



ASEAN PARLIAMENTARIANS FOR HUMAN RIGHTS

22 April 2015

ASEAN Heads of State

Your Excellences:

We write as Members of Parliament representing several ASEAN nations to express our grave concern about the plight of Rohingya Muslims, the high risk of atrocities in Myanmar, and the dangers these crises represent, not only for Myanmar, but for the entire ASEAN region. We are also concerned about the failure of ASEAN nations to adequately respond. As ASEAN's leaders, it is imperative that you recognize the escalating crisis and take action to address it.

ASEAN Parliamentarians for Human Rights (APHR) has just released a report, *The Rohingya Crisis and the Risk of Atrocities in Myanmar: An ASEAN Challenge and Call to Action*. The report is based on a fact-finding mission by an APHR delegation to Mandalay, Myanmar, earlier this month and further long-term independent research by established human rights organizations. Between the Rohingya crisis, anti-Muslim violence, and human rights abuses against ethnic minorities, we found that nearly every risk factor for atrocity crimes identified in the UN Framework for Analysis of Atrocity Crimes is present in Myanmar today.

The longstanding persecution of Rohingya has led to the highest outflow of asylum seekers by sea since the U.S. war in Vietnam and a regional human trafficking epidemic that threatens ASEAN's physical and economic security. Our delegation identified several troubling signs of anti-Muslim rhetoric and broader incitement to violence, which are likely to increase in the lead up to elections in Myanmar at the end of 2015.

The protracted culture of abuse and resulting high risk of atrocities threaten Myanmar's political transition, put strains on regional economies, and support the rise of extremist ideologies that pose security threats throughout Southeast Asia. The crises in Myanmar, including the persecution of Rohingya, anti-Muslim rhetoric and violence, and systematic abuses against other ethnic minorities, are not only a problem for Myanmar—they are a problem for all of ASEAN.

We further believe that the escalating human rights crisis in Myanmar and Southeast Asia more broadly is exacerbated by the failure of ASEAN to take effective action. It is, therefore, troubling that the Rohingya crisis and broader human rights abuses in Myanmar are not on the agenda of the ASEAN Summit.

We present this letter and APHR's report as a call to action to prevent the further escalation and perpetration of atrocity crimes that will affect Myanmar and the entire region.

We call upon you, as ASEAN's leaders, to take the following actions:

- Recognize the escalating crisis in Rakhine State and the plight of Rohingya as a serious danger to both Myanmar and ASEAN by prioritizing the issue in Summit meetings.

- Call upon the Myanmar government to adhere to regional and international human rights and humanitarian standards, including by rejecting the “Protection of Race and Religion Bills.”
- Call upon the Myanmar government to address the root causes of the Rohingya crisis by amending the 1982 Citizenship Law to provide Rohingya with equal access to full citizenship in accordance with UN Resolution 69/248, promoting reconciliation initiatives, denouncing hate speech and propaganda, and holding perpetrators of violence, including government officials, accountable.
- Conduct an independent investigation of conditions and risks of increased violence and displacement in Myanmar, as well as associated risks to ASEAN, including greater refugee flows to countries like Malaysia and Thailand.
- Expand the mandate of the ASEAN Intergovernmental Commission on Human Rights (AICHR) to include country visits, inquiries, complaints, and emergency protection mechanisms, and ensure adequate independence and staffing support for its members. Engage AICHR to conduct a follow-up investigation into the Rohingya crisis.
- Deploy ASEAN monitors well ahead of the Myanmar elections to observe and report on the Rohingya crisis and broader anti-Muslim and ethnic minority dynamics.
- Utilize existing mechanisms in ASEAN, such as the ASEAN Troika, AICHR, the office of the ASEAN Secretary General, and the role of the ASEAN Chair, to respond appropriately to humanitarian crises in member states in accordance with the principles of the ASEAN Charter and the ASEAN Declaration on Human Rights.
- Commit to protecting those fleeing the crisis in Rakhine State, including by granting prima facie refugee status to Rohingya and providing the UN refugee agency with unfettered access to asylum seekers.
- As individual member states, ratify the 1951 Refugee Convention.
- Strengthen and expand the mandate of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) to help combat threats to women’s rights, including those presented by the “Protection of Race and Religion Bills” and other Myanmar government policies that restrict rights, particularly for ethnic and religious minority women.

Sincerely,

ASEAN Parliamentarians for Human Rights