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NEWS AND ANALYSIS OF ARAKAN ROHINGYA NATIONAL ORGANISATION (ARNO), ARAKAN, BURMA
CREATED BY M . A . ALAM , EXECUTIVE EDITOR OF ARAKAN MONTHLY

NHRC SEMINAR : ROHINGYA THAT THE WORLD FORGET



STATELESS ROHINGYA: 'RUNNING ON EMPTY'





Office of the National Human Rights Commission of Thailand

สำนักงานคณะกรรมการสิทธิมนุษยชนแห่งชาติ

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SEMINAR TITLE : ROHINGYA THAT THE WORLD FORGET



On April 24, 2012, Professor Dr. Amara Phongsaphit, Chairperson of the National Human Rights Commission of Thailand was invited by the Thai Public Broadcasting Service (Thai PBS) to be a resource person in a seminar, 'Rohingya that the World Forget,' convened by the Thai PBS' Social Capital Network Division, Social Capital Bureau, at Building A, Thai PBS Headquarters in Bangkok with an objective to build up awareness on the existence of Rohingya people through seminar and public media, and to look for solutions to problems faced by this people together.

Participants in the seminar included:

1. Professor Dr. Amara Phongsaphit, Chairperson of the National Human Rights Commission of Thailand (NHRC),
2. Dr. Sriprapha Phetmesri, Representative for Thailand in the Inter-ASEAN Governments Commission on Human Rights,
3. Maung Kyaw Nu, Burmese Rohingya Association in Thailand (BRAT),
4. Phil Robertson, Deputy Director, Asia Division, and
5. Sophie Ansel, a French reporter who is monitoring situations faced by the Rohingyas

The seminar was moderated by Mr. Chairat Thomya, a Thai PBS anchorman.

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On April 24, 2012, Professor Dr. Amara Phongsaphit, Chairperson of the National Human Rights Commission of Thailand is presiding the Seminar : 'Rohingya that the World Forget' and participants of the Seminar



Dr. Sriprapha Phetmesri, Representative for Thailand in the Inter-ASEAN Governments Commission on Human Rights

To solve this refugee problem (involving the Rohingyas), it must be made into a national problem and unavoidably raised for discussions. Academics in the region is a driver that could advocate, making Rohingya issues public ones that people know and talk about. Four issues are to be emphasized:

1. No human being should be denied their basic rights because every human being must have a personal status. Denial of nationality and personal identity document, which is a basis for accessing other rights, is therefore a starting point of human rights violation.
2. Rohingya is an indigenous people. It is noted that other indigenous peoples are facing similar problems because they are minority peoples. Being different from the majority, they are always denied their rights. The Rohingyas, however, often find themselves in graver situations.
3. It is proposed that ASEAN makes Rohingya an ASEAN-level agenda. ASEAN must have political will to solve the problems.



Phil Robertson, Deputy Director, Asia Division delivering his suggestion to the Seminar

Phil Robertson, Deputy Director, Asia Division

Rohingya people have been abused in all forms. Those living in Arakan State, for example, are being exploited, forced to work, forbidden to leave the area, denied of land ownership and required to seek permission in order to get married otherwise they would be arrested and detained, resulting in many of them decided to escape out of the area. Therefore, efforts should be made together to change mindset of Burmese government. In fact, apart from Myanmar, there are Rohingyas in several other countries, such as Bangladesh and Saudi Arabia. Efforts to deal with this problem, therefore, should be extended to those countries. In addition, it is proposed that neighbouring countries like Thailand, Malaysia and Indonesia join hands to pressure Burmese government to actively solve the Rohingya problem.



Sophie Ansel, a French reporter who are monitoring situations faced by the Rohinya

Although changes did occur in Myanmar as can be seen in a recent by-election, Rohingya is still a forbidden issue in the country. One factor contributing to the problem is that the Rohingyas are Muslim while Burmeses are Buddhist. To create equality, an order forbidding the Rohinyas to leave the area must be revoked.





Professor Dr. Amara Phongsaphit, Chairperson of the National Human Rights Commission of Thailand (NHRC)

Professor Dr. Amara Phongsaphit, Chairperson of the National Human Rights Commission of Thailand, on the other hand, mentioned in the seminar that actually Rohingya people living in Thailand have more freedom than Rohingya people in their homeland as long as they do not commit wrongdoing. It was revealed in meetings between ASEAN member countries that an obstacle in having collective efforts to solve the Rohingya problem is 'being considerate, afraid of offending another's feeling'; no one therefore dare to raise the issue or directly criticize. To look for any way out of this problem, one needs to use imagination and regular consultations. ASEAN countries must be ready to talk openly about this problem, expose and explain it clearly, with cooperation between academics in the civil society sectors, neighbouring countries, super power countries and members of ASEAN.

The NHRC Chairperson also mentioned related works carried out by the NHRC which regularly asked permission to visit the Immigration Office and talked to the Rohingyas there about their problems as grave human rights violation must not occur. The case of many Rohingya people being arrested in 2009 is an important lesson for responsible officials. They need to change their way of thinking, consciousness, and have human rights awareness and humanity. The NHRC Chairperson had an expectation that inhuman violation of human rights would have gone away.

Maung Kyaw Nu, President, Burmese Rohingya Association in Thailand (BRAT), present that as we know, current political changes and sanctions lifting by developed countries are favour towards democratic changes in Burma. However, there are many things to be done including in minorities areas specifically in Rohingya chapter in regard of democracy and human rights. There is yet to adopt new constitution to guarantee every individual rights, safety, security in term of human rights and dignity.

Regarding Rohingya situation in Thailand, he said that as a result of government offered an opportunity to integrate into work force, there were two millions of Burmese had been received "worker card". That made all Burmese people except Rohingyans have been easily attained 'work permit'. Because of thousands of Rohingya those bear 'worker card' are unable to obtain passport from their embassy. Another offer is "ten year resident permit" for foreign people who had been spent at least ten years in Thailand. Very few Rohingyans have attained it but bearer of this permit are also facing difficulties in works and admission of their children to the school is mostly rejected.

BRAT would like to concern about detention and deportation of Rohingyans. Enforcement authority deals very swiftly in detention of Burmese people but for Rohingya it's informal and detain long term. Determination of their status is never conducted by authority itself or by concern chapter UNHCR. They are deported as illegal immigrants and or through other form of soft-release. But such form of release or deportation fall into the hand of traffickers.

On behalf of Rohingya people the BRAT's president appeal international communities and world leaders including ASEAN and neighbour country Thailand to deal Rohingya issue kindly and to actively interfere to advocate to find a permanent solution in order to solve the Rohingya problems permanently. ##



Maung Kyaw Nu, President of Burmese Rohingya Association in Thailand (BRAT) delivering his suggestion in the Seminar



One of the Rohingya participants asking question during the question and answer session in the Seminar



One Rohingya participant (above) and a Rohingya Female student asking question during the question and answer session in the Seminar



Thais participants in the NHRC's Seminar held on 24 April 2012 in Bangkok, Thailand



DNN NEWS

Rohingya participants in the NHRC's Seminar in Bangkok, Thailand



DNN NEWS

เสวนา โรฮิงญา บนเส้นทางที่โลกลืม



Panel of speakers in the NHRC's Seminar held on 24 April 2012 in Bangkok , Thailand



Office of the National Human Rights Commission of Thailand

สำนักงานคณะกรรมการสิทธิมนุษยชนแห่งชาติ

Investigation Report No.409/2554 of 26 December 2011 On the right to life and security of person: The death of Rohingya boat people in the detention centre in Ranong province

The Campaign Committee for Popular Democracy in Myanmar (CPDM) submitted a complaint to the National Human Rights Commission of Thailand (NHRCT) regarding the arrest of 78 Rohingya boat people who were later charged with illegal entry into Thailand and detained in the detention centre in Ranong province. According to the complainant, many boat people suffered serious health problems due to the overcrowded and poor condition of the detention centre. The sick detainees were not allowed to see a physician but given only nostrum as cure. This had led to the death of Mr. Abdul Salam and Mr. Hamma Dula on 1 July and 13 September 2005 respectively. The CPDM, therefore, requested the NHRCT to investigate whether Ranong Immigration police had discharged their duties properly and find ways to guarantee respect and protection of the fundamental rights of the Rohingya boat people in the detention centre.

The NHRCT Sub-Commission on Civil and Political Rights took up the case and gathered information from the CPDM and relevant government agencies, i.e. the Ranong Immigration police, the Third Naval Area Command, the Ranong hospital and the Secretariat of the Prime Minister's Office. The Sub-Commission also visited Rohingya boat people at the detention centre. It was found out that the Rohingyas living in the Arakan state of Myanmar were denied citizenship by the Myanmar government, causing them to be discriminated against and their rights violated. This situation, coupled with some external factors, had led many Rohingyas to leave the country with the help of Rohingyas working abroad. The migration of these Rohingyas was usually organized by an agent who made all preparations in the country of origin and arranged job placement for them in the country of destination, usually a Muslim country like Malaysia. Thailand was only a transit country.

On the death of three Rohingyas in Ranong detention centre, the Sub-Commission found out that the autopsy report did not point to unnatural death. However, the evidence collected from related documents and witnesses could lead to the conclusion that the overcrowded condition and poor ventilation of the detention centre, together with a lack of proper medical care to the sick, had contributed to the death of the three Rohingya detainees. This is in contradiction to Article 2 of the International Covenant on Civil and Political Rights (ICCPR), which prohibits discrimination of various grounds stipulated in the Covenant.

Following the headline news made by this incident, the Immigration Police have moved the Rohingya boat people from Ranong province to the detention centre in Bangkok, where they received better treatment. Moreover, the government of Bangladesh has conducted a nationality verification of these Rohingya boat people and agreed to have 28 Rohingya detainees who are confirmed Bangladesh nationals sent back to their country.

The Sub-Commission also investigated whether the policy of the Thai government on deportation of Rohingya boat people is a violation of human rights or not.

The Sub-Commission was of the view that the problem of Rohingya boat people was linked to the political, economic and social situation in both the country of origin and in Thailand. A policy and legal measures that did not take into account the real situation on the ground could not solve the problem. Thai authorities' treatment of 78 Rohingya boat people as illegal immigrants who were to be deported back to their country in accordance with the Immigration Act might cause concern among the international community and raise question about Thailand's position on human rights. Thailand had reaffirmed its commitment to human rights on many occasions and had ratified

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From P. 12 several human rights conventions, including the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or punishment, which prohibits the “refoulement” of a person to any country where there are substantial grounds for believing that he would be in danger or being subjected to torture. Such policy was inconsistent with the Constitution and considered a human rights violation.

The Sub-Commission has proposed policy recommendations to the Thai government as follows:

1. The government should consider providing open temporary shelter as an alternative to detention for Rohingya illegal immigrants from Myanmar while finding a more sustainable and acceptable solution to the problem.
2. The government should protect the fundamental rights of the Rohingya immigrants, including by providing regular medical check-up and health care while they are in detention. In case where the government can provide open temporary shelter, assistance should be given to Rohingya immigrants so that they can earn their living and do not become burden on Thai government agencies.
3. The government should set up an impartial and independent committee to investigate a deportation that is inconsistent with human rights principles.
4. The Ministry of Interior should consult with agencies concerned to amend the Immigration Act to address an indefinite detention of Rohingya immigrants.
5. The Ministry of Foreign Affairs should cooperate with the international organizations, such as UNHCR and IOM, and countries involved in receiving Rohingya immigrants to solve the problem in the country of origin. The Ministry should also seek cooperation from ASEAN countries.
6. The government should adopt and implement appropriate measures to combat human trafficking, including by prosecuting those involved and giving assistance to Rohingya immigrants who are victims of human trafficking.

The above recommendations were endorsed by the NHRCT on 24 August 2011.



ROHINGYA BOAT PEOPLE SCOTING TO THE THAILAND DETENTION CENTRE

STATELESS ROHINGYA: 'RUNNING ON EMPTY'

Wednesday, 28 March 2012, From Our Correspondent



ASEAN Inter-Parliamentary
Myanmar Caucus (AIPMC)
&
Asian Resource
Foundation (ARF)

present

STATELESS

ROHINGYA...

RUNNING ON EMPTY

5.30 – 7.30 pm March 27th, 2012

At Grand Hall, 1st Floor Bangkok Art and Cultural Center

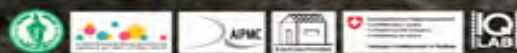
by Suthep Kritsanavarin

5.30 Register and Introduction

6.00 Opening by Mr. Kraisak Chunhawun, Senior Advisor of AIPMC

6.30 "Inspirations of Rohingyas' Experiences" Mr. Suthep Kritsanavarin

7.00 Question and Answer



The exhibition "Stateless Rohingya...Running on Empty" which took 3 years in the field portrays the story of Rohingyas. Exhibition is on March 27th – April 1st, 2012.

Information contact : Mr. Thanawat 089 - 435 - 9215

Bangkok – Award-winning Thai photographer Suthep Kritsanavarin photo exhibition of photographs of the plight of the Rohingya at the Bangkok Art and Culture Centre opened on 27 March 2012 to Sunday 1 April 2012.

Titled "Stateless Rohingya...Running on Empty," the exhibit is supported by the Asian Resource Foundation and the Asean Inter-Parliamentary Myanmar Caucus.



NHK WORLD

Suthep Kritsanavarin
Photographer and organizer



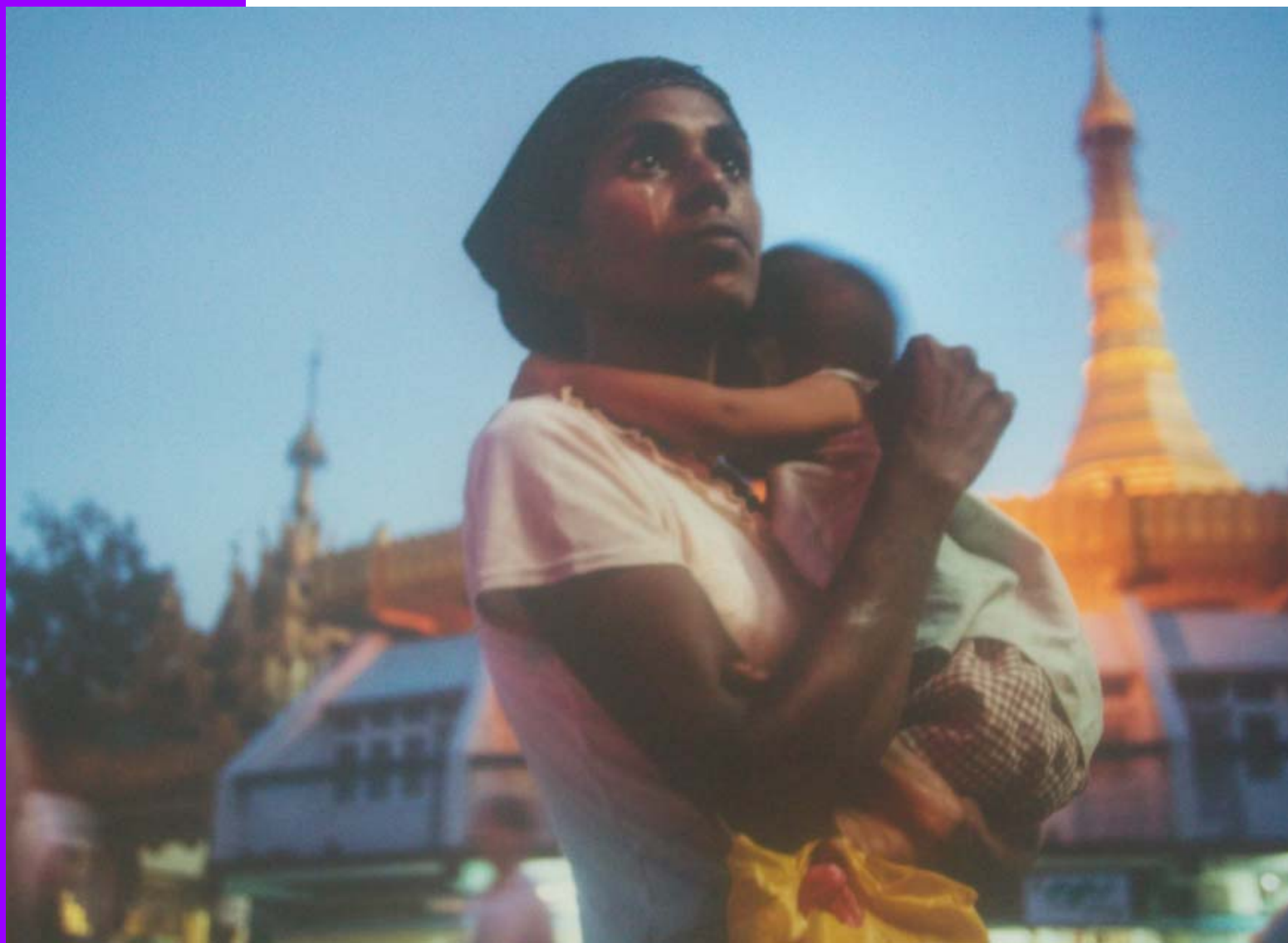
Suthep worked on the project for three years. It tells the story of the Rohingyas, an ethnic and Muslim religious minority from Burma, largely unknown to the world. Without citizen rights in Burma, many have fled to India and Bangladesh to seek refugee status.

Who are Rohingyas ?

The Rohingya are an ethnic, linguistic and religious minority group mainly concentrated in North Arakan in Burma. Today an estimated 1.5 million Rohingya population live in whole Burma with about 1.5 million in diasporas. Rohingya are descendents of Moorish, Arab and Persian traders, including Moghul, Truk, Pathan, Bengali soldiers cum migrants and Hindu population of Vaishali or Wesali period. They are a mixed group of people with many ethnic and racial connections. They speak a language which was then spoken in the VAISHALI or WESALI period of Arakan. They are of Indo-Aryan stock of South Asia and profess Sunni Islam. They are distinct from the majority Burmese population who are of East Asian Tibeto-Burman stock and mostly Buddhists.

During colonial period the British identified Rohingya as Muslim/ Mohammedan/Arakanese Muslim while Rakhine as Mugh /Arakanese Buddhist. They also called the Rohingya as Arakanese while the Rakhine as Mugh. In post independence history of Burma, their separate ethnic identity 'Rohingya' was recognized by the then Democratic Government of Premier U Nu (1948-1962). Since Burma's independence in 1948, the Rohingya have been gradually excluded from the process of nation-building. Their situation worsened after the military takeover in 1962 progressively subjecting them to humiliating restrictions and harsh treatment by the state. While all the minorities in Burma are facing human rights violations the Rohingya are the worst victims of crimes against humanity facing statelessness.

As a photojournalist, Suthep Kritsanavarin has chronicled environmental, social, and humanitarian issues in Southeast Asia for nearly two decades. His award-winning photography essays have been published in: *The New York Times*, *International Herald Tribune*, *the Far Eastern Economic Review*, *Time*, *Geographical*, *Aera*, *Days Japan*, and *Geo*. He has also exhibited his documentary photography in Germany, France, China, Japan, Thailand, and Cambodia. ##



Rohingya Boat People in Thailand's detention Centre



Rohingya Forced Labour still exist in Northern Arakan (above) and a visitor seeing the photo Exhibition



LIVE



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