

Joint Statement of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) on the situation of Rohingya women and children in Myanmar

The United Nations Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child join the international community in deploring the ongoing violence and deteriorating human rights situation of the Rohingya Muslim community in Myanmar, which has led to massive displacements of people, mostly women and children, and forced hundreds of thousands to flee their homes across the border. The Committees recall their previous concluding observations (CEDAW/C/MMR/CO/4-5, para. 32; CRC/C/MMR/CO/3-4, para.41) and reiterate that the situation of Rohingya women and children in northern Rakhine State is exacerbated by the implementation of the discriminatory Citizenship Law of 1982, which unduly deprives them of nationality and effectively renders them stateless.

The Committees are particularly concerned about the fate of Rohingya women and children subject to serious violations of their human rights including killings, rape and other forms of sexual violence, and forced displacement, and note that such violations may amount to crimes against humanity. The reported placement of anti-personnel landmines in the border specifically targeting the fleeing civilian population constitutes a flagrant violation of international humanitarian and human rights law. The Committees are deeply concerned at the State party's failure to put an end to these egregious human rights violations being committed at the behest of the military and other security forces, and of which women and children continue to bear a heavy brunt.

The Committees urge the civil and military authorities of Myanmar to fully comply with its obligations under both the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women and to take all measures to immediately stop violence in northern Rakhine State and to promptly and effectively investigate and vigorously prosecute cases of violence against women and children, including gender-based violence targeting Rohingya women and girls, and ensure that those convicted are adequately punished. Further, the Committees call upon the Government of Myanmar, to exercise due diligence and prevent, investigate, punish and ensure redress for acts of private individuals or militias under its jurisdiction that violate women's and children's rights in the State party. To ensure full accountability, the Committees encourage the Government of Myanmar to grant access to its territory and to fully cooperate with the Fact-finding Mission on Myanmar established by the United Nations Human Rights Council to enable it to conduct thorough and independent investigations.

In addition, the Committees are deeply concerned that the statelessness of Rohingya women and children and their protracted displacement have exposed them to high levels of poverty and malnutrition and limited access to basic services, including education, employment, livelihoods and health care, as well as imposed restrictions on their freedom of movement. The Committees note that the systematic and deliberate removal of ethnic and religious minorities from their place of residence, including through the use of force, violence and destruction of homes, may constitute ethnic cleansing as noted by the United Nations High Commissioner for Human Rights.

Furthermore, endorsing the recent comments of the United Nations Secretary-General, António Guterres, the Committees underscore the “importance of addressing the root causes of violence, in particular issues related to identity and citizenship” in finding a just and sustainable solution to the conflict.

The Committees urge the State party to address the needs of internally displaced Rohingya women and children, as well as of Rohingya refugee women and children living in camps in neighbouring countries, with the support of the international community. This should include the provision of necessary assistance and creating adequate conditions to ensure their prompt and durable return to their places of origin, if they so wish, in safety and dignity. Lastly, the Committees call upon the Government of Myanmar to grant access to and fully cooperate with humanitarian aid agencies to enable them to assist the affected populations in the northern Rakhine State of Myanmar.
