

## **Appendix: Letter to the Myanmar Government**

August 26, 2020

Daw Aung San Suu Kyi  
State Counsellor  
Office No. 20, Naypyidaw  
Republic of the Union of Myanmar

### **Re: Treatment of Rohingya in Rakhine State**

Dear State Counsellor Aung San Suu Kyi,

Human Rights Watch is a nongovernmental organization that monitors and reports on human rights in over 90 countries around the world. We have covered human rights issues in Myanmar for over three decades.

We are currently preparing a report regarding the Rohingya who have been living in camps in central Rakhine State since their displacement in 2012. The report documents the eight years of government restrictions on the right to freedom of movement imposed on the Rohingya and the ensuing harms suffered.

We are writing to ensure that our report properly reflects the views, policies, and practices of the Myanmar government, and would greatly appreciate answers to the questions attached below. In addition to the information requested, please do not hesitate to share any other material, statistics, orders, or information that you think may be relevant for us to better understand the government's approach to the Rohingya population in central Rakhine State.

Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff will respond in a timely way so that your views are accurately reflected in our reporting. In order for us to take your answers into account in our forthcoming report, we would appreciate a written response by September 26, 2020. Thank you for your attention to this request.

Sincerely,

Brad Adams  
Asia Director  
Human Rights Watch

Cc:

U Win Myint, President of Myanmar  
Dr. Win Myat Aye, Minister for Social Welfare, Relief and Resettlement  
Lt. Gen. Soe Htut, Minister for Home Affairs  
Lt. Gen. Ye Aung, Minister for Border Affairs  
U Thein Swe, Minister for Labour, Immigration and Population  
U Kyaw Tint Swe, Minister for the Office of the State Counsellor  
U Nyi Pu, Chief Minister, Rakhine State

### **Questions for State Counsellor Aung San Suu Kyi**

1. What policies, regulations, orders, or laws form the basis of the movement restrictions imposed on the Rohingya living in camps since their displacement in 2012, and how are they enforced and monitored? Please share any relevant documentation.
2. What is the status of the camp closure process in Rakhine State?
3. Which camps are considered closed by the government?
4. Can the Rohingya living in closed camps travel freely outside their villages and townships?
5. What consultations have taken place and what was the feedback from the Rohingya communities over the closure process?
6. Please share the National Camp Closure Strategy and any related documentation and plans.
7. What is the current legal status and ownership of the land in central Rakhine State on which Rohingya and Kaman people resided prior to their displacement in 2012?
8. What avenues do Rohingya and Kaman people have to reclaim land that has been confiscated?

9. What avenues do Rohingya and Kaman people have to receive compensation for destroyed homes and property?
10. Why were Rohingya and Kaman who requested to return to their land from before 2012 denied, as described in testimony to Human Rights Watch?
11. Please describe the process for Rohingya to attain citizenship through the National Verification Card (NVC) system.
12. What are the requirements for an NVC holder to receive citizenship, and how long does the process take?
13. How many Rohingya have been issued NVCs?
14. How many Rohingya have received citizenship since the introduction of the NVC?
15. Under the new Child Rights Law, will Rohingya who are born in Myanmar and would otherwise be stateless have access to citizenship, as required by international law?<sup>587</sup>
16. What is the basis for the restrictions that have barred Rohingya from studying at Sittwe University since 2012?
17. Why has the government, prior to the Covid-19 pandemic, provided tertiary education for Rohingya through distance learning programs rather than allowing them to attend university in person?
18. According to government statistics, from September to December 2019, 26,046 individuals from “national races” received treatment at Sittwe General Hospital, while only 814 Muslim individuals were treated at Sittwe General Hospital.<sup>588</sup> What accounts for the low number of Muslim patients?
19. Please explain the basis for the permission requirements that are in place for Rohingya to access Sittwe General Hospital and the policy of segregated wards and treatment.
20. How many Rohingya are currently in jail or prison for violating travel regulations? Please provide information on their locations, charges, and sentences.
21. Please describe the travel authorization process for domestic and international humanitarian groups operating in Rakhine State.

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<sup>587</sup> “Children’s right to a nationality,” Open Society Justice Initiative, <https://www.ohchr.org/Documents/Issues/Women/WRGS/RelatedMatters/OtherEntities/OSJIChildrenNationalityFactsheet.pdf>.

<sup>588</sup> “Report to the people on the progress of the Implementation committee on recommendations on Rakhine State between September and December 2019,” *Global New Light of Myanmar*, May 25, 2020, <https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/GNLM2020-05-25-red.pdf>, p. 5.

22. What is the rationale for limiting humanitarian access and fully restricting journalists, except for government-led tours, and human rights monitors from the camps?
23. Please provide a full update on the status of the implementation of the recommendations from the Advisory Commission on Rakhine State. Which recommendations have been fully implemented, which have been partially implemented, and which have not been implemented at all?
24. The Advisory Commission found in its final report that the issue of citizenship “cannot be ignored” and that “if this issue is not addressed it will continue to cause significant human suffering and insecurity, while also holding back the economic and social development of the entire state.” Why has the government not reviewed the 1982 Citizenship Law to bring it into compliance with international law, as recommended by the commission?<sup>589</sup>
25. Please provide an update on the activities of the Union Enterprise for Humanitarian Assistance, Resettlement and Development (UEHRD). What measures are in place to ensure UEHRD programs do not undermine the rights of Rohingya?

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<sup>589</sup> *Final Report of the Advisory Commission on Rakhine State*, Advisory Commission on Rakhine State, August 2017, [http://www.rakhinecommission.org/app/uploads/2017/08/FinalReport\\_Eng.pdf](http://www.rakhinecommission.org/app/uploads/2017/08/FinalReport_Eng.pdf).