India
- The United States

Some efforts and initiatives:

The government announced several camp “closures” in 2018, but its plans entail constructing permanent structures in the current camp locations, further entrenching segregation and denying Rohingya the right to return to their original areas of residence or move elsewhere.

The government barred the UN fact-finding mission and special rapporteur on Myanmar from the country. Authorities have repeatedly denied that significant security force abuses took place, setting up successive investigations that lacked independence or credibility. A commission of inquiry with international members was established in July, which the fact-finding mission determined “will not and cannot provide a real avenue for accountability.”

In June 2018, UNHCR, the UN Development Programme, and the Myanmar government signed a memorandum of understanding on returns which lacked guarantees of citizenship. The UN agencies began limited assessments in Rakhine State in September.

Situation of human rights

1. Logging and mining

The reports highlight the extent to which the unchecked extraction of those natural resources has a grave impact on the rights of nearby communities, persistently

causing forced displacement, environmental destruction leading to loss of livelihood and health concerns.

2. Transparency, accountability and military commercial interests

While large profits are undoubtedly being made from resource extraction, significant amounts of that revenue do not reach the people of Myanmar and the Government.

3. Responsible investment and business and human rights

For major projects in Myanmar to benefit the public and avoid serious human rights harm and exacerbating conflict, agreement on tangible, comprehensive and inclusive policy and legislative frameworks that address core questions must be achieved.

4. Land rights

The Vacant, Fallow and Virgin Lands Management Law needs grave attention. There is a significant risk that permits to use vast areas of land designated as vacant, fallow or virgin but belonging to people who have been internally displaced or are refugees will be granted to investors.

5. Economic, social and cultural rights

With the Government estimating that around 23 per cent of people in rural Myanmar live in poverty, it is vitally important to bring the revenues from resource extraction within government regulation so that it can be used with parliamentary oversight to improve the situation.

6. Armed conflict and violence, and the peace process

Myanmar continues to face armed conflicts and violence, which affect adults and children alike. The United Nations has documented 1,166 grave violations against children, including killing and maiming, rape and sexual violence, and recruitment and use, in northern Rakhine, mostly after 25 August 2017.

Human rights violation in Sudan

Introduction

Sudan has a long history of using lethal violence to disperse peaceful protests with impunity. Protests have taken place in towns and cities across Sudan since mid-December 2018 objecting to price increases and calling on President Omar al-Bashir, in power for 29 years, to step down. In response, government forces have used live ammunition on protesters, killing scores and injuring many more, and arbitrarily detained hundreds of civilians in particular, opposition party members, protesters, students, journalists, doctors and lawyers. In February, president al-Bashir declared a year-long state of emergency, reshuffled key government positions, banned protests and established emergency courts to prosecute violations of the emergency decree. Sudan has failed to conduct credible investigations into alleged crimes by its own forces or cooperate with the International Criminal Court, which has issued warrants for the arrest of President Omar al-Bashir and other men in connection with atrocity crimes in Darfur. It has not cooperated with the International Criminal Court (ICC) cases on charges against the president and four other men, of genocide, crimes against humanity and war crimes committed in Darfur. Political tensions are running high, while negotiations stall between the TMC and the opposition groups over the composition of the civilian-led government despite regional mediation efforts.

The National Security Service in Sudan, Freedom of Expression and other rights

In recent years a wide range of human rights violations committed by the National Intelligence and Security Service (NISS), including arbitrary arrests and detention, torture and other forms of ill-treatment, as well as violations to the right to freedom of expression. The extensive powers are provided to NISS agents under the 1999 National Security Forces Act and the 2010 National Security Act.

There are many harsh instances carried out by TMC in Sudan, for eg. on June 3rd Sudan's Transitional Military Council (TMC) unleashed government security forces, including the Rapid Response Force (RSF) – the paramilitary forces that have carried out grave abuses in Darfur, Southern Kordofan and Blue Nile in recent years – to attack peaceful protesters at their sit-in site in Khartoum. These forces shot live bullets into the sit-in, beat and detained protesters and bystanders,

and burned their tents to the ground. The forces also beat up medical staff and volunteers at clinics at the sit-in and in other hospitals, looted and destroyed property, threatened doctors and medical workers with reprisals if they provided care, and prevented ambulances from reaching the wounded.

Article 115 (2) of the Criminal Code, which provides, for the offence of torture, penalties as mild as “a term of imprisonment not exceeding three months, or a fine, or both”. This is a source of concern, especially in the light of reports of systematic and widespread incidents of torture of individuals arrested and detained by the National Intelligence and Security Service.

Women’s Rights in Sudan

Sudanese women face a daily risk of being arbitrarily arrested in public or private places for "indecent or immoral behaviour or dress." Public Order Police Officers in Sudan have the power. In most cases women (below 18 years included) are arrested for wearing trousers or knee length skirts.

Such behaviour can be punishable by up to 40 lashes according to article 152 of the Sudanese Criminal Act of 1991.

Sexual violence, marriage and discrimination:

Women in Sudan are constant victims of rape and sexual assault as well. Government forces used sexual violence against women and girls with impunity, particularly in Darfur where they have been implicated in widespread sexual violence in the past.

Sudan’s morality and public order laws, which make dress code violations and other personal choice crimes punishable by humiliation and flogging, discriminate against women and girls.

Sudan’s laws allow marriage of girls as young as 10 and despite 2015 amendments to the criminal code that clarified the definition of rape, judicial authorities do not recognise marital rape as a crime.

Restrictions on the Media

In the first week of January, 2018 alone, security officials seized print runs of eight newspapers because they had covered the anti-austerity protests. Throughout the year they suspended, delayed, or confiscated editions of newspapers for running pieces critical of the president or ruling party, its economic policies, corruption, or other sensitive topics. During January protests, at least 18 journalists including correspondents of Reuters and AFP were arrested.

Freedom of Religion

Authorities imposed *Shari'ah* law on non-Muslims and brought apostasy charges against those who converted to Christianity and minority, or non-Sunni, Muslims. In October, 2018 security officials in South Darfur detained a group of Christians for several days, and forced them to renounce their faith. They charged a priest with apostasy. On February 11, 2018 authorities demolished an evangelical church building in Khartoum without notice, after previously threatening to demolish 25 churches.

International Actors

Sudan hosted peace talks on conflicts in the Central Africa Republic and South Sudan, and continued participation in the Arab coalition fighting in Yemen. The US, which lifted economic sanctions in 2017, continued counter-terrorism cooperation and granted visas to the current and former heads of Sudan's draconian national security agency, responsible for torture and other abuses.

The EU continued to support controversial migration programs, widely criticised for encouraging abuses by security forces. The UN Security Council failed to press Sudan to cooperate with the ICC in the surrender of the five fugitives sought on alleged Darfur crimes, despite having referred the situation to the ICC in 2005. The ICC first announced charges in 2007.

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