



ADVISORY COMMISSION ON
RAKHINE STATE

Overview of key points and recommendations

Final report of the Advisory Commission on Rakhine State

Recurring conflict in Rakhine State is a major impediment to national peace and reconciliation in Myanmar, as well as a significant obstacle to the development of the State, which is among the poorest in the Union of Myanmar.

The challenges facing communities across the State are dangerous and demand urgent action. This includes - but is not limited to - the unresolved status of the large number of currently stateless Muslims, which exacerbates numerous socio-economic challenges facing the State.

The final report of the Advisory Commission on Rakhine State: Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine builds on the Commission's interim report to provide a comprehensive set of recommendations to achieve lasting peace and prosperity in Rakhine. Below is an outline of some of the report's main points and recommendations.

Socio-Economic Development

The Commission notes that local communities would benefit more from investment in Rakhine and calls for their increased participation in decision-making on issues related to development. Recognising that the question of resource sharing between the Union and State Governments is a consideration in the broader peace process, the Commission nonetheless calls on the Government to ensure that local communities benefit from natural resource extractions in Rakhine State.

It recommends that the government ensure adequate compensation for appropriated land, and to invest heavily in infrastructure including roads, jetties, electricity, drinking water and internet access. The planned airport at Mrauk-U should be constructed.

It also calls for the provision of vocational training which prioritises women and is based on labour-market assessments, and urges the government to reduce red tape to promote business, and to address regulatory issues that currently constrain small businesses, including access to lending and agricultural credit.

In light of the state's vulnerability to the effects of climate change, the Commission recommends that the government urgently step-up efforts to strengthen the capabilities of communities to adopt climate resilient options, and to improve the state's irrigation systems.

Citizenship

While Myanmar's cultural diversity and pluralism deserve to be celebrated, identity and ethnicity are sensitive issues in Myanmar and have a direct impact on the determination of citizenship. Identity and ethnicity are sensitive issues. Citizenship rights and deficiencies in national legislation remain a broad concern, as does the unresolved status of many Muslims.

In the short-run, the Commission calls for an acceleration of the citizenship verification process in line with the 1982 Citizenship Law. The Government should develop a clear strategy and timeline for the process, communicated through a broad outreach campaign. Those who have already been verified should immediately be allowed to enjoy all benefits, rights and freedoms associated with citizenship.

The Commission recommends that complaints regarding the verification process be addressed swiftly by a government authority independent of the institutions responsible for the process. It also calls for the rights of those whose citizenship application is not accepted to be clarified.

The Commission also notes the need to revisit the law itself and calls on the government to set in motion a process to review the law. Such a review should consider – amongst other issues – aligning the law with international standards, re-examining the current linkage between citizenship and ethnicity, and considering provisions to allow for the possibility of acquiring citizenship by naturalisation, particularly for those who are stateless. The Commission calls for the rights of non-citizens who live in Myanmar to be regulated, and for the clarification of residency rights.

Pending such a review, the Commission calls on the Government to ensure that existing legislation is interpreted and applied in a manner that is non-discriminatory.

Freedom of Movement

Both Rakhines and Muslims face movement restrictions, although Muslims – and in particular IDPs – are particularly affected. In general, the Commission calls on the Government to ensure freedom of movement for all people irrespective of religion, ethnicity, or citizenship status, and to that end reiterates its earlier call for a mapping exercise to identify all existing restrictions on freedom of movement, and calls for the introduction of measures to prohibit informal restrictions including unofficial payments and arbitrary roadblocks.

Communal Participation and Representation

Urgent steps are needed to promote communal representation and participation for underrepresented groups, including ethnic minority groups, stateless and displaced communities. This affects Muslims disproportionately. Women should be included in political decision-making.

Household leaders, Village Administrators and Village Tract Administrators should be directly elected by the residents of each village/village tract. Registration processes for CSOs should be greatly simplified.

Internally displaced people (IDPs)

The Commission commends the government for acting swiftly on the recommendation in the interim report on camp closures, but noted that the outcome of the return/relocation process was mixed. It reiterates the need for a comprehensive strategy towards closing all IDP camps in Rakhine State.

It calls for the government to cooperate with international partners to ensure that return/relocation is carried out in accordance with international standards, is voluntary, safe, and takes place in a dignified manner.

In the interim, and without affecting the closure of IDP camps – the Commission calls on the government to ensure dignified living conditions in camps, including improved shelter, water and sanitation, education, and access to livelihood opportunities.

Cultural Developments

In its final report, the Commission reiterates its recommendation that the Government of Myanmar should declare Mrauk U as a candidate for UNESCO world heritage status, and continue its positive engagement with UNESCO and other international partners to move this process forward.

The Commission also urges the Government of Myanmar to list and protect historic, religious and cultural sites of all communities in Rakhine.

Inter-communal Cohesion

Inter-communal dialogue must be fostered at all levels; township, state and Union. Activities that help to create an environment conducive for dialogue should be initiated by the government, including joint vocational training, infrastructure projects and cultural events, and the establishment of communal youth centres.

Security of all communities

The Commission recognises the threat posed from potential radicalisation, but advises against a purely security response in Rakhine. Commission members have instead called for a calibrated response that combines political, developmental, security and human rights approaches that address the root causes of violence and reduce inter-communal tensions.

To strengthen and professionalise policing in Rakhine, the Commission recommends simplifying the security infrastructure in Rakhine by creating a unified agency for all policing in the state, with a single chain of command reporting directly to the chief of Myanmar's Police Force. This could be done, for instance, by folding the Border Guard Police into the

national police. Improved training – including in human rights, community policing, civilian protection and languages – should be provided to all members of the security forces in order to improve intelligence gathering and relations with local communities. In general, and as recommended in the interim report, the police force should reflect the population in all components, including women and minorities.

Bilateral relations with Bangladesh

Given the importance of strong bilateral cooperation to secure the border and address shared challenges – including drug trafficking – the Commission welcomes steps taken to improve cooperation with Bangladesh over the past year, which are in line with the recommendations of its interim report. The Commission recommends that Myanmar and Bangladesh further strengthen their bilateral cooperation in various areas.

Implementation of the Commission's recommendations

With the submission of its final report, the Advisory Commission on Rakhine has completed its mandate. However the Commission has proposed a mechanism by which the Government can ensure effective implementation of its recommendations.

It calls for a ministerial level appointment to be made with the sole function of coordinating policy on Rakhine State and ensuring the effective implementation of the Rakhine Advisory Commission's recommendations. The appointee should be supported by a permanent and well-staffed secretariat, which will be an integral part of the Central Committee on Implementation of Peace and Development in Rakhine State and support its work.