

Statement by Burma Campaign groups worldwide

9th July 2012

Situation in Rakhine (Arakan) State and the Rule of Law

Recent events in Rakhine (Arakan) State, Burma, have many causes which need to be addressed.

On all sides, however, there is agreement that there needs to be clarification and proper implementation of citizenship laws.

Speaking in Norway on 18th June 2012, Aung San Suu Kyi said: "If we were very clear as to who are the citizens of the country, under citizenship laws, then there wouldn't be the problem that is always coming up, that there are accusations that some people do not belong in Bangladesh, or some people do not belong in Burma."

The Citizenship Law introduced by General Ne Win in 1982 is not compatible with the Universal Declaration of Human Rights or with Burma's legal obligations under international treaties. It arbitrarily stripped many people in Burma of the right to citizenship.

The 1982 Citizenship Law should be repealed, and replaced with a new law founded on basic principles of human rights. The new law should honour equality and non-discrimination, and help create an inclusive and tolerant Burma.

The law should comply with Burma's obligations under the United Nations Convention of the Rights of the Child, to which it is a signatory. Article 7 of this Convention states:

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

The new law should also be compatible with the Universal Declaration of Human Rights, which states in Article 15:

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality

We call upon the government of Burma, the National League for Democracy and all political parties in Burma to support the repeal of the 1982 Citizenship Law, and for it to be replaced with a new law based on principles of human rights and equality, in particular on Burma's obligations under Article 7 of the Convention on the Rights of the Child, ratified in 1991.

We call upon the United Nations, our own governments, and the rest of the international community to express support for the repeal of the 1982 Citizenship Law, and for it to be replaced with a new law based on principles of human rights and equality. Governments and the United

Nations should encourage all parties in Burma to support such reform, and provide technical assistance and support, where required, in the drafting of a new law.

The United Nations Convention on the Rights of the Child can be viewed here:

<http://www2.ohchr.org/english/law/crc.htm#art7>

The 1982 Citizenship Law of Burma can be viewed here:

<http://www.unhcr.org/refworld/docid/3ae6b4f71b.html>

Actions Birmanie

Altsean-Burma

Asia Pacific Solidarity Coalition (APSOC),

Asian Forum for Human Rights and Development

Association Suisse Birmanie

Burma Action Ireland

Burma Aktion

Burma Campaign Australia

Burma Campaign UK

BurmaInfo (Japan)

Burma Partnership

Chin Human Rights Organization

Christian Solidarity Worldwide

ESP-Stockholm

Forum for Democracy in Burma

Free Burma Campaign (South Africa)

Initiatives for International Dialogue (IID)

International Federation for Human Rights (FIDH)

Info Birmanie

Institute for Asian Democracy

Norwegian Burma Committee

Odhikar

Open Society Foundations

People's Forum on Burma (Japan)

People in Need

Physicians for Human Rights

Restless Beings

Society for Threatened Peoples

Swedish Burma Committee

United to end Genocide

US Campaign for Burma