

# **The Rohingya from Burmese Perspective**

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The conflict between Muslims and Buddhists in Rakhine State of Myanmar has been going on for decades. The level of violence seems to increase day by day. Myanmar has accepted a total of 135 ethnic minority groups in its territory, but denied this status to the Rohingya Muslim minority in Rakhine State. The Myanmar government considers these people as Bengalese migrants, while the Rohingya themselves claim that they have been living in this area for centuries.

The alleged human rights violations in Rakhine State are a cause of concern to the international community. Media reports about arbitrary arrests, torture, and killings have been repeated again and again. Many Rohingya people try to flee from their homeland, seeking a new and better life, but most of them die at sea. These tragic stories have made the world sympathize with the Rohingya and question the humanity of the Myanmar government.

Since it was granted full independence by the British in 1948, Myanmar has been consumed by the chaos of civil wars involving various ethnic minority groups. Even among the majority Burmese themselves, the struggle with the military government for democracy continues until today. The only thing that the majority Burmese and the military regime seem to agree on is their attitude toward the Rohingya. This paper aims to examine the perception and the mindset of the Burmese toward the Rohingya, in order to understand the causes of the conflict from a different angle.

## **1. Rohingya Origin**

Rakhine State is situated on the western coast of today's Myanmar, it is bordered by Chin State in the north, Magway Region, Bago Region and Ayeyarwady Region in the east, the Bay of Bengal to the west, and the Chittagong Division of Bangladesh to the northwest. The Arakan Yoma, with the highest peak of 3,063 meters at Victoria Peak, separate Rakhine State from central Myanmar. Off the coast of Rakhine State there are some fairly large islands such as Cheduba and Myingun Island. Rakhine State has an area of 36,762 square kilometers and its capital is Sittwe.

There are various explanations about the origins of the Rohingya. From the Rohingya itself, they believe that their ancestors were in the region of Rakhine State, formerly known as Arakan, since the eighth century; they trace their ancestry to Arabs, Moors, Pathans, Moghuls, Bengalese and some Indo-Mongoloid people. Dr. Khalilur Rahman explain that the word Rohingya derives from the Arabic word Rahma meaning mercy<sup>1</sup>.

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<sup>1</sup> Mohamed Ali Chowdhury. *The advent of Islam in Arakan and the Rohingya*, presented at a seminar organised by Arakan Historical Society at Chittagong Zila Parishad Hall, Chittagong, on 31st December 1995

Jahiruddin Ahmed and Nazir Ahmed, former president and secretary of Arakan Muslim Conference, claim that the Rohingya are descendants of inhabitants of Ruha in Afghanistan.

But from the Burmese perspective, the term Rohingya has been developed only recently. Khin Maung Saw writes in his article<sup>2</sup> that the term Rohingya never appeared in history before 1950. Dr. Maung Maung, the former Burma president, notes that the word Rohingya was not used in the 1824 census survey that was conducted by the British<sup>3</sup>. Dr. Aye Chan, Professor of History at the Department of International Cultures, Kanda University of International Studies, Japan, believes that the term Rohingya was created by the Bengalese who migrated from Bengal into this area during the British rule.

The Arakan history experts Dr. Michael W. Charney from SOAS and Dr. Jacques P. Leider from EFO explain in the same direction that the earliest document mentioning the word Rohingya is the work of a British medical doctor, Francis Buchanan, who published in Asiatic Researches 5 (in 1799) "A Comparative Vocabulary of Some of the Languages Spoken in Burma Empire". In his account, Buchanan states that the Mahommedans settled at Arakan and called the country Rovingaw.

## **2. Brief History 1785-1948**

Arakan was an independent state until the reign of king Bodawpaya of Burma, in 1785, during which he successfully conquered Arakan. Many Burmese kings had attempted to attack Arakan, even the great warrior kings of Pegu such as Tabinshweti and Bayinnaung, but all failed. At the end of the year 1784, Bodawpaya sent his troops by land and sea to invade Arakan. The Arakanese king Thamada and all the royal family, together with no less than 20,000 of his people, were deported to Burma<sup>4</sup>. The Burmese army also moved the Mahamuni Buddha image from Mrauk-U to its capital Amarapura, which became a part of today's Mandalay. Arakan became a provincial administration under a viceroy, supported by a Burmese garrison. Many Arakanese fled to Chittagong, which belonged to the British. These Arakanese tried to reconquer their country by fighting with the Burmese: they fled behind the British frontier and provoked a series of disputes, which in the long run became the main cause of the Anglo-Burmese War.

The Burmese forces sometimes followed the fugitives into British territory. governor-general Lord Wellesley did not pay much attention to the events on these frontiers, but he did arrange to settle the fugitives in large industrial communities instead of handing them over to the Burmese. The reason for this was that the British wanted manpower.

Another incident that damaged relations between the British and the Burmese took place in 1881. Khyenba, the son of a district officer in Arakan who had turned traitor and betrayed his country to the Burmese, now joined the fugitives in British territory, organized them into a fighting force and tried to invade Arakan. The governor of Arakan blamed the British for this, following which the Calcutta authorities sent Captain Canning to Burma to solve the dispute. The mission failed, and this was the last

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<sup>2</sup> Khin Maung Saw, *Islamization of Burma Through Chitagon Engaleses as "Rohingya Refugee"*, September 2011.

<sup>3</sup> Kyaw Zwa Moe, *Why is Western Burma Burning?*. The Irrawaddy. Retrieved 26th July 2012

<sup>4</sup> D.G.E. Hall, *Burma*, Hutchinson & Co, London, 1960 p.94

British attempt to communicate with the Burmese king. There were also conflicts between the Burmese and the British in Manipura and Ahom kingdoms in Assam, where both sides tried to influence each other's internal affairs. In 1821 the Burmese occupied Assam during the reign of king Bagyidaw. The Burmese Empire now touched the British borders on many fronts: in Golpara, Chittagong, Cachar and Jaintia. It was out of these frontier disputes that troubles arose. The Burmese commander Bandula wrote to the British government in Bengal asking it to surrender Chittagong, Dacca, Murshidabad and Kasim Bazar, failing which Bandula would invade British territory. The Burmese retaliated by attacking the British frontier in Habraghat Pargana, north of Garo Hills. In August 1822, the Burmese demanded from the British an island in Bramaputra.

David Scott was appointed as agent to the governor-general to study the development in northeast India. He recommended military action against the Burmese, but the Board of Directors was not in favor of war. A year later, the Burmese occupied a small British outpost at Shahpuri Island in the Bay of Bengal. Governor-general Lord Amherst tried to reach an amicable settlement with the Burmese king, but his patience was exhausted when two British officers were captured by the Burmese. In the meantime, the British government received information that the Burmese were gathering troops in Assam, Manipura and Arakan to attack the British and also to occupy Cachar and Jaintia kingdoms. On this background, the British entered into a treaty with Gobinchandra of Cachar, which became a vassal of the British. Raja Ram Singh of Jaintia also signed a treaty with the British by which he became an ally of the British. Thus, both Cachar and Jaintia became partners in the "General System of Defensive Arrangement for the Frontier" established by the government of Fort William. On 5th March 1824, the British declared war on Burma; war broke out at Assam, Arakan, and Yangon. By 1825, the Burmese were expelled from Assam and Manipura. The Burmese army was defeated, forcing king Bagyidaw to end the hostilities by signing the Treaty of Yandabo on 24th March 1826. The terms of this treaty stated that Assam, Arakan, Manipura, and Tenasserim were appended to the British Empire.

The East India Company extended its Bengal administration to Arakan, thus there was no international boundary between Bengal and Arakan, and no restrictions on migration between the two regions. Thousands of Bengalese from the Chittagong region settled in Arakan seeking work<sup>5</sup>. At the same time, thousands of Rakhine people from Arakan also settled in Bengal. The British census of 1891 reported 58,255 Muslims in Arakan. By 1911, the Muslim population had increased to 178,647<sup>6</sup>. This migration was primarily due to the requirement of cheap labor by British India to work in the paddy fields. But immigrants from Bengal, mainly from the Chittagong region, were a nationwide phenomenon not restricted to Arakan. Historian Thant Myint-U writes:<sup>7</sup>

*"At the beginning of the 20th century, Indians were arriving in Burma at the rate of no less than a quarter million per year. The numbers rose steadily until the peak year of 1927, immigration reached 480,000 people, with Rangoon exceeding New York City as the greatest immigration port in the world. This was out of a total population of only 13 million; it was equivalent to the United*

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<sup>5</sup> Aye Chan, *The Development of a Muslim Enclave in Arakan State of Burma*, 2005, SOAS. Retrieved 1st November 2012. p.399

<sup>6</sup> Ibid, p.401

<sup>7</sup> Myint-U, Thant, *The River of Lost Footsteps--Histories of Burma*. Farrar, Straus, and Giroux, 2006. p.185-187

*Kingdom today taking 2 million people a year." By then, in most of the largest cities in Burma – Rangoon (Yangon), Akyab (Sittwe), Bassein (Patheingyi), Moulmein – Indian immigrants formed a majority of the population. The Burmese under British rule felt helpless, and reacted with a "racism that combined feelings of superiority and fear."*

During World War II, Japanese forces invaded Burma. The Burmese, who had been under British colonial rule for years, hoped that the Japanese help would release them from British control. When the British forces retreated, considerable violence erupted in the power vacuum left behind. This included communal clashes between Buddhist Rakhine and Muslim villagers. The period also witnessed violence between groups loyal to the British on one side, and Burmese nationalists on the other. When the British retreated, they armed Muslim groups in northern Arakan in order to create a buffer zone against Japanese invasion<sup>8</sup>. The Rohingya supported the Allies during the war with assistance in reconnaissance. A Rohingya living in Thailand for 25 years confirmed the same information to me: he remembered that his grandfather had kept the gun given to him by the British in his house, showing it to his grandson several times.

### **3. Struggle for Separation as Muslim State and Autonomy**

From the very beginning of Burma's independence, Rakhine Muslim nationalists had intentions to form an independent Rakhine State. In February 1947, the second Panglong Conference was hosted by the Shan. It was a meeting between ethnic groups and the Burmese leader, General Aung San; the Arakanese were not invited. Later in April at the All Arakan Conference, General Aung San was declared an "opportunist" by Rakhine leader U Seinda, who received the support of Thakin Soe's Red Flag Communist Party. Another Arakanese, U Hla Tun Pru, demanded to form a so-called "Arakanistan" for Arakanese Muslims at a meeting in Yangon.<sup>9</sup>

Right after Burma became independent in January 1948, a rebellion in northern Arakan broke out, led by a Muslim group calling itself "Mujahidin" insurgency, which means warriors in a holy war. In fact, the movement had begun two years before independence with the creation of the Muslim Liberation Organization (MLO) in 1946. In May 1948, the MLO had converted into the Mujahid Party at a conference held in Garabyin village, Maungdaw district. Zaffar Kawal became the group's commander in chief. On 9th June, the Mujahid Party sent a letter to the Government of the Union of Burma; two of their seven demands were that:<sup>10</sup>

1) the area between the west bank of Kaladan River and the east bank of Naaf River be recognized as the national home of the Muslims in Burma;

2) the Muslims in Arakan receive Burmese nationality.

U Nu's government did not respond to the demands.<sup>11</sup>

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<sup>8</sup> Field-Marshal Viscount William Slim, *Defeat Into Victory: Battling Japan in Burma and India 1942-1945*, 2009

<sup>9</sup> Aye Chan, *The Development of a Muslim Enclave in Arakan (Rakhine) State of Burma (Myanmar)*, SOAS Bulletin of Burma Research, Vol. 3, No. 2, Autumn 2005

<sup>10</sup> Ibid.

<sup>11</sup> U Aung, *Rohingya*, unpublished paper, Bangkok, 29th January 2013

In the same year, Pakistan's independence was granted, which led some Muslims in Rakhine to call for a separate state. However, they did not get any support from the Pakistani leader<sup>12</sup>.

On 19th July 1948, Mujahids attacked Ngapruchaung and villages in Maungdaw township. The most revered highest order in the Buddhist hierarchy was kidnapped for ransom.

The book "The Union of Burma: A Study of The First Years of Independence" by Hugh Tinker, published in 1957, states:

*"the Mujahids, bands of Muslim adventurers in the north of Arakan, whose terrorist activities were already beyond government control, activities ostensibly devoted to the creation of a separate Muslim State".*

It can be concluded that the Muslim rebels were one of the major problems of the newly born country in its first years of independence.

Although the rebellion was not successful, it left behind a bitter legacy of distrust and hatred between the Rakhine Muslims and the Burmese Buddhists including the Rakhine Buddhists.

#### **4. Citizenship**

The 1948 Union Citizenship Act based on the 1947 Constitution, specified that the indigenous races of Burma were the "Arakanese, Burmese, Chin, Kachin, Karen, Kayah, Mon or Shan race and racial groups that have settled in any of the territories included within the union of Burma as their permanent home from a period anterior to 1823 AD (2185 BE)". Anyone in doubt of their rights to citizenship could apply through the different administrative layers, by 30th April 1950, to the Minister of Home Affairs for decision<sup>13</sup>. (see Appendix I)

There are many records of pro-Rohingya claims to Burmese citizenship. An example is the article "A Friend's Appeal to Burma" by Benedict Rogers. He mentions a statement by the first president of Burma, Sao Shwe Thaik, who was an ethnic Shan, about Muslims in Rakhine State: "Muslims of Arakan certainly belong to the indigenous races of Burma. If they do not belong to the indigenous races, we also cannot be taken as indigenous races".

"The people living in Buthidaung and Maungdaw townships are Rohingya, ethnics of Burma", Burma's first prime minister U Nu said in a public speech on 25th September 1954 at 8 pm. A similar statement was made by prime minister and minister for defense U Ba Swe at public gatherings in Buthidaung and Maungdaw townships on 3rd and 4th November 1959: "The Rohingya have the equal status of nationality with Kachin, Kayah, Karen, Mon, Rakhine and Shan". All these claims were refused by anti-Rohingya groups for the reason that credible evidence was lacking.

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<sup>12</sup> East Pakistan later became Bangladesh.

<sup>13</sup> Tin Maung Maung Than and Moe Thuzar, *Myanmar's Rohingya Dilemma*, ISEAS Perspective, Singapore, 9th July 2012

In 1961, during U Nu's administration, the Mayu Frontier Administration (MFA), which consists of Maungdaw, Buthidaung, and western Rathidaung in north Arakan, was established. It was a military administration, not autonomous rule, but as it did not involve subordination to the Arakan authorities, the arrangement won the consent of the Rohingya leaders – particularly because this new military administration quickly succeeded in repressing the last vestiges of the revolt, and in restoring order and security to the area. When the government drafted a bill for Arakan statehood in 1962, the Mayu area was not included in the territory of the projected state. After the coup of March 1962, the new regime cancelled the plan to grant statehood to Arakan, but the Mayu area remained under separate military administration<sup>14</sup>.



Figure 1 Map of Burma and Rakhine State

The Burma Broadcasting Service (BBS) in Yangon began to broadcast a Rohingya language program three times a week on 15th May 1961. It continued until 30th October 1965.

The Rangoon University Rohingya Students Association was one of the many ethnic student associations that functioned from 1959 to 1961, under the registration numbers 113/99 December 1959 and 7/60 September 1960 respectively. In a high school

<sup>14</sup>Moshe Yegar, *The Crescent in Arakan*, online article can be reached at <http://www.rohingya.org/portal/index.php/rohingya-library/26-rohingya-history/82-the-crescent-in-arakan.html>

geography textbook printed in 1978, where scattered living regions of the national races of Burma are shown on page 86, northern Arakan is marked as 'Rohingya region'<sup>15</sup>.

In 1962, General Ne Win seized power in a coup d'état. Ne Win became head of state as chairman of the Union Revolutionary Council, and also prime minister. He launched what he called the "Burmese Way to Socialism", arguing that parliamentary democracy was not suitable for Burma. The new regime suspended the constitution and dissolved the legislature. This marked the beginning of the overwhelming dominance of the army in nearly all areas of the country, which continues to this day. The policies pursued by Ne Win would also lead Burma to become one of the poorest countries in the world.

The policies toward the Muslims in Rakhine State that had been initiated during U Nu's period, such as the MFA or the BBS Rohingya language broadcasts, were abolished. The Ne Win administration created a system that included elements of extreme nationalism, Marxism, and Buddhism, though Ne Win did not have much interest in either ideology or religion. This "Burmese Way to Socialism" combined Soviet-style nationalization and central planning with the governmental implementation of superstitious beliefs. Ne Win also founded the Burma Socialist Programme Party (BSPP) and held the position of chairman for 26 years, from 4th July 1962 to 23rd July 1988.

Ne Win abolished the MFA in 1964 and put the area under the central administration of Sittwe. In 1978, the Burmese military regime launched "Operation Naga Min" or "Operation Dragon King" in northern Arakan State with the aim of rooting out the Mujahid rebels. The operation began on 6th February 1978 in the village of Sakkipara in Sittwe district, with mass arrests and torture of alleged collaborators and sympathizers of the Mujahid rebels. Over three months, approximately 200,000<sup>16</sup> Muslims, mainly Rohingya, fled to the neighboring country of Bangladesh. The international community was concerned about human rights violations, the United Nations (UN) and Islamic countries strongly criticized the Burmese government. Thus, an agreement between Burma and Bangladesh was signed allowing for the return of the refugees. The UNHCR records that 180,000 refugees were sent back, 10,000 died in camps, and some 10,000 remain in Bangladesh.

In 1982, the government implemented a new citizenship law. The government first announced its recognition of 135 ethnic groups on Burmese territory, excluding the Rohingya. Therefore, the Rohingya became stateless people. (see Appendix II)

Ne Win resigned after the so-called "8888" uprising, the protest for democracy, which was started by students in Yangon on 8th August 1988. The protests rapidly spread throughout the country; hundreds of thousands of students, monks, young children, housewives, and doctors demonstrated against the regime. When the uprising ended on 18th September, the governing body inside the military regime was changed and the State Law and Order Restoration Council (SLORC) emerged. Thousands of deaths were attributed to the military during this uprising.

After it took power, the SLORC introduced color-coded Citizens Scrutiny Cards (CRCs): pink cards for full citizens, blue for associate citizens, and green for

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<sup>15</sup> Nay San Lwin, *Making Rohingya statelessness*, an online article that can be reached at <http://asiapacific.anu.edu.au/newmandala/2012/10/29/making-rohingya-statelessness/>

<sup>16</sup> The UNHCR report can be reached at <http://www.unhcr.org/46fa1f0e2.pdf>

naturalized citizens<sup>17</sup>. The Rohingya were not issued with any identity cards, which are essential for living in Myanmar. Nevertheless, in the 1990 general election the Rohingya were allowed to vote, and four Rohingya won constituencies in northern Arakan State, two of which were Buthidaung and Maungdaw. However, the government refused to accept the results of this election, as the National League for Democracy (NLD) party gained a landslide victory. Although Rohingya citizenship was not accepted by the government, it had issued a temporary national ID card for them to vote. This document was only issued to the Muslim community in Rakhine State. The card lists the bearers' race as Muslim and their religion as Islam. On the back, there is a note in Burmese stating that the cardholder does not have the right to claim Burmese nationality.



Figure 2 Temporary national ID card for voting<sup>18</sup>



Figure 3 ID card for Burmese citizens<sup>19</sup>

Since the Rohingya are considered as Bengalese immigrants, they are not allowed to travel freely. They must obtain authorization from a government officer before relocating. Similarly, they need permission to marry and to have children, which are strictly controlled by the authorities. These constraints have led to massive migration of Rohingya to neighboring countries such as Bangladesh and Thailand – or even farther to Malaysia, Indonesia, and the Middle East.

<sup>17</sup> Citizenship Law can be found at the Appendix II.

<sup>18</sup> Source: <http://www.narinjara.com/details.asp?id=2660>

<sup>19</sup> Source : <http://www.salem-news.com/articles/october172012/burma-id-cards-aa0.php>



## 5. Rohingya Migrants

As Myanmar denies the Rohingya the status of official ethnic minority group and describes them as Bengalese migrants, the Rohingya people have been living under conditions of poverty. They get low pay from doing dangerous or dirty jobs, but there are not many choices for second class citizens who do not even in their government's eyes. Thus, most Rohingya men flee from home, leave their wife and kids behind in search of a better opportunity overseas. They prefer to flee to Islamic countries. Since these are relatively far away, most Rohingya migrants first seek shelter in a neighboring country, with many fleeing to Thailand. There are Rohingya among the roughly 111,000 refugees housed in nine camps along the Thai-Myanmar border. Recently, media reports stated that groups have been abandoned at sea. Evidence suggests that in February 2009, the Thai army towed a boatload of 190 Rohingya refugees out to sea. Another group was rescued by the Indonesian authorities near Aceh, with survivors telling harrowing stories of being captured and beaten by the Thai military and then forced to return to sea. These travelers had allegedly been in a group of five engineless boats, four of which had sunk in a storm. The Thai military rejected the charge; however, prime minister Abhisit Vejjajiva admitted that there had been "some instances" in which Rohingya people had been pushed out to sea: "There are attempts, I think, to let these people drift to other shores. When these practices do occur, it is done on the understanding that there is enough food and water supplied. It's not clear whose work it is but if I have the evidence of who did this I will bring them to account."<sup>20</sup> The prime minister said that he regretted "any losses", and that he was working on rectifying the problem.

There are around 300,000 Rohingya refugees living in Saudi Arabia. A study conducted in 2007 by the Custodian of the Two Holy Mosques Institute of Hajj Research in Mecca showed that 74 percent of Rohingya in Saudi Arabia refuse to return to Myanmar under any circumstances, 12 percent declined to answer, and 14 percent said they would go back only under very specific conditions. Those conditions included the right to full citizenship, the right to practice Islam publicly, and the return of property that had been confiscated by the military regimes ruling the country almost exclusively since the 1960s<sup>21</sup>.

In Pakistan, especially in the capital city Karachi, there are around 200,000 Rohingya people. Most of them have Pakistani citizenship. All of them made a perilous journey across Bangladesh and India.

## 6. Recent Conflict between Buddhists and Muslims in Rakhine State

The recent conflict between Burmese and Muslim Rakhine seems to be a dispute caused by hatred between Buddhists and Muslims. On the evening of 28th May 2012, a group of three Muslims including two Rohingya robbed, raped, and murdered an ethnic Rakhine woman near Kyaut Ne Maw village. The police arrested three suspects and sent them to Yanbye township jail.<sup>22</sup> When the news spread, the majority of Buddhist

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<sup>20</sup> Interviewed by Dan Rivers, CNN reporter, on 12th February 2009

<sup>21</sup> Wael Madhi, *The Rohingya's lives in limbo*, can be reached at <http://www.thenational.ae/news/world/middle-east/the-rohingyas-lives-in-limbo>

<sup>22</sup> International Crisis Group (ICG), *Myanmar Conflict Alert: Preventing communal bloodshed and building better relations*, 12th June 2012

Rakhine were angry, resulting in a revenge attack by a mob on a bus in Taungup in which ten innocent Muslims were killed. Burmese Muslims in Yangon started to protest against the government which, in their eyes, could not protect innocent people. Although the 30 people who had killed ten Muslims on the bus were arrested on 2th July 2012, clashes spread throughout Rakhine State. The degree of violence increased day by day. Tun Khin, president of the Burmese Rohingya Organization UK (BROUK), stated that as of 28th June 650 Rohingya had been killed, 1,200 were missing, and more than 80,000 had been displaced.<sup>23</sup> The Myanmar government officially reported a figure of 80 deaths. The displaced are currently taking refuge in temporary camps.

The international community has questioned the sincerity of the Myanmar government to handle the situation. In July 2012 Dr. Surin Pitsuwan, the former secretary-general of ASEAN, directly raised the issue with the ministers of foreign affairs of Myanmar and Bangladesh. They both promised to cooperate and to keep ASEAN informed. In August 2012, Dr. Surin sent a letter to all ASEAN foreign ministers, urging them to meet and address the Rohingya issue. ASEAN chair Cambodia called a meeting of the ministers. However, Myanmar refused the meeting and said the situation was under control. Moreover, the Organization of Islamic Cooperation (OIC), the world's largest Muslim group, also tried to persuade the Myanmar government to accept an OIC fact-finding mission.

In response to the reaction of the international community, on 17th August 2012 U Thein Sein, president of Myanmar, appointed a commission to investigate the deadly sectarian violence in Rakhine State. The 27-member commission, headed by former director of the ministry of religious affairs Dr. Myo Myint, was mandated to "reveal the truth behind the unrest" and "find solutions for communities with different religious beliefs to live together in harmony". This new body was comprised of representatives from various religious groups, including Muslims, Christians, Buddhists and Hindus, as well as political parties and democracy groups – but it had no representative from the Rohingya side. A number of controversial figures were also included, such as 8888 generation leader Ko Ko Gyi, who had previously called for the minority to be expelled from Burma; as well as the vehemently anti-Rohingya leader of the Rakhine Nationalities Development Party (RNDP), Dr. Aye Maung.

In October 2012, violence between Muslim Rohingya and Buddhist Rakhine broke out again. According to the Burmese government, more than 80 people were killed, more than 22,000 people were displaced, and more than 4,600 houses burnt.<sup>24</sup> The violence took place in the towns of Min Bya and Mrauk-U, which means that the conflict area had spread to other towns in Rakhine State since the previous troubles.

On 26th October 2012 UN secretary-general Ban Ki-Moon issued the following statement: "the vigilante attacks, targeted threats and extremist rhetoric must be stopped. If this is not done, the reform and opening up process being currently pursued by the government is likely to be jeopardized"<sup>25</sup>.

On 27th October 2012 a spokesperson of president Thein Sein acknowledged "incidents of whole villages and parts of the towns being burnt down in Rakhine State", after

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<sup>23</sup> Article written by Hanna Hindstrom, can be reached at <http://www.dvb.no/news/burmese-authorities-targeting-rohingyas-uk-parliament-told/22676>

<sup>24</sup> BBC news on 28th October 2012

<sup>25</sup> BBC news on 26th October 2012

Human Rights Watch had released a satellite image showing hundreds of Muslim buildings destroyed in Kyaukpyu on Ramree Island.



Figure 4 Satellite image from Human Rights Watch showing the violence in Rakhine State

## 7. Burmese Perspective Towards Rohingya

It is very obvious that the perspectives of the Burmese toward Rohingya are negative. Basically, the Myanmar government and its citizens are not united, as the people have been ruled by an iron-fisted regime for half a century. The struggle for democracy, the rebellions of ethnic minorities, and the failure of the government to develop the political economy of the country, made the United Nations categorize Myanmar as one of the world's least developed countries. Although many changes have recently occurred on both political and economic fronts in positive ways, hatred against people from different backgrounds in Myanmar still remains. As mentioned earlier in this paper, Arakan or Rakhine State was annexed as a part of Burma in 1785. During the transformation period, there was resistance from the local Arakan people. With time, the Arakanese were melted and mixed with the Burmese until they became almost one same piece. The only binding factor I could find is that they share the same religion, Buddhism. But among the Arakanese, there are quite a number of Muslim communities that have been living there for centuries. It is impossible to track or trace back who originated from the area and who had immigrated from somewhere else. The conflicts and disputes in Rakhine State today are not a continuation of the conflict between the former Arakanese and the Burmese; instead, they are a new type of dispute between Buddhists and Muslims.

The roots of the conflict might also lie in the legacy of history: during British rule, the Burmese were suppressed by the British, later the Burmese supported the Japanese to push out the British, while the Arakanese Muslims were armed by the British to fight against the Japanese.

The central government policy for Arakan State was changed during the transformation from the U Nu's administration to Ne Win's military regime. U Nu's policies were a compromise; since he strongly believed in Buddhism, he showed his ideology of peace and forgiveness several times in his lifetime. U Nu initiated many moderate policies, for example the Rohingya language radio broadcast and the MFA that attributed some administrative power to the local people. But all of these were stopped when Ne Win seized power. Ne Win was a veteran soldier, and unlike U Nu, he was probably unhappy with the Muslim insurgency group in Arakan State, calling itself "Mujahideen" and aspiring to follow Pakistan's example by seceding from Burma. The hatred that has caused today's conflict may have started from Ne Win and his negative attitude, according to which the Muslim Rohingya were responsible for all the problems.

To get rid of the rebel group, Ne Win used military strategies by sending troops into the area, and he launched the new citizenship law to pressure them. Many Rohingya fled to Bangladesh. With the agreement between Burma and Bangladesh to send refugees back, and the international community criticizing the abuse of human rights, another occasion arose for the government to consider Rohingya as a problem.

The increase of the Muslims population in Rakhine State is one of the reasons that may make the Buddhist Rakhine feel uncomfortable and insecure. According to a UN estimate, the population growth rate for Myanmar is 0.85 percent, but when an analysis of the statistics of individual townships showed me that in areas dominated by Rohingya, such as Rathedaung, Maungdaw, and Buthidaung, the population growth rates in 2009 were 2, 2.6, and 3.7 percent.<sup>26</sup> These numbers are very high compared to the average, even when these areas are under marriage and birth restriction.

In Myanmar, the majority of the people are Buddhist: most Burmese still practice Buddhism earnestly. The Burmese Sangha plays an important role in Burmese society. Monks have always been considered as spiritual leaders for the people. In 2007, Burmese monks led the anti-government protests known as "Saffron Revolution". Although they ended with the defeat of the monks, the protests can be interpreted as the involvement of the Burmese Sangha in political issues. The degree of violence between Buddhists and Muslims increased recently when some monks created an anti-Rohingya campaign, without any warning or objection from the government, unlike in 2007 when the government had stopped them with force. One may argue that whether the minority Muslims in Rakhine State are accepted as citizens or called Bengalese migrants is not important; but that rather, the Buddhist people of Myanmar should follow the Buddha's teachings by respecting the equality of human beings.

Political interest is also another aspect that should be discussed. Most countries in Southeast Asia have experience of nation building with the tool of nationalism. To make the nation united, it has to find some common points that people in the country can agree on. With the effort of the government to gain popularity, preparing for the next election in 2015, the concept of making "nationality" by creating a "common enemy" is applied to the minority Muslims in a campaign for Burmese reunification. People have also questioned the president's appointment of the investigative commission. It is widely known that comments by Ko Ko Gyi, commission member, towards the Rohingya have been biased and have reflected his negative attitude.

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<sup>26</sup> Myanmar Information Management Unit, the information can be found at [www.themimu.info](http://www.themimu.info)

Interestingly, the government cleverly turned him from an opponent into a person sharing the government's view, at least on this issue. Aung San Suu Kyi has been expected by the world to do something that may help or lead to a solution, but she has remained silent.

Dr. Maung Zarni<sup>27</sup>, Myanmar expert and visiting fellow at the London School of Economics, has criticized her by saying that “Politically, Aung San Suu Kyi has absolutely nothing to gain from opening her mouth on this. She is no longer a political dissident trying to stick to her principles. She's a politician and her eyes are fixed on the prize, which is the 2015 majority Buddhist vote.”

There is a lot of propaganda on the internet. Both anti-Rohingya and pro-Rohingya have published information on their conflicts. Most of the information is not comprehensive enough and shows only one side of the coin. The anti-Rohingya have tried to link the Rohingya with terrorist groups, for example by posting an article written by Bertil Lintner, which they say provides evidence of links between some Bengalese and Al Qaeda<sup>28</sup>. In reality, however, the article was written in 2002 and was not concerned with Rohingya.<sup>29</sup> The internet and social media play an important role for wider and faster spread of propaganda from both sides.

## 8. Conclusion

The conflict between Buddhists and Muslim Rohingya in Myanmar is a multilayered problem with various interlinked causes. The disputes have spread outside the local area and become a regional problem that also involves other countries. This problem cannot be solved in the near future, not as long as the majority of Burmese citizens share the same mindset of hatred toward the Rohingya. It is impossible to fix or change the bitter history between Burmese people and Rohingya. To solve the conflict, the perspective of the Burmese toward the Rohingya must be changed – not only from the Burmese side, as the perspective of the Rohingya towards the Burmese is also hostile.

The most important thing is for the Burmese government to treat the conflict seriously and sincerely. The government must find a solution to handle the situation with emphasis on humanity and human rights. I have found that the perspective and perception of the Burmese towards Rohingya depend on the education level of Burmese people. Among the well-educated, even if they believe that the Rohingya are a Bengalese migrants, they still agree that as human beings, the Rohingya should get a chance to enjoy basic human rights. The Rohingya issue is no longer just a Myanmar problem, as it already affects the international community.

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<sup>27</sup> *Burma's Rohingya Muslims: Aung San Suu Kyi's blind spot*, The Independent, 20th August 2012

<sup>28</sup> Statement during a lecture to the Southeast Asian Studies program at Chulalongkorn University on 24th August 2012.

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APPENDIX I  
Burma Constitution 1947  
Citizenship Law Act

CITIZENSHIP

10. There shall be but one citizenship throughout the Union; that is to say, there shall be no citizenship of the unit as distinct from the citizenship of the Union.

11. (i) Every person, both of whose parents belong or belonged to any of the indigenous races of Burma;

(ii) every person born in any of the territories included within the Union, at least one of whose grand-parents belong or belonged to any of the indigenous races of Burma;

(iii) every person born in any of territories included within the Union, of parents both of whom are, or if they had been alive at the commencement of this Constitution would have been, citizens of the Union;

(iv) every person who was born in any of the territories which at the time of his birth was included within His Britannic Majesty's dominions and who has resided in any of the territories included within the Union for a period of not less than eight years in the ten years immediately preceding the date of the commencement of this Constitution or immediately preceding the 1st January 1942 and who intends to reside permanently there in and who signifies his election of citizenship of the Union in the manner and within the time prescribed by law, shall be a citizen of the Union.

12. Nothing contained in section 11 shall derogate from the power of the Parliament to make such laws as it thinks fit in respect of citizenship and alienage and any such law may provide for the admission of new classes of citizens or for the termination of the citizenship of any existing classes

## APPENDIX II

### Burma Citizenship Law Act 1982

#### **Burma Citizenship Law**

##### **Chapter I - Title and Definition**

**1.**

This Law shall be called the Burma Citizenship Law.

**2.**

The expressions contained in this Law shall have the following meanings:

- (a) "State" means the Socialist Republic of the Union of Burma;
- (b) "Citizen" means a Burma citizen;
- (c) "Associate Citizen" means an associate citizen prescribed by this Law;
- (d) "Naturalized Citizen" means a prescribed by this Law;
- (e) "Foreigner" means a person who is not a citizen or an associate citizen or a naturalized citizen;
- (f) "Certificate of citizenship" means a certificate of citizenship granted under the Union Citizenship (Election) Act, 1948 or the Union Citizenship Act, 1948 or this Law;
- (g) "Certificate of Associate Citizenship" means a certificate of associate citizenship granted under this Law;
- (h) "Certificate of Naturalized Citizenship" means a certificate of naturalized citizenship granted under this Law;
- (i) "Central Body established under this Law.

##### **Chapter II - Citizenship**

**3.**

Nationals such as the Kachin, Kayah, Karen, Chin, Burman, Mon, Rakhine or Shan and ethnic groups as have settled in any of the territories included within the State as their permanent home from a period anterior to 1185 B.E., 1823 A.D. are Burma citizens.

**4.**

The Council of State may decide whether any ethnic group is national or not.



**5.**

Every national and every person born of parents, both of whom are nationals are citizens by birth.

**6.**

A person who is already a citizen on the date this Law comes into force is a citizen. Action, however shall be taken under section 18 for infringement of the provision of that section.

**7.**

The following persons born in or outside the State are also citizens:

- (a) persons born of parents, both of whom are citizens;
- (b) persons born of parents, one of whom is a citizen and the other an associate citizen;
- (c) persons born of parents, one of whom and the other a naturalized citizen;
- (d) persons born of parents one of whom is

- (i) a citizen; or
- (ii) an associate citizen; or
- (iii) a naturalized citizen;

and the other is born of parents, both of whom are associate citizens;

- (e) persons born of parents, one of whom is

- (i) a citizen; or
- (ii) an associate citizen; or
- (iii) a naturalized citizen;

and the other is born of parents, both of whom are naturalized citizens;

- (f) persons born of parents one of whom is

- (i) a citizen; or
- (ii) an associate citizen; or
- (iii) a naturalized citizen;

and the other is born of parents, one of whom is an associate citizen and the other a naturalized citizen.

**8.**

- (a) The Council of State may, in the interest of the State confer on any person citizenship or associate citizenship or naturalized citizenship.

(b) The Council of State may, in the interest of the State revoke the citizenship or associate citizenship or naturalized citizenship of any person except a citizen by birth.

**9.**

A person born in the State shall have his birth registered either by the parent or guardian in the prescribed manner, within year from the date he completes the age of ten years, at the organizations prescribed by the Ministry of Home Affairs.

Proviso. If registration is not possible within one year from the date he completes the age of ten years, application may be made by the parent or guardian, furnishing sufficient reasons to the organizations prescribed by the Ministry of Home Affairs.

**10.**

A person born outside the State shall have his birth registered either by the parent or guardian in the proscribed manner within one year from the date of birth at the Burmese Embassy or Consulate or organizations prescribed by the Ministry of Home Affairs.

Proviso. If registration is not possible within one year from the date of birth, application may be made by the parent or guardian, furnishing sufficient reasons to the Central Body through the Burmese Embassy or Consulate or organizations prescribed by the Ministry of Home Affairs.

**11.**

(a) A parent or guardian who fails to comply with section 9 or section 10 shall be liable to pay a penalty of kyats fifty per year to the Burmese Embassy or Consulate or an organization prescribed by the Ministry of Home Affairs.

(b) A parent or guardian who fails for five years in succession to comply with section 9 or section 10 shall be liable to a penalty of kyats one thousand.

**12.**

A citizen shall

- (a) respect and abide by the laws of the State;
- (b) discharge the duties prescribed by the laws of the State;
- (c) be entitled to enjoy the rights prescribed by the laws of the State.

**13.**

A citizen shall not as well acquire the citizenship of another country.

**14.**

A citizen shall have no right to divest himself of his citizenship during any war in which the State is engaged.

**15.**

(a) A citizen shall not automatically lose his citizenship merely by marriage to a foreigner.

(b) A foreigner shall not automatically acquire citizenship merely by marriage to a citizen.

**16.**

A citizen who leaves the State permanently, or who acquires the citizenship of or registers himself as a citizen of another country, or who takes out a passport or a similar certificate of another country ceases to be a citizen.

**17.**

The citizenship of a citizen by birth shall in no case be revoked except in the case of cessation of citizenship due to infringement of the provision of section 16.

**18.**

A citizen who has acquired citizenship by making a false representation or by concealment shall have his citizenship revoked, and shall also be liable to imprisonment for a term of ten years and to a fine of kyats fifty thousand.

**19.**

A citizen who has committed abetment of obtaining, in a fraudulent manner, a certificate of citizenship or a certificate of associate citizenship or a certificate of naturalized citizenship for another person shall be liable to imprisonment for a term of seven years and to a fine of kyats ten thousand.

**20.**

(a) The certificate of citizenship of a person whose citizenship has ceased or has been revoked shall be cancelled. A person holding such a cancelled certificate shall surrender it in the manner prescribed by the Ministry of Home Affairs.

(b) Failure to surrender a cancelled certificate of citizenship or continued use of it or transfer of it in a fraudulent manner to another person shall entail imprisonment for a term of ten years and a fine of kyats twenty thousand.

(c) Whoever holds and uses a cancelled certificate of citizenship or the certificate of a deceased citizen shall be liable to imprisonment for a term of ten years and to a fine of kyats twenty thousand.

**21.**

Whoever forges a certificate of citizenship or abets such act shall be liable to imprisonment for a term of fifteen years to a fine of kyats fifty thousand.

**22.**

A person whose citizenship has ceased or has been revoked shall have no right to apply again for citizenship or associate citizenship or naturalized citizenship.

**Chapter III - Associate Citizenship**

**23.**

Applicants for citizenship under the Union Citizenship Act, 1948, conforming to the stipulations and qualifications may be determined as associate citizens by the Central Body.

**24.**

A person who has been determined is an associate citizen by the Central Body shall appear in person before an organization prescribed by the Ministry of Home Affairs, and shall make an affirmation in writing that he owes allegiance to the State, that, he will respect and abide by the laws of the State and that he is aware of the prescribed duties and rights.

**25.**

The Central Body may include in the certificate of associate citizenship the names of children mentioned in the application. The child whose name is so included is an associate citizen.

**26.**

The child whose name is included under section 25, and who has completed the age of eighteen years shall make an affirmation in accordance with section 24, along with the parents.

**27.**

(a) The child whose name is included under section 25 and who has not completed the age of eighteen years shall, within one year from the date he completes the age of eighteen years appear in person before an organization prescribed by the Ministry of Home Affairs and make an affirmation in accordance with section 24.

(b) A person who fails to comply with sub-section (a) shall be liable to pay a penalty of kyats fifty per year to an organization prescribed by the Ministry of Home Affairs.

**28.**

If affirmation is not possible within one year, application may be made, furnishing sufficient reasons to the Central Body, through the organizations prescribed by the Ministry of Home Affairs. If there are no sufficient reasons after the date on which he completes the age of twenty-two years, he shall lose his associate citizenship.

**29.**

(a) When both the parents, of the children included in their certificate of associate of associate citizenship, lose their associate citizenship, the child who has not completed the age of eighteen years, and the child who has completed the age of eighteen years, but has not made an affirmation cease to be associate citizens.

(b) Where one of the parents, of the children included in the certificate hold by her or him, is an associate citizen and the other a foreigner, and if the mother or father who is an associate citizen loses her or his associate citizenship the child who has not completed the age of eighteen years, and the child who has completed the age of eighteen years, but has not made an affirmation cease to be associate citizens.

**30.**

An associate citizen shall

- (a) respect and abide by the laws of the State;
- (b) discharge the duties prescribed by the laws of the State;
- (c) be entitled to enjoy the rights of a citizen under the laws of the State, with the exception of the rights stipulated from time to time by, the Council of State.

**31.**

An associate citizen shall not as well acquire the citizenship of another country.

**32.**

An associate citizen shall have no right to divest himself of his associate citizenship during any war in which the State is engaged.

**33.**

An associate citizen shall not automatically acquire citizenship merely by marriage to a citizen.

**34.**

An associate citizen who leaves the State permanently or, who acquires the citizenship of or registers himself as a citizen of another country, or who takes out a passport or a similar certificate of another country ceases to be an associate citizen.

**35.**

The Central Body may revoke the associate citizenship of a person if he infringes any of the following provisions:

- (a) trading or communicating with enemy countries or with countries assisting the enemy country, or with citizens or organizations of such countries during a war in which the State is engaged or abetting such an act;
- (b) trading or communicating with an organization or with a member of such organization which is hostile to the State, or abetting such an act;
- (c) committing an act likely to endanger the sovereignty and security of the State or public peace and tranquillity or giving rise to the reasonable belief that he is about to commit such an act;
- (d) showing disaffection or disloyalty to the State by any act or speech or otherwise;
- (e) giving information relating to a state secret to any person, or to any organization, or to any other country or countries,, or abetting such an act;
- (f) committing an offence involving moral turpitude for which he has been sentenced to imprisonment for a minimum term of one year or to a minimum fine of kyats one thousand.

**36.**

An associate citizen who has acquired such citizenship by making a false representation or by concealment shall have his associate citizenship revoked, and shall also be liable to imprisonment for a term of ten years and to a fine of kyats fifty thousand.

**37.**

An associate citizen who has committed abetment of obtaining in a fraudulent manners a certificate of citizenship or a certificate of associate citizenship or a certificate of naturalized citizenship for another person shall have his associate citizenship revoked; and shall also be liable to imprisonment for a term of seven years and to a fine of kyats ten thousand.

**38.**

An associate citizen who has personal knowledge of an offence committed by any person under section 36 or section 37, or as an accomplice who has committed such an act, discloses or admits the offence before organizations prescribed by the Ministry of Home Affairs within one year from the date this Law comes into force, or within one year from the date of commission of the offence shall be exempted from the penal provisions relating to such offence.

**39.**

(a) The certificate of associate citizenship of a person whose associate citizenship has ceased or has been revoked shall be cancelled. A person holding such a cancelled certificate shall surrender it in the manner prescribed by the Ministry of Home Affairs.

(b) Failure to surrender a cancelled certificate of associate citizenship or continued use of it or transfer of it in a fraudulent manner to another person shall entail imprisonment for a term of ten years and a fine of kyats twenty thousand.

(c) Whoever holds and uses a cancelled certificate of associate citizenship or the certificate of a deceased associate citizen shall be liable to imprisonment for a term of ten years and to a fine of kyats twenty thousand.

**40.**

Whoever forges a certificate of associate citizenship or abets such act shall be liable to imprisonment for a term of fifteen years and to a fine of kyats fifty thousand.

**41.**

A person whose associate citizenship has ceased or has been revoked shall have no right to apply again for associate citizenship or naturalized citizenship.

#### **Chapter IV - Naturalized Citizenship**

**42.**

Persons who have entered and resided in the State anterior to 4th January, 1948, and their offsprings born Within the State may, if they have not yet applied under the union

Citizenship Act, 1948, apply for naturalized citizenship to the Central Body, furnishing conclusive evidence.

**43.**

The following persons born in or outside the State from the date this Law comes into force may also apply for naturalized citizenship:

- (a) persons born of Parents one of whom is a citizen and the other a foreigner;
- (b) persons born of parents, one of whom is an associate citizen and the other a naturalized citizen;
- (c) persons born of parents one of whom is an associate citizen and the other a foreigner;
- (d) persons born of parents, both of whom are naturalized citizens;
- (e) persons born of parents, one of whom is a naturalized citizen and the other a foreigner.

**44.**

An applicant for naturalized citizenship shall have the following qualifications:

- (a) be a person who conforms to the provisions of section 42 or section 43;
- (b) have completed the age of eighteen years;
- (c) be able to speak well one of the national languages;
- (d) be of good character;
- (e) be of sound mind.

**45.**

A person married to a citizen or to an associate citizen or to a naturalized citizen, who is holding a Foreigner's Registration Certificate anterior to the date this Law comes into force shall have the following qualifications to apply for naturalized citizenship:

- (a) have completed the age of eighteen years;
- (b) be of good character;
- (c) be of sound mind;
- (d) be the only husband or wife;
- (e) have resided continuously in the State for at least three years is the lawful wife or husband.

**46.**

- (a) A person who has been determined as a naturalized citizen by the Central Body shall appear in person before an organization prescribed by the Ministry of Home Affairs,

and shall make an affirmation in writing that he owes allegiance to the State, that he will respect and abide by the laws of the State and that he is aware of the prescribed duties and rights.

(b) A person who has been determined as a naturalized citizen by the Central Body and holding a Foreigner's Registration Certificate shall appear in person before an organization prescribed by the Ministry of Home Affairs, and shall make an affirmation in writing that he renounces his foreign citizenship, that he owes allegiance to the State, that he will respect and abide by the laws of the State and that he is aware of the prescribed duties and rights.

**47.**

The Central Body may include in the certificate of naturalized citizenship the name of a child mentioned in the application. The child whose name is so included is a naturalized citizen.

**48.**

The child whose name is included under section 47, and who has completed the age of eighteen years shall make an affirmation in accordance with sub-section (a) of section 46, along with the parents.

**49.**

(a) The child whose name is included under section 47, and who has not completed the age of eighteen years shall, within one year from the date on which he completes the age of eighteen years appear in person before an organization prescribed by the Ministry of Home Affairs and make an affirmation in accordance with sub-section (a) of section 46.

(b) A person who fails to comply with sub-section (a) shall be liable to pay a penalty of kyats fifty per year to an organization prescribed by the Ministry of Home Affairs.

**50.**

If affirmation is not possible within one year, application may be made, furnishing sufficient reasons to the Central Body, through the organizations prescribed by the Ministry of Home Affairs. If there are no sufficient reasons after the date on which he completes the age of twenty-two years, he shall lose his naturalized citizenship.

**51.**

(a) When both the parents, of the children included in their certificate of naturalized citizenship, lose their naturalized citizenship the child who has not completed the age of eighteen years, and the child who has completed the age of eighteen years, but has not made an affirmation cease to be naturalized citizens.

(b) Where one of the parents of the children included in the certificate held by her or him, is a citizen and the other a foreigner, and if the mother or father who is a citizen loses her or his citizenship, the child who has not completed the age of eighteen years and the child who has completed the age of eighteen years, but has not made an affirmation cease to be naturalized citizen.



(c) There one of the parents, of the children included in the certificate hold by her or him, is an associate citizen and the other a foreigner, and if the mother or father who is associate citizen loses her or his associate citizenship, the child who has not completed the age of eighteen years, and the child who has completed the age of eighteen years, but has not made in affirmation cease to be naturalized citizens.

(d) Where one of the parents, of the children included in the certificate held by her or him, is a naturalized citizen and the other a foreigner, and if the mother or father who is a naturalized citizen loses her or his naturalized citizenship, the child who has not completed the age of eighteen years, and the child who has completed the age of eighteen years, but has not made an affirmation cease to be naturalized citizens.

**52.**

If a person married to a citizen or to an associate citizen or to a naturalized citizen, who is holding a Foreigner's Registration Certificate anterior to the date this Law comes into force applies for naturalized citizenship and the husband or wife of such a person dies or is divorced from such a person before acquiring naturalized citizenship, the application for naturalized citizenship of such a person shall lapse.

**53.**

A naturalized citizen shall

- (a) respect and abide by the laws of the State;
- (b) discharge the duties prescribed by the laws of the State;
- (c) be entitled to enjoy the rights of a citizen under the laws of the State with the exception of the rights stipulated from time to time by the Council of State.

**54.**

A naturalized citizen shall not as well acquire the citizenship of another country.

**55.**

A naturalized citizen shall have no right to divest himself of his naturalized citizenship during any war in which the State is engaged.

**56.**

A naturalized citizen shall not automatically acquire citizenship or associate citizenship merely by marriage to a citizen or to an associate citizen.

**57.**

A naturalized citizen who leaves the State permanently, or who acquires the citizenship of or registers himself as a citizen of another country, or who takes out a passport or a similar certificate of another country ceases to be a naturalized citizen.

**58.**

The Central Body may revoke the naturalized citizenship of a person if he infringes any of the following provisions:

- (a) trading or communicating with enemy countries Or with countries assisting the enemy country, or with citizens or organizations of such countries during a war in which the State is engaged, or abetting such an act;
- (b) trading or communicating with an organization or with a member of such organization which is hostile to the State, or abetting such an act;
- (c) committing an act likely to endanger the sovereignty and security of the State or Public peace and tranquillity or giving rise to the reasonable belief that he is about to commit such an act;
- (d) showing disaffection or disloyalty to the State by any act or speech or otherwise;
- (e) giving information relating to a State secret to any person, or to any organization, or to any other country or countries, or abetting such an act;
- (f) committing an offence involving moral turpitude for which he has been sentenced to imprisonment for a minimum term of one year or to a minimum fine of kyats one thousand.

**59.**

A naturalized citizen who has acquired such citizenship by making a false representation or by concealment shall have his naturalized citizenship revoked, and shall also be liable to imprisonment for a term of ten years and to a fine of kyats fifty thousand.

**60.**

A naturalized citizen who has committed abetment of obtaining in a fraudulent manner, a certificate of citizenship or a certificate of associate citizenship or a certificate of naturalized citizenship for another person shall have his naturalized citizenship revoked, and shall also be liable to imprisonment for a term of seven years and to a fine of kyats ten thousand.

**61.**

A naturalized citizen who has personal knowledge of an offence committed by any person under section 59 or section 60, or as an accomplice who has committed such an act, discloses or admits the offence before organizations prescribed by the Ministry of Home Affairs within one year from the date this Law comes into force, or within one year from the date of commission of the offence shall be exempted from the penal provisions relating to such offence.

**Chapter V - Decision as to Citizenship, Associate Citizenship or Naturalized Citizenship**

**65.**

Any person may apply to the Central Body when it is necessary for a decision as to his citizenship, associate citizenship or naturalized citizenship.

**66.**

The Central Body shall

- (a) permit the applicant the submission of application with supporting evidence;
- (b) decide in accordance with law;
- (c) inform its decision to the applicant.

#### **Chapter VI - Central Body**

##### **67.**

The Council of Ministers shall form the Central Body as follows:

- (a) Minister Chairman Ministry of Home Affairs
- (b) Minister Member Ministry of Defence
- (c) Minister Member Ministry of Foreign Affairs

##### **68.**

The Central Body has the authority:

- (a) to decide if a person is a citizen, or an associate citizen or a naturalized citizen;
- (b) to decide upon an application for associate citizenship or naturalized citizenship;
- (c) to terminate citizenship or associate citizenship or naturalized citizenship;
- (d) to revoke citizenship or associate citizenship or naturalized citizenship;
- (e) to decide upon an application regarding failure as to registration or affirmation.

##### **69.**

The Central Body shall give the right of defence to a person against whom action is taken

#### **Chapter VII - Appeals**

##### **70.**

- (a) A person dissatisfied with the decision of the Central Body may appeal to the Council of Ministers in accordance with the procedure laid down.
- (b) The decision of the Council of Ministers is final.

##### **71.**

Organizations conferred with authority under this Law shall give no reasons in matters carried out under this Law.

#### **Chapter VIII - Miscellaneous**

##### **72.**

Except under any of the provisions of this Law, no foreigner shall have the right to apply for naturalized citizenship from the date this Law comes into force.

**73.**

A foreigner who is adopted by a citizen or by an associate citizen or by a naturalized citizen shall not acquire citizenship or associate citizenship or naturalized citizenship.

**74.**

Except on penal matters, all matters relating to this Law shall be decided by the only organizations which are conferred with authority to do so.

**75.**

The Council of Ministers, shall, for the purpose of carrying out the provisions of this Law, lay down necessary procedures with the approval of the Council of State.

**76.**

The following Acts are repealed by this Law:

- (a) The Union Citizenship (Election) Act, 1948;
- (b) The Union Citizenship Act, 1948.