



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

## **Study on Community Perceptions of Citizenship, Documentation and Rights in Rakhine State**

August 2016  
UNHCR Myanmar

## EXECUTIVE SUMMARY

---

The citizenship verification process in Rakhine State commenced in July 2014 with the pilot in Taung Pyo IDP camp in Myebon Township. It was then rolled out as of 1 January 2015 across Rakhine State and nationwide, but with a very low level of participation. The verification exercise recommenced in 2016 under the newly formed Government led by the National League for Democracy. The pilot process in Myebon has resulted in around 2,000 people (including children) receiving a form of citizenship documentation (full or naturalized citizenship). However, there have been no tangible changes in the overall situation of those who have acquired citizenship through the pilot; their constraints on freedom of movement persist as well as their access to basic services including education, health and livelihoods. In northern townships of Rakhine State where the majority of the stateless population reside, participation in the verification continues to be low.

Since the commencement of the pilot project in Myebon in 2014, UNHCR has monitored the implementation of the exercise consistently through gauging community perceptions of the processes and outcomes. To complement this sustained monitoring, and in order to strengthen its advocacy on the citizenship verification process, UNHCR conducted a survey of the stateless population and other minorities' perceptions of citizenship, documentation and related processes. Over the period from March to early June 2016, 1,293 community members from eight townships and various villages and communities in Rakhine State were interviewed.

The key findings that have arisen from this study include:

- **Further improvements to the current implementation measures are needed in order to encourage participation in the citizenship verification process.** It has become clear from the implementation of the citizenship verification process in 2016 that the ICNV ("Identity Card for Nationality Verification") is not accepted by the community, despite key changes made by the Government to the application process and to the card itself. In 2015 the key concerns regarding the ICNV included the requirement to self-identify as "Bengali", and the expiration of the document within two years. Although the Government demonstrated some flexibility on these issues, the stateless population still sees the ICNV as compelling them to participate in a citizenship verification process that remains non-transparent with no clarity on the rights attached to the ICNV.
- **The recognition of ethnicity on citizenship documentation is described as being important by the community members surveyed, in order for "Rohingya" to be recognized as a minority group like other ethnic groups in the country.** It is also widely considered that the recognition of ethnicity on the documentation will facilitate equal treatment with other Myanmar citizens. Some community members, though a minority among those interviewed for this study, highlighted that it was acceptable that ethnicity was not included on documentation.
- **Information gaps on citizenship, documentation and rights are widespread and significant, undermining the stateless population's ability to make informed decision during the citizenship verification process.** Most stateless community members who participated in the survey are unclear about the various kinds of documentation and the rights and obligations attached to these.
- **Communities feel entitlement to "full" citizenship.** Most Rohingya community members surveyed feel that "full" citizenship should be granted to their community given that they can prove that they were born in Myanmar and that their families have lived in Myanmar for generations. For some this is also tied to the desire that their community be recognized as a distinct and recognized ethnic group in Myanmar.
- **The concept of being a citizen in Myanmar is intimately linked to the perception that citizens have rights.** The rights attached to being a citizen or having any form of documentation is perceived by the community include freedom of movement, access to livelihoods, equal treatment, access to healthcare and education and freedom from discrimination. The community's key asks from the new Government echo the themes of rights that are associated with being a citizen.

- **The Rohingya highlight freedom of movement as a core right that they do not currently enjoy due to their stateless status.** Freedom of movement is highlighted as being a key right enabled by documentation and core when explaining how stateless communities perceive citizenship. It was identified as being the main right that would significantly change their lives. Freedom of movement is one of the main hopes for change with the new Government. Women and youth also highlight the importance of this right in their everyday life.
- **Young stateless people have a very limited awareness of what citizenship means.** Both young women and men found it extremely difficult to explain any perception on citizenship, with little understanding of documentation and related processes. Young people do however express that documentation to confirm their citizenship would grant important rights such as freedom of movement, access to livelihoods and access to education.
- **Women do not have access to information on the substantive elements of documentation or hold their own documentation.** The low literacy rate in Rakhine State among the Rohingya women and lack of access to participation in discussions concerning documentation was highlighted as key challenges in their ability to understand the procedures and contents of the documentation that they received. In some instances, women were found not to be the custodians of their own documentation.
- **Women often share that if they received a citizenship card there would be peace in Rakhine State.** Women's perception of peace is explained as freedom of movement, livelihood opportunities, being able to marry freely without marriage permissions, being able to register their children to household lists and for their children to have access to education.
- **The Maramagyi confirm that having a CSC card has enabled access to rights, diminished discriminatory treatment by the authorities and made them feel "secure".** Before receiving the CSC the Maramagyi had no identity card and report having felt discriminated by the authorities. The Maramagyi communities report that their lives changed significantly with the CSC and their situation both in terms of access to documentation and rights that they can enjoy as a result.
- **The Kaman perceive that they face restrictions in accessing documentation and rights due to religious discrimination.** Despite being a recognized minority group the community highlights that they are discriminated because of their Muslim faith. The community hopes for equal access to rights as other citizens, the granting of the CSC for all and freedom from discrimination.
- **Some Hindu perceive the Naturalized Citizenship Scrutiny Card to be a temporary card providing them with an insecure status and with which they cannot access full rights.** Particularly in northern Rakhine some are concerned that if the law changes they might be sent to India.
- **The Rakhine highlight the importance of a citizenship card to ensure freedom of movement, freedom from discrimination and access to services.** The Rakhine consider the citizenship card to be very important, believing that not having the card would directly affect their freedom of movement, their children's access to education and civil documentation. Women perceive that they may be discriminated without the card.
- **All groups included in the study experience limited access to reliable information on documentation, rights, obligations and entitlements.** Similar to the stateless community there is a lack of access to information and little dialogue between the authorities and communities to dispel rumours and ensure clear and transparent messages. This results in communities not being fully informed or empowered to make informed decisions.

## Recommendations

The findings in this report identify significant information gaps on citizenship, documentation and rights. Such information gaps undermine the stateless population's ability to make informed choices during the citizenship verification process and hinder government attempts to make substantial progress. Women and youth are those with the least access, perpetuating their inability to participate and make decisions. In light of these, key recommendations for improving the current citizenship verification process, include the following:

- **Improving access and providing information:** Information on the procedures of the citizenship verification exercise should be delivered directly by authorities in a language that is understood to ensure that all members of the community, including women and youth, are able to access the procedure and be informed of the requirements to apply. A consistent dialogue between authorities and the communities on the process and status of the citizenship verification exercise would ensure transparency and confidence in the procedure and dispel rumours. Consideration should also be given to outreach within communities to ensure that information and the application procedure is accessible.
- **Resolving the terminology issue:** The terminology issue has not been resolved and is likely to continue to be an impediment to implementation. A low level of participation will be expected if this issue is not resolved in a manner that is acceptable to all communities.
- **Enhanced consultations with affected communities:** It is evident that communities either do not know about the citizenship verification, or do not understand the process and its ramifications. Active steps to consult with both the stateless and Rakhine communities on how a citizenship verification process will be implemented under the current legal framework will be essential.
- **Simplified application forms:** The application procedure may be expedited by the use of simplified application forms and the implementation of a low threshold for submitting supporting documentation. Township archives could be referenced, particularly when applicants do not have complete family records.
- **Timely decision-making:** Decisions should be issued in a timely manner and information should be provided on mechanisms to follow up pending cases, or to pursue review or appeals for rejected decisions.
- **Flexible approach:** Given the low level of literacy among the community, a low threshold for establishing knowledge of a national language would ensure that a greater number of applicants benefit from the exercise, particularly women and youth. Waiving the multiple fees which applicants cannot afford would also increase participation. Members of the community who may be living with disabilities or the elderly should likewise not be excluded from the exercise and measures to ensure they are able to participate should be implemented.
- **Tangible changes:** The absence of tangible changes that has followed the exercise to date has resulted in a lack of confidence in the procedure throughout stateless communities. Progressive tangible changes must be seen for those who are confirmed as citizens.

## TABLE OF CONTENTS

---

|  |           |
|--|-----------|
| <b>1. INTRODUCTION</b>   | <b>6</b>  |
| <b>2. GLOSSARY</b>   | <b>8</b>  |
| <b>3. THE ROHINGYA COMMUNITY</b>   | <b>9</b>  |
| <b>(A). COMMUNITY PERCEPTIONS ON DOCUMENTATION</b>   | <b>9</b>  |
| (i). HOUSEHOLD LISTS   | 9         |
| (ii). TEMPORARY IDENTITY CERTIFICATE “SLIP”  | 10        |
| (iii). IDENTITY CARD FOR NATIONALITY VERIFICATION (ICNV)                                   | 10        |
| (iv). CITIZENSHIP SCRUTINY CARDS (CSCS, “PINK CARDS”)                                      | 11        |
| <b>(B). COMMUNITY PERCEPTIONS ON RIGHTS</b>  | <b>13</b> |
| <b>(C). COMMUNITY PERCEPTIONS ON CITIZENSHIP</b>   | <b>14</b> |
| <b>(D). COMMUNITY PERCEPTION ON ETHNICITY AND CITIZENSHIP</b>                              | <b>16</b> |
| <b>(E). COMMUNITY PERCEPTIONS OF THE CITIZENSHIP VERIFICATION EXERCISE (PRE-JUNE 2016)</b> | <b>16</b> |
| <b>(F). COMMUNITY PERCEPTIONS AND HOPES TOWARDS THE NEW GOVERNMENT</b>                     | <b>18</b> |
| <b>4. OTHER ETHNIC GROUPS IN RAKHINE STATE</b>   | <b>20</b> |
| <b>(A). THE MARAMAGYI COMMUNITY</b>  | <b>20</b> |
| <b>(B). THE KAMAN COMMUNITY</b>  | <b>20</b> |
| <b>(C). THE HINDU COMMUNITY</b>  | <b>21</b> |
| <b>(D). THE RAKHINE COMMUNITY</b>  | <b>22</b> |
| <b>(E). THE MRO, DINET AND RAKHINE ARRIVALS FROM BANGLADESH</b>                            | <b>23</b> |
| <b>5. CONCLUSIONS</b>  | <b>24</b> |
| <b>6. RECOMMENDATIONS</b>  | <b>25</b> |

## 1. INTRODUCTION

---

Citizenship in Myanmar is currently governed by the *1982 Citizenship Law* and its 1983 Procedures, which replaced the 1948 Union Citizenship Act and its 1949 Regulations. The *1982 Citizenship Law* introduced three different tiers of citizenship where previously there had been only one: these are citizens, associate citizens and naturalized citizens which are afforded different entitlements.

In 1989, a nationwide citizenship scrutiny exercise was carried out during which the *1982 Citizenship Law* and its 1983 Procedures were applied. For those who were “scrutinized” and found to fulfil the requirements of the new citizenship law, the Citizenship Scrutiny Card (CSC) replaced their National Registration Card (NRC). Individuals whose mother and father were considered as belonging to the 135 recognized “national ethnic groups” under the law retained their citizenship status without difficulty. Others, in particular the Rohingya, a proportion of whom had been issued with NRCs like other citizens prior to 1989, did not have their NRCs replaced with CSCs.

Following the introduction of CSCs in 1989, the Rohingya population that applied for a CSC never received a decision regarding their status. Furthermore, persons who were not granted CSCs but retained the NRCs that they had previously been issued are no longer considered Myanmar citizens by the relevant competent authorities. Consequently, the way in which the *1982 Citizenship Law* was applied to members of the Rohingya led to the deprivation of Myanmar citizenship for an estimated one million people. The members of this group did not hold citizenship of another country and they therefore became stateless. This appears inconsistent with the general principle of international law that arbitrary deprivation of nationality is prohibited, particularly where it results in statelessness.<sup>1</sup>

UNHCR estimates that more than one million Rohingya habitual residents of predominantly northern Rakhine State, including 120,000 internally displaced in central Rakhine State, are stateless because of the discriminatory *1982 Citizenship Law* and its application.

In an attempt to address the issue of citizenship for the stateless population in Rakhine, the citizenship verification process was launched by the Government in 2014 with the pilot in Taung Pyo IDP camp, Myebon. However, few applications were made when the process was rolled out in Rakhine in 2015. While the then incumbent Government under President Thein Sein attempted to enlist more to participate in the verification, it annulled the Temporary Identity Certificate (or Temporary Registration Card (TRC), TIC, “white card”) held by at least 390,000 Rohingya through a Presidential Decree as of May 2015. The identity documents offered to replace the TIC, the receipt slips and the newly created Identity Card for Nationality Verification (ICNV, NVC, “turquoise card”), did not specify a clear legal framework that would allow for fundamental rights to be realized. The Government outreach when commencing the verification process as well as the exchange of the TIC was *ad hoc* and poorly implemented, and the process of citizenship verification as well as the impact of its outcome was never made clear to the affected community. Furthermore, the requirement to self-identify as “Bengali” in the verification process was almost universally rejected by communities. The vast majority of the Rohingya communities did not trust the citizenship verification process and rejected the alternative documents to the TIC. This may have been interpreted by the Government at the time as an indication of lack of interest by the target population in obtaining citizenship. However, routine field monitoring by UNHCR revealed that some members of the target population were keen to acquire citizenship.

In 2016, the new Government resumed its attempt to implement a citizenship verification process by reviving the distribution of ICNV as an initial step in the verification process. This study was conducted from March to May 2016 (i.e. before the Government commenced the ICNV distribution). Given that the modalities employed by the Government remain largely unchanged, however, the key issues highlighted in this community perceptions study remain unchanged.

For developing this paper UNHCR used a participatory approach to strengthen its understanding of community perceptions on citizenship, documentation and priorities of rights, and as such presents a snapshot of the prevailing narrative within the Rohingya community in Rakhine State since the inception of the citizenship verification process. For this study UNHCR conducted a survey of the

---

<sup>1</sup> Protection Sector Myanmar, *Protection Context Analysis – Rakhine State 2014-15*, p.11

stateless population and other minorities' current understanding of citizenship, documentation and related processes such as verification procedures. A total of 85 Focus Group Discussions (FGD) were held covering 1,293 men, women and youth in Rakhine State mainly focusing on the Rohingya stateless community but also including various ethnicities such as Kaman, Maramagyi, Hindu, and the Rakhine. These other groups were included in this study to draw parallels on perceptions and concerns on citizenship verification, documentation and rights.

The analysis presented in this paper aims to identify knowledge gaps, misconceptions and rumours surrounding documentation and citizenship, mainly focusing on the stateless communities and their key priorities on these matters in order to inform subsequent actions. The study also serves to reinforce UNHCR's understanding of wishes, perceptions and sentiments concerning citizenship and rights which will guide and strengthen advocacy on these matters.

Transparent and widespread information dissemination will serve to strengthen local community voices and empower people to make informed choices. Information sharing and dialogue should become an ongoing process and continuously include information on rights, obligations and entitlements. The empowerment of communities will encourage people to more effectively engage in citizenship processes and lead to community involvement in helping themselves on these issues.

**Figure 1: Focus Group Discussion data broken down by township, age and gender**

| Township          | # FGD     | # Individuals | # Women    | # Men      | # Youth     |
|-------------------|-----------|---------------|------------|------------|-------------|
| <b>Buthidaung</b> | 24        | 366           | 185        | 181        | 135         |
| <b>Kyauktaw</b>   | 6         | 116           | 46         | 70         | 20          |
| <b>Maungdaw</b>   | 26        | 408           | 186        | 222        | 166         |
| <b>Minbya</b>     | 3         | 55            | 20         | 35         | -           |
| <b>Mrauk U</b>    | 2         | 38            | 18         | 20         | -           |
| <b>Pauktaw</b>    | 7         | 102           | 31         | 71         | 37          |
| <b>Rathedaung</b> | 3         | 53            | -          | 53         | 15          |
| <b>Sittwe</b>     | 14        | 155           | 62         | 93         | -           |
| <b>Total</b>      | <b>85</b> | <b>1293</b>   | <b>548</b> | <b>745</b> | <b>373*</b> |

*\*youth are also included in the breakdown by gender*

## 2. GLOSSARY

| Terms  | Meaning  |
|--|--|
| <b>Associate Citizenship Scrutiny Card (ACSC)</b>        | Blue card. Issued to associate citizens as defined in the <i>1982 Citizenship Law</i> , sections 23 and 25.  |
| <b>Citizenship Scrutiny Card (CSC)</b>                   | Pink/red card. Issued to citizens under the <i>1982 Citizenship Law</i> , sections 3, 6 and 7. Sometimes referred to documents issued to “full” citizens.  |
| <b>Citizenship Verification Procedure</b>                | First piloted in Taung Pyo IDP camp, Myebon in June 2014, rolled out nationwide as of 1 January 2015.  |
| <b>Household list</b>                                    | A document which lists members of one’s household. In northern Rakhine State these are routinely updated by the MaKaPa on an annual basis. Sometimes referred to as a “family list”.                         |
| <b>Identity Card for Nationality Verification (ICNV)</b> | Issued from 2015 to former TIC/white card holders. Also known as NVCs or “turquoise cards”.  |
| <b>Moe Pwint Special Operation</b>                       | A procedure to rapidly issue civil documentation through relaxed procedures and “one-stop shops” for members of the 135 recognized national ethnic groups.   |
| <b>Naturalised Citizenship Scrutiny Card (NCSC)</b>      | Green card. Issued to naturalized citizens as defined in the <i>1982 Citizenship Law</i> , sections 42 to 45 and 47.   |
| <b>National Registration Card (NRC)</b>                  | At times referred to as a “three-folded card”. Green cards for men, pink cards for women. Issued to registered residents in accordance with the 1949 Registration of Residents Act/1951 Rules.               |
| <b>Temporary Identification Certificate (TIC)</b>        | White card. At times referred to as a Temporary Registration Certificate (TRC). Invalidated by Presidential Order in 2015. Issued under the provisions of the 1949 Registration of Residents Act/1951 Rules. |
| <b>TIC slip</b>  | Receipt given upon surrendering of the TIC.  |

### 3. THE ROHINGYA COMMUNITY

---

#### (a). Community perceptions on Documentation

Communities confirm that all of the stateless community members who previously held a Temporary Identity Certificate/white card (TIC) and handed this over to Immigration and National Registration Department (INRD) in 2015 received a TIC slip or receipt. Those who previously did not hold a TIC, or where the TIC was lost, destroyed or damaged, continue to hold no document as TIC slips were only given to those who were able to surrender them. Communities estimate that the majority of those who had held a TIC now hold a slip as well as a household list, while they also remark that there are many who have never held any personal identity document.<sup>2</sup> All stateless communities report that they have no access to new documentation. Some women are not aware which card they currently hold or if they hold any card at all. This was observed mostly in the more rural areas in central Rakhine State. In northern Rakhine, women are usually aware of the TIC and the TIC slip. This difference in awareness is linked to the specific context and the differences in restrictions of freedom of movement in these areas. In rural central Rakhine women can move discreetly without obtaining travel authorization that is needed in northern Rakhine, where freedom of movement falls under the Local Order regime<sup>3</sup> and Village Departure Certificates are required for all movement. Furthermore, the freedom of movement restrictions in central Rakhine are relatively recent, enforced since the 2012 violence, while restrictions in northern Rakhine under the Local Orders, have been in place since the 1990s.

##### (i). Household Lists

The household list is the main form of documentation for stateless families in Rakhine State. Registration in the household list is a pre-requisite for the issuing of identity documents, enrolment in Governmental schools, issuing of authorization to travel within townships and obtaining permission to marry.<sup>4</sup>

Whether the household list update takes place or not varies significantly between northern Rakhine State and central Rakhine State, as well as between the IDP camp and village setting. In the camps in central Rakhine, IDPs and Rohingya host communities have not had their household list updated since the 2012 conflict, but may have been within the last five years. Depending on place of origin, some communities report that they have not been able to update their household list for a much longer time. Communities in remote areas have difficulties in accessing the INRD services for the updating.<sup>5</sup> The result is a large number of children in all camps and host families who are not on any household list.

In contrast in northern Rakhine State, where people are not in camps but where the Local Orders restrict peoples' everyday lives, household lists are updated annually by MaKaPa<sup>6</sup> and all communities confirm the 2016 update having already taken place. Commencing 2016 a new process of registering newborn children in the household list was introduced where the stateless parents have to submit an application for each child. All communities report that the new process is unclear, complicated and burdensome.<sup>7</sup> Families are concerned as they are still waiting for the results of their applications. In addition, there are challenges to have all family members on added to a household list due to the requirement to obtain marriage permission.<sup>8</sup> In addition, given that new household lists are

---

<sup>2</sup> Particularly youth who never received a TIC.

<sup>3</sup> For more information on Local Orders see Protection Sector – Context Analysis Rakhine State p.9

<sup>4</sup> Permission to marry is required under the Local Orders in northern Rakhine State.

<sup>5</sup> People living in Sittwe could, previous to 2012, update lists by paying a fee directly at the INRD office while those who lived in more remote areas were dependent on the INRD visits for any update. Such visits did not take place regularly in all places.

<sup>6</sup> Committee for the Prevention of Illegal Immigration of Foreigners (MaKaPa). For more information see Protection Sector – Context Analysis Rakhine State p.9

<sup>7</sup> In 2016 a new application process was introduced for registering children to household lists. This requires a large amount of recommendations the parents should submit to the local MaKaPa team: 2 copies of (a) application form, together with a birth notification letter from the Village Administrator (VA), a birth recommendation letter from the health staff, the marriage permission by the VA, a copy of the household list; (b) recommendations of 2 close relatives and by the VA; (c) statements of 2 witnesses of the parents, and of local BGP personnel. See UNHCR advocacy note *Birth Registration in northern Rakhine State*.

<sup>8</sup> On 28 April 2016, Border Guard Police (BGP) from Sector 10 in Taung Bazar, Buthidaung, issued an instruction regarding new marriage permission procedures. The revised procedures referred to marriage related matters of “Bengali races” by the Village Administrators under the commanding Sector. Accordingly, the following documents were requested prior to marriage permission would be approved: a recommendation letter from the District/Township Immigration or Ma Ka Pa from respective Sectors for completing the eligible age of marriage; a recommendation letter from the respective Sector/Station Commanders to ensure that the soon-to-be-married couple is free from criminal offences/not outlawed; a recommendation letter from the health

not issued to Rohingya families, these lists become increasingly lengthy and the checking process requires all members to be present during the update.

Perceptions on the importance of being on the household lists are consistent and highlights the risk that stateless children and youth can be completely undocumented. Due to children not being on household lists all communities report significant concerns over their children's future freedom of movement, lack of access to education<sup>9</sup> and ability to marry.<sup>10</sup> In addition there are concerns that children will as a consequence have limited access to livelihoods. Families also highlight that if children are not on household lists they will have no proof that they were born in Myanmar and they may be denied any form of citizenship and be seen as illegal in the country. Both displaced and non-displaced communities express their concern that the new generation is not formally documented anywhere, fearing that this will significantly affect their future.

### ***(ii). Temporary Identity Certificate “slip” (receipt given upon surrendering TIC)***

Communities perceive the introduction of the TIC slip as a deterioration to their documentation status. Most people in both central and northern Rakhine report that their freedom of movement deteriorated since holding the TIC slip and that travel was easier with the TIC.<sup>11</sup> In northern Rakhine State it was also reported that the introduction of the slip caused an increase of unofficial fees requested at checkpoints. Communities therefore consider the slip as having little or no value, as one of the main purposes of an identity document in the current context is that it allows for freedom of movement. The community is concerned that they will have no proof of residence or any individual identity document if the TIC slip becomes invalid.

Rohingya women shared that they often don't know what is written on identity cards as most of them are illiterate. In a rural area UNHCR visited the women had never seen or heard of the TIC slip. When we asked the community leader of this particular village, we were informed that the husbands hold the slips of the women.

### ***(iii). Identity Card for Nationality Verification (ICNV)***

In June 2015 INRD announced that those who surrendered their TIC and received a slip should exchange this for an “Identity Card for Nationality Verification” (ICNV). As of 2015, this green-coloured card had a validity of two years and entitled the person to apply for citizenship. It did not contain any information about race or religion. Of the 390,000 TICs surrendered in Rakhine in 2015, the estimated number of individuals who currently hold an ICNV is around 3,162 at the time of writing.<sup>12</sup> Communities overwhelmingly report that they did not receive any official information regarding the ICNV before the resumption of ICNV distribution in June 2016. Most people that UNHCR spoke to in the context of this study were completely unaware of the card. In particular, almost all women and youth had no knowledge of this card. The lack of clarity on what the card is for and which entitlement it will bring, is aggravating their concern and therefore creating a lack of trust and unwillingness to apply for it.

---

assistant ensuring that the soon-to-be-married couple is free from communicable diseases; and a recommendation letter from the respective RPVT/VAs, confirming that the person is single, unmarried and that a marriage dissolution is beyond three years if he/she was married previously.

<sup>9</sup> Children not on household lists can usually access the primary education facilities (if available and based on the goodwill of the headmaster) in villages and camps. However, as secondary and higher education requires documentation, those not on household lists will not be able to access such documents.

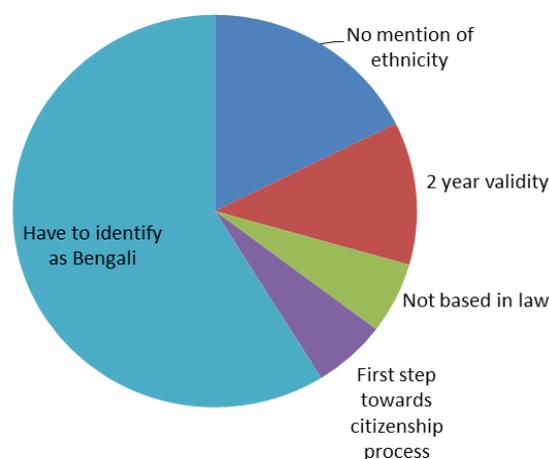
<sup>10</sup> In order to marry, both spouses must be on their respective household lists. In northern Rakhine State local orders are in place that require spouses to request for marriage permission. Once this has been received spouses must transfer to the same household list and only at this point will their future children be registered on the household list of their parents. The costs involved are burdensome to many, particularly those who marry spouses from other townships, resulting in newborn children not being added to household lists.

<sup>11</sup> It is possible to get a Form 4 if the person holds a TIC slip and Village Administrator recommendation for travel within Rakhine State only. For more information see UNHCR Information Note on Movement Restrictions for Stateless Residents in Rakhine State, Myanmar (2016).

<sup>12</sup> This includes 1,232 issued in 2015 and according to INRD figures 1,930 issued by 1 August 2016.

**Figure 2: Community concerns regarding the ICNV (NVC)**

### Community concerns - ICNV (NVC)



One of the main reasons for the reluctance to receive ICNV during the first phase of distribution in 2015 was having to self-identify as Bengali in the application form, although the card itself does not state ethnicity. In the current implementation process for issuing ICNV cards which started in June 2016, it is no longer necessary to indicate ethnicity or religion on the application form, and it remains absent from the card itself. In addition, another key concern raised by the community was the validity of only two years from the time of issuance. As of June 2016, the expiration date on the ICNV has been removed. Despite these Government changes to the ICNV in 2016, findings following the distribution indicate that communities remain reluctant towards accepting the ICNV.<sup>13</sup> The reasons for this can be correlated with the concerns highlighted below.

Communities indicate that the lack of ethnicity on the ICNV is of concern to them as it perpetuates not being recognized as an ethnic group. In the current implementation process, this continues to be a persistent challenge where some communities have insisted that ethnicity be included. The term “Identity Card for Nationality Verification” (ICNV) has also been highlighted as a concern, as it implies that one has to undergo a verification of his or her nationality, while many believe they had a claim to Myanmar citizenship through the now-invalidated TIC. This is linked to the general concern that the Muslim community will be obliged to undergo the citizenship verification process, which does not automatically guarantee them citizenship. Further, the ICNV is not a citizenship document and does not provide any legal status. Moreover, there is a general understanding that the ICNV is not in accordance with the existing law. Communities perceive that if they accept the ICNV they will never be recognized as citizens and obtain the CSC. It would instead mean accepting to be recognized as “Bengali” and therefore be a foreigner or illegal immigrant. Further, there is an expectation that accepting these terms would bring about no positive changes to their lives. These perceptions are fueled by the realities observed whereby the issuance of the ICNV has not been linked to improvement in enjoying rights. For example, freedom of movement is not fully granted for individuals holding an ICNV as they are still required to obtain permission to travel. Movement is still a significant concern.

#### **(iv). Citizenship Scrutiny Cards (CSCs, “pink cards”)**

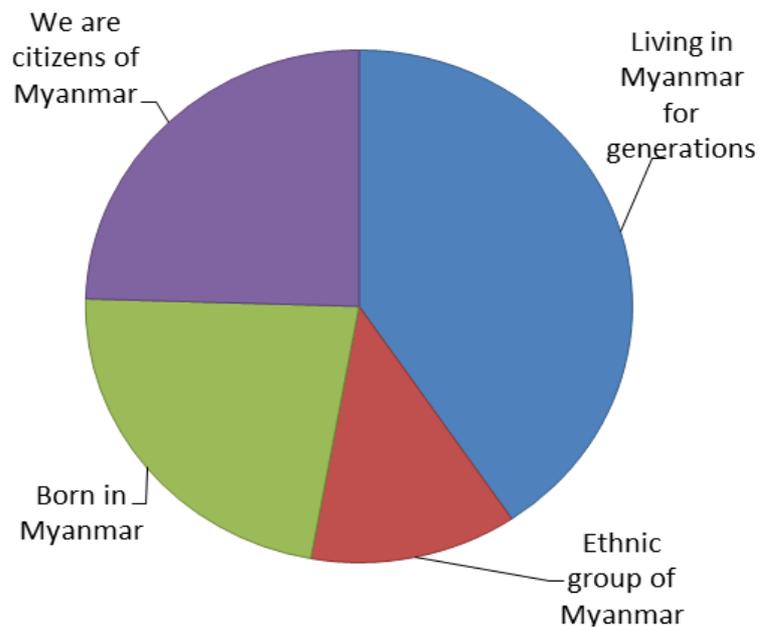
Consistently all communities feel that they are entitled to the Citizenship Scrutiny Card (CSC) which the stateless community refers to as the “pink card” or “red card”. This was expressed in 63 out of the 72 focus group discussion sessions held with the stateless community. Youth and women groups were the exceptions, as women sometimes had no knowledge of the CSC and youth often had no

<sup>13</sup> Although falling outside of the time ambit of this report, preliminary analysis of the community perceptions of the ICNV following the distribution post June 2016, where ethnicity in the application form and the expiration date have been removed, suggests that the situation remain the same. Communication to communities of the purpose of the ICNV has been limited and the concerns related to the citizenship verification remain process.

knowledge of any type of documentation. Women who were aware of the CSC list the freedoms a "red/pink card" would bring for them and their communities, in particular freedom of movement, access to education and access to livelihoods.

Overwhelmingly, the stateless community perceives their entitlement to the CSC based on the following facts: (i) they are born in Myanmar; (ii) their parents had the NRC; and (iii) their grandparents lived and died in Myanmar. Furthermore, many mention that previous generations of Rohingya received a NRC similar to other recognized ethnic groups, and that back then there was no differentiation between ethnic groups through documentation or in access to rights. However, this changed when the current documentation framework was introduced. Due to these historical facts, members of the community consider themselves entitled to CSC as other ethnic groups in Myanmar.

**Figure 3: Main perceptions of why the stateless community feels entitled to full citizenship**



Although some community leaders have knowledge of the various cards and documents and share this information with their communities, overall there is limited level of awareness of the three different kinds of citizenship the 1982 Citizenship Law grants. As mentioned above, not all people have an understanding of which card they are entitled to and some report never having seen a CSC or only being aware of one card, the CSC. Particular information gaps were identified for women and youth. The CSC is seen as granting citizenship regardless of the rights and entitlements of other types of citizenship under the 1982 Citizenship Law. The stateless community is more familiar with the National Registration Card (NRC). This card did not officially state ethnicity or religion and therefore didn't differentiate between ethnic groups.<sup>14</sup> Many participants perceive that all people in Myanmar should similarly have only one type of citizenship card.

To conclude, overall there are significant information gaps on the existent types of documentation and citizenship, undermining the stateless population's ability to understand the current legal framework and make informed decisions. The lack of information and dialogue surrounding documentation may serve to increase distrust in current procedures.

<sup>14</sup> NRC where the ethnicity and religion has been included have been observed in the field.

**Stateless Community Voices - What kind of documentation are you entitled to?**

*“A card that provides us with the same rights as our parents had.”*

*“A card that will allow us to live peacefully and harmoniously with the Rakhine community.”*

*“Previous generations enjoyed the same rights as other people in the country and now we are made to feel like ‘temporary people’.”*

*“We are entitled to documentation that covers all the basic rights and is the same as for other citizens because if every single one in the country has equal rights, there will no longer be disagreement or conflict.”*

*“To be able to prove nationality, access to citizenship a card will be like a blind person regaining his sight.”*

**(b). Community perceptions on rights**

In all focus group discussions, it was perceived that a citizenship card is very important. However, communities also express that receiving a citizenship card is not enough and that having a card must result in enjoyment of rights. There is generally a high level of awareness as to which rights are perceived as being curtailed and which rights should be enabled by acquiring a citizenship card. Particularly in northern Rakhine State it is reported that merely having a card will not solve the daily restrictions they face due to the Local Orders.

Stateless communities perceive freedom of movement as the main right that would be granted by holding a citizenship card (CSC). Other rights mentioned included access to jobs and livelihoods, access to education, equal access to rights as other citizens, equal treatment with other communities/freedom from discrimination, recognition as citizens, freedom of religion and access to health services. Communities also highlight that a citizenship card would allow them to work for the Government in professions such as being a doctor or nurse.

**Figure 4: Stateless community perception of the rights that would be granted with a citizenship card**



### **Stateless Community Voices – Stateless Women and Girls**

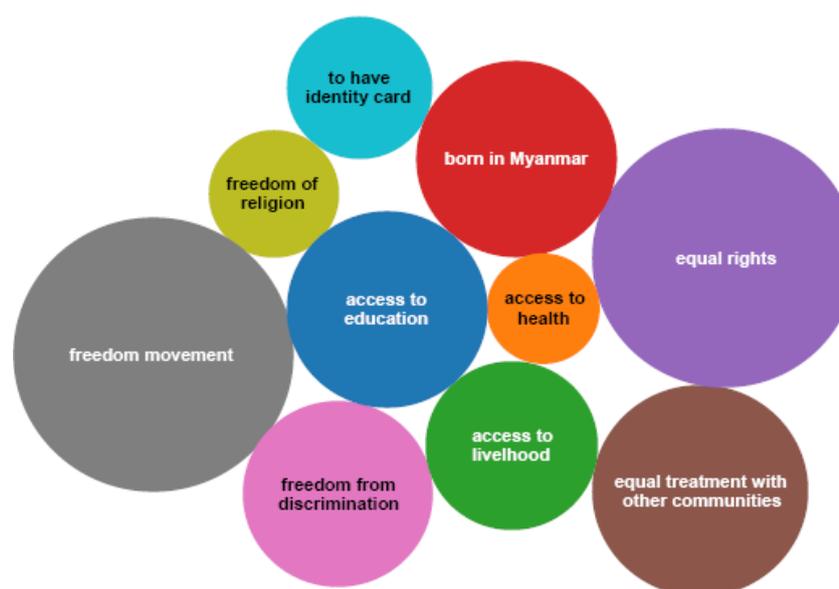
*“Even if we are illiterate and have not had any education we would know our age, the card would provide ‘everything’.”*

*“Citizenship cards would mean living peacefully like our grandparents. Our wish is to be able to access education.”*

#### **(c). Community perceptions on citizenship**

In addition to gauging the perceptions of the community on their understanding of the links between citizenship and documentation, communities were also asked about how they generally understand the concept of citizenship. It was clear throughout the focus group discussions that citizenship is perceived to be directly linked to access to rights in one way or another. Freedom of movement was highlighted as a key characteristic of being a citizen. Equal rights and opportunities, and equal treatment as the other ethnic groups were also mentioned most often, followed by being born in Myanmar, access to education, freedom from discrimination, access to livelihoods, having an identity card, freedom of religion, and access to healthcare.

**Figure 5: Perceptions of the stateless community on what it means to be a citizen**



Young stateless people have a very limited perception of what citizenship means. Both young women and men found it extremely difficult, and often not possible, to explain what “citizenship” means, and what it means to them. Young people do however express that the CSC would grant important rights such as freedom of movement, access to livelihoods and access to education. In conversations with women they often share that if they receive a citizenship card there would be peace in Rakhine State. Their perception of peace is however centred on their current restrictions: to them, peace means freedom of movement, livelihood opportunities, being able to marry freely without marriage permissions, being able to register their children to household lists and for their children to have access to education.

Documentation is seen as a rights enabler while citizenship is a status that should directly grant you access to rights. Communities highlight freedom of movement, equal treatment and freedom from discrimination as key rights that are currently restricted due to their stateless status.

### Stateless community voices

#### *Citizenship is perceived as political, creating instability*

An IDP in central Rakhine expressed the perception that “the rejection of our ethnicity and denial of citizenship is political. This issue is not concerned with our actual or current existence. This creates an unstable situation in Rakhine State. Citizenship should be the same for all.”

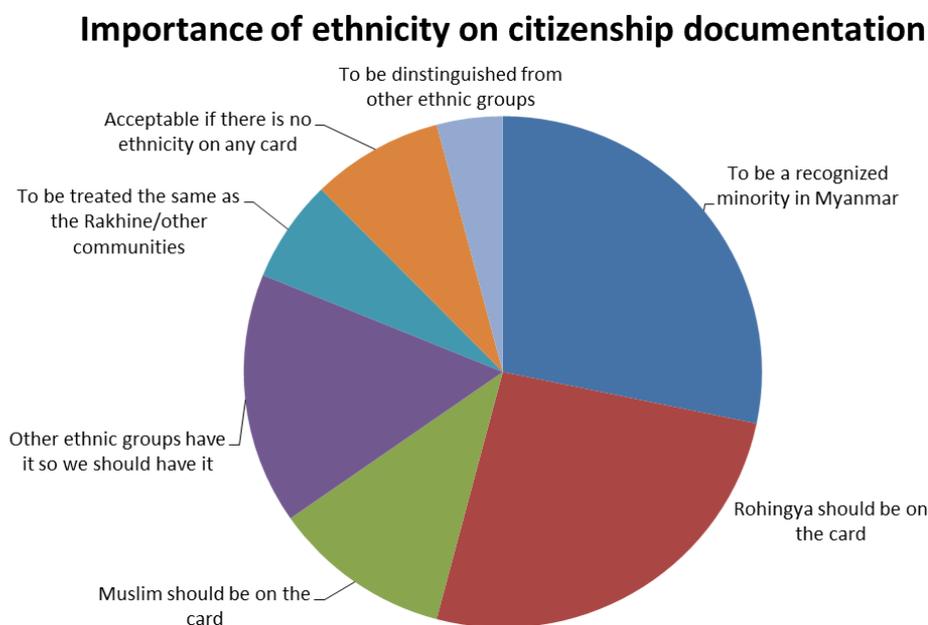
#### *Citizenship law is perceived as discriminatory*

A non-displaced host-community member in central Rakhine expressed that “since the 1982 law the Government has been discriminatory towards the Rohingya community. The Rohingya were recognized under the 1948 law and before that we were recognized as Bamar Muslims. Previously in 1961 our language was also recognized. We want the citizenship law not to be discriminatory.”

### (d). Community Perception on Ethnicity and Citizenship

The overwhelming majority of the stateless communities, regardless of sex or age group, perceive that formally recognizing ethnicity is important for citizenship purposes. Communities feel it is important that their identity cards state Rohingya in order for the ethnic group to be recognized, not to be referred to or seen as “Bengali”, and to confirm their Myanmar citizenship. To have to identify themselves as “Bengali” for citizenship purposes is perceived to be seen as foreigners or illegal immigrants, and hence not ever to be recognized as full citizens with full rights. Consequently, communities suggest that stating ethnicity as they perceive it is crucial for their future in the country. Many also state that their religion Islam should also be included on the citizenship card. The stateless communities in addition highlight that as ethnicity is recorded on the citizenship cards of other ethnic groups, it should equally be done so for the Muslim stateless population (See visual graph below). Some community members perceive an alternative terminology such as “Rakhine Muslim” to be acceptable, this is however not representative of the entire Rohingya community’s perception and varies depending on location.

**Figure 6: Importance of ethnicity on citizenship documentation**



Primarily in discussions with men, stateless communities highlight that if ethnicity is removed from all citizenship cards it would be acceptable, with a condition that the removal be applicable to all other recognized ethnicities in Myanmar. The NRC displayed no ethnicity and was held equally by all in Myanmar and communities often refer to the NRC as being a card they were happy with. The NRC also provided equal access to rights.

The term Bengali is seen as problematic by all. If ethnicity is removed from all documentation across the country, this has been described as acceptable. Nevertheless, communities explain that as the *1982 Citizenship Law* grants full citizenship based on ethnicity, it is important to have ethnicity on the card in order to be recognized as a citizen and treated equally to other ethnic groups. Therefore, for the Rohingya the ethnicity question remains an unsolved dilemma which will continue to affect the implementation of the *1982 Citizenship Law*.

***Stateless Community Voices - Stateless women on ethnicity and citizenship***

*“Ethnicity is important on a card as it provides people with the recognition that they need in order to ensure that they will be able to live peacefully. Ethnicity must be recognized for peace. Peace does not depend on anyone – no donor is needed and no donations are needed. Peace means no one is needed to provide for us.”*

*“Not being recognized by the government is like living without parents.”*

**(e). Community perceptions of the citizenship verification exercise (pre-June 2016)**

Most people, including all women and youth, report being unaware of the citizenship verification exercise and its process. In approximately 49 FGDs out of the 72 FGD held the stateless community members report being unaware of the process or of any way to apply for citizenship. Communities are more aware of the 1989 citizenship verification process, which was the same across the country but where the stateless community report never having received a CSC after submitting an application and handing in their NRC.

Albeit a minority, those who have heard of the pilot verification programme in Myebon in 2015 are usually also aware that the distribution of cards (CSC and NCSC) has not granted freedom of movement or increased access to rights for the Muslim population, both Rohingya and Kaman.<sup>15</sup>

For those who have heard of the citizenship verification their various concerns include:

- Uncertainty of how the verification process works and the documents needed to apply.
- Need to identify as Bengali and answer questions that insinuate that they are not originally from Myanmar. E.g. *When did you arrive to the country? By which route did you arrive?*
- Requirement of the ICNV to apply for citizenship.
- The verification process does not guarantee citizenship for the Rohingya.
- Only Rakhine get full citizenship through the verification process i.e. CSC.
- The process is not accessible and INRD does not accept applications from Muslims.

The community was asked in what ways the citizenship verification process could be improved. Some of the recommendations from the community include:

- A fair process that recognizes that they have lived in Myanmar for generations.
- A fair and inclusive process that recognizes their ethnicity.
- The process should be carried out in consultation with trusted community leaders.
- Consent from the communities should be ensured and people should not be forced to apply.
- The process should be simple, clear and transparent and the information provided to the communities should be consistent.
- Decisions should be handed down more quickly.
- The process should be free from discrimination and be the same as for the Rakhine and other ethnic groups.
- The documentation burden for applying should be alleviated.
- The Government should recognize that all are citizens in one round and not have various steps in the application process.
- The Government should apply similar standards as in other countries. Citizenship cards should be provided depending on the years people have been in the country.
- The outcome should provide equal rights with other citizens and should improve the welfare of the community and lead to peace.

<sup>15</sup> See UNHCR *Update on White Card Surrender and Citizenship Verification in Rakhine: 26 August 2015*

- Trusted community leaders chosen by the communities, and UN/INGO representatives should accompany all mobile teams during implementation.
- Trusted lawyers for consultation should be made available.
- The process should be officially announced in Hluttaw (Upper House/Lower House) and should be known to everyone and posted on the Government website. Official pamphlets and posters should be provided to all communities.
- Due to restrictions on freedom of movement, communities consider it important that INRD come to the villages through mobile teams. Complications and higher costs arise for applying in the verification process when applicants must travel to INRD.<sup>16</sup>

In sum, most community members are unaware of the citizenship verification process. People are not aware of what the process entails, what kind of card they could potentially receive or how to access the procedure. For those who are aware of the process there is confusion on what is needed to apply and what the result is likely to be. Communities feel the process lacks transparency and fear that it is discriminatory against them due to their race and religion. The stateless population also underscores the importance of tangible changes from the acquisition of citizenship, as this has yet to be seen for any decisions handed down from the citizenship verification process.

#### **(f). Community perceptions and hopes towards the new Government**

The majority of the stateless population (51 FGD out of 72 FGD in total) perceives that their situation concerning documentation has become considerably worse over the past few decades. In their view, the deterioration started when the NRC was exchanged with the TIC in 1990s, then the TIC was annulled and a slip was given upon surrendering the invalidated TIC during the course of 2015. The community clearly links their worsening documentation status to gradual deterioration in accessing rights. Currently the stateless population faces significant difficulties in accessing other types of identity documentation such as birth certificates or updating household lists, particularly in central Rakhine State since the displacement.

Holding the 'right' kind of documentation is seen as a rights enabler while citizenship, in form of legal status, is seen as directly linked to rights access. As a result, communities feel their citizenship situation has not changed (29 FGD out of 72 FGD) or is getting worse (31 FGD out of 72 FGD). As described above, communities link citizenship to rights access and therefore give examples when explaining the deterioration, such as not being able to vote in the 2015 elections and their freedom of movement becoming more restricted. Youth of both sexes emphasize their wish to have freedom of movement in order to access higher education. This is linked to the ability to work, including for the Government as teachers, doctors and nurses.

Overall communities were hopeful that the new Government would introduce positive changes to their situation. However, during the approximately three to four month period when the FGDs for this study took place (which coincided with the initial few months after the new Government took power), a decrease in hope towards the new Government was observed. Some communities also expressed that they are losing hope for a better future, and that some Rohingya no longer have an expectation to become Myanmar citizens.

The graph below visualises the various hopes that the stateless community had for the new Government at the time of the FGD sessions. UNHCR asked them to list their main priorities they would ask the Government to address. Freedom of movement ranked at the top of the list. This was followed by access to higher education; access to equal rights as other citizens; the granting of the CSC and to be recognized as Myanmar citizens; recognition of Rohingya ethnicity; access to livelihoods and jobs; equal treatment and freedom from discrimination; freedom of religion; access to healthcare; peaceful coexistence; rule of law; access to jobs with Government such as teachers, doctors, nurses, MPs, etc.

<sup>16</sup> See UNHCR Information Note on Movement Restrictions for Stateless Residents in Rakhine State, Myanmar.

**Figure 7: Stateless community's key asks for the new Government**



## 4. OTHER ETHNIC GROUPS IN RAKHINE STATE

---

### (a). The Maramagyi Community

#### (i). Access to documentation

The Maramagyi are Buddhists and part of the 135 ethnic groups recognized by the Government. According to the *1982 Citizenship Law*, this ethnic group has automatic access to full citizenship i.e. a CSC card. Consequently, the Maramagyi have access to documentation, household lists are easily updated with newborn children and some children have birth certificates. The community can visit the INRD office to update their household list through a simple procedure where they only require a birth notification from the VA and reportedly there are no fees are incurred.

Maramagyi women report that they are entitled to the CSC because they are of Buddhist religion rather than the fact that their ethnicity is officially recognized. The women feel happy and confident with the CSC. The card is important as the women can travel without being worried at checkpoints. The Maramagyi women highlight that they perceive citizenship to be equal treatment to other communities, freedom from discrimination and being able to receive the same assistance from the Government as others.

#### (ii). Perceptions on ethnicity and citizenship

Most Maramagyi have CSC and the card is easy to obtain. They can access new documentation if needed, if a card is lost or damaged, renewal is easy. The Maramagyi feel entitled to the CSC as they are an ethnic group of Myanmar. They consider that the CSC is important for freedom of movement and for freedom from discrimination. The recognition of ethnicity and religion is important in order to be distinguished from other minority groups. They express concern for minority rights and discriminatory treatment.

#### (iii). Improved access to rights

Before receiving the CSC between 2014-2015 the Maramagyi had no identity card and report having felt discriminated by the authorities. The Maramagyi communities report that their lives changed significantly with the CSC, both in terms of access to documentation and rights that they can enjoy as a result. Since receiving the CSC the Maramagyi now have freedom of movement and they feel “secure”. They consider there was more discriminatory treatment towards them previously when they did not have a CSC. However, those who do not have a CSC have difficulties to travel having to apply for Form 4.

#### (iv). Hopes for the new Government

Hopes for the new government are very closely linked to development-related issues, such as access to electricity and water, and general community infrastructure. They also hope to have an improved access to land ownership titles.

### (b). The Kaman Community

#### (i). Access to documentation and perceptions on ethnicity

The Kaman are Muslim and one of the 135 ethnic groups recognized by the Government. Most Kaman live in central Rakhine State. According to the *1982 Citizenship Law* the Kaman should have automatic access to full citizenship i.e. a CSC card. However, not all Kaman have been able to access a citizenship card and therefore also hold the TIC slip and at times the ICNV. In particular the Kaman members who were displaced during the 2012 violence and are residing in the IDP camps report difficulties in accessing documentation, including CSC, and not being able to register their children on household lists.

#### (ii). Perceptions on citizenship and rights

Citizenship is perceived by the community as being equal access to rights. The Kaman consider having a CSC to be very important, as without this card one does not have freedom of movement and “cannot do anything”. However, the CSC holders within the Kaman community, who are by law full

citizens, perceive that their community only has access to a limited range of full citizenship rights. For example, since the 2012 violence in Sittwe, Kaman children have had no access to school or higher education. Kaman children can according to the community not enroll at Sittwe University because they are Muslim. The community states that being Muslim is considered by the Government and surrounding communities as a security concern. The community also reports a limitation to their freedom of movement as they cannot travel freely to Yangon despite holding the CSCs.

### **(iii). Hopes for the new Government**

Consequently, the Kaman community perceives that they are discriminated on the basis of their religion. They hope for equal rights, the granting of the CSC for all and freedom from discrimination. They also highlight the need for access to education and health services without discriminatory treatment, which they mention is as a concern.

## **(c). The Hindu Community**

### **(i). Access to documentation**

The Hindu community is not officially recognized as an ethnic group by the Government. They comprise of a small minority living in central and northern Rakhine, according to the 2014 Myanmar Census there are approximately 21,000 Hindus in Rakhine State.<sup>17</sup> Under the *1982 Citizenship Law* the Hindu community can apply for naturalized citizenship and receive Naturalized Citizenship Scrutiny Cards (NCSC). In northern Rakhine State communities report an INRD team visiting the village and carrying out the citizenship verification exercise. However, in central Rakhine State communities report that they consider the application process very complicated and that they need a broker to help community members apply. In addition, not all Hindus have an NCSC. Previously some held the TIC, these now hold either the receipt slip or the ICNV. In one community there are reports that some people are still waiting for their NCSC from applications submitted 10 years ago.

The Hindu community also report that they face difficulties when updating their household lists. These obstacles are similar to those faced by the Rohingya. For example, although not many children are unregistered the community must pay unofficial fees when updating their household lists.

### **(ii). Perception on citizenship and ethnicity**

The Hindu community's main concern is that the NCSC states that their ethnicity is "Indian". The community does not consider themselves Indian but of Myanmar ethnicity. According to the community, their religion as a minority group should be stated as Hindu and Indian should be removed as it does not determine their ethnicity. They feel that this ethnicity issue causes them to be seen as foreigners despite their grandparents being born in Myanmar. Consequently, the Hindu community perceives the NCSC as being a form of "visitor card" or "temporary citizenship card". As the NCSC is perceived as temporary a related concern is that it does not confer full Myanmar citizenship which would grant them full rights. Therefore, the community perceives that their status is insecure, and they are concerned that if the law changes they might be sent to India. Furthermore, particularly in northern Rakhine State, communities state that the NCSC does not grant all citizenship rights.

The Hindu community perceives that they are entitled to the CSC as other ethnic groups due to having lived in the country for generations; they consider themselves citizens of Myanmar like other ethnic groups. They also mention that they have not engaged in any conflict and that they consider that their religion does not raise a concern to other communities.

### **Community Voices – Hindu Community**

*"If there is no ethnicity stated on any card there would be no discrimination or differentiation between groups. All would be seen as citizens of Myanmar."*

The Hindu community is disappointed with the NCSC. Although they were granted naturalized citizenship in northern Rakhine State in 2010 this has only allowed for an easing in freedom of movement. All other restrictions on the basis of Local Orders continue to apply to the Hindu

<sup>17</sup> The 2014 Myanmar Population and Housing Census. The Union Report: Religion

community as to the Muslim stateless population. For example, the Hindu community must obtain marriage permissions and face difficulties when transferring spouses between household lists and in registering their children during the household list update. In contrast, the Hindu community in central Rakhine State reports that the NCSC is similar to the CSC. This community states that they are happy that they have the NCSC as it enables freedom of movement. However, in both areas communities report feeling discriminated in society due to their appearance.

### **(iii). Hopes for the new Government**

The Hindu community hopes to be granted full citizenship in the hope that it would grant them freedom of movement, access to livelihoods and the ability to marry freely. The community hopes for a decrease in discriminatory treatment and as a result an increase in equal treatment and access to education.

## **(d). The Rakhine Community**

### **(i). Access to documentation**

The Rakhine are Buddhists and part of the government-recognized 135 ethnic groups. According to the *1982 Citizenship Law*, this ethnic group has automatic access to full citizenship and receives a CSC card. The Rakhine have access to new documentation if their CSC gets damaged or lost. Previously they held the NRC; these were handed in to INRD in exchange for the CSC in 1989. They perceive having no concerns in relation to documentation.

The Rakhine are able to update their household lists with newborn children by visiting the INRD office where they show a copy of the child's birth certificate or birth notification, village/ward administrators' recommendation and a police recommendation. In northern Rakhine State communities update their household list during the yearly INRD visits and show a birth notification for the newborn baby to do so. The Rakhine community has access to INRD and the majority of families update their household lists regularly. People understand the procedure and if they feel uncertain they ask INRD for support and guidance. In rural areas, there are communities with less awareness about the process and the value in updating their household list. Communities report that the household list updating process is often delayed and in northern Rakhine INRD visits are not always performed annually.

Not all Rakhine children have birth certificates as some families do not see the importance of the document. Birth certificates are reportedly easier to access when children are born in a hospital, while for those born at home with help of traditional birth attendant it is a more complicated administrative procedure. However, the Rakhine communities report having access to getting birth certificates if they should require such documentation. Overall, there is awareness among the Rakhine Buddhist community that not having any document may affect a child's access to education, freedom of movement and eventually ability of receiving a CSC.

### **(ii). Citizenship and ethnicity**

The community perceives the idea of citizenship as having full rights. In particular they highlighted rights such as the right to vote, freedom of movement, access to free education, and health and job opportunities. A citizenship card is considered to be very important as if they don't have the card it will directly affect their freedom of movement, their children's access to education and civil documentation. Women perceive that they may be discriminated without the card. The Rakhine community perceives ethnicity and religion as the most important details stated on their CSC as it recognizes their Rakhine ethnicity and Buddhist religion.

### **(iii). Hopes for the New Government**

The Rakhine community hopes for overall development of Rakhine State, for an increase in livelihood and job opportunities and for development of infrastructure such as transportation and communication. In particular, key asks to the Government are to allocate the benefits from natural resource extraction to the local community for regional development, to create more job opportunities and to develop education and health services. Women highlight their key ask for peace and rule of law.

### **Community Voices – Rakhine women**

*A group of Rakhine women expressed that they are hopeful towards the new Government, and that they hope there will be no continued discrimination based on religion or ethnicity. Their key ask to the Government is for peace and the rule of law.*

#### **(e). The Mro, Dinet and Rakhine arrivals from Bangladesh**

##### **(i). Access to documentation and rights**

The Mro, Dinet and Rakhine minorities pertain to the Government-recognized 135 ethnic groups. The members of these minority groups whom the study interviewed were previously living on the Bangladesh side of the border and arrived in northern Rakhine State approximately three years ago. The communities previously had a Bangladesh identity card which was confiscated by INRD upon arriving in Myanmar, and received the Myanmar Immigration Permit which is valid for three years. All families have household lists which were created when they arrived in Myanmar.<sup>18</sup> All family members are on the list. Updates for newborn children is accessible and done directly with INRD, there is usually unofficial costs involved.

The main concern of these minority communities is their current temporary status. They hope to receive the CSC to enable fully fledged freedom of movement as at the moment it is limited to certain areas.<sup>19</sup> They have limited livelihood options and also raise concerns on access to quality education.

---

<sup>18</sup> However, similar to their temporary Immigration Permit, the household lists state that these are temporary.

<sup>19</sup> The Immigration Permit allows for travel only up to Buthidaung. For further travel they must get a recommendation letter from VA and travel permit from INRD. Communities do not have to pay any fees at checkpoints.

## 5. CONCLUSIONS

---

In the fluid political environment following the transition to the democratically elected government, the protracted nature of the statelessness faced by the Rohingya and the concerns which other ethnic minorities face still pose many challenges to working towards solutions for Rakhine as a whole. In its conclusion, this report lists below some key areas of findings to strengthen advocacy as the citizenship verification process continues to be implemented by the new Government:

- **Further improvements to the current implementation measures are needed in order to encourage participation in the citizenship verification process.** It has become clear from the implementation of the citizenship verification process in 2016 that the ICNV (“Identity Card for National Verification”) is not accepted by the community, despite key changes made by the Government to the application process and to the card itself. In 2015 the key concerns regarding the ICNV included the requirement to self-identify as “Bengali”, and the expiration of the document within two years. Although the Government demonstrated some flexibility on these issues, the stateless population still sees the ICNV as compelling them to participate in a citizenship verification process that remains non-transparent with no clarity on the rights attached to the ICNV.
- **The recognition of ethnicity on citizenship documentation is described as being important by the community members surveyed, in order for “Rohingya” to be recognized as a minority group like other ethnic groups in the country.** It is also widely considered that the recognition of ethnicity on the documentation will facilitate equal treatment with other Myanmar citizens. Some community members, though minority among those interviewed for this study, highlighted that it was acceptable that ethnicity was not included on documentation.
- **Information gaps on citizenship, documentation and rights are widespread and significant, undermining the stateless population’s ability to make informed decision during the citizenship verification process.** Most stateless community members who participated in the survey are unclear about the various kinds of documentation and the rights and obligations attached to these.
- **Communities feel entitlement to “full” citizenship.** Most Rohingya community members surveyed feel that “full” citizenship should be granted to their community given that they can prove that they were born in Myanmar and that their families have lived in Myanmar for generations. For some this is also tied to the desire that their community be recognized as a distinct and recognised ethnic group in Myanmar.
- **The concept of being a citizen in Myanmar is intimately linked to the perception that citizens have rights.** The rights attached to being a citizen or having any form of documentation is perceived by the community include freedom of movement, access to livelihoods, equal treatment, access to healthcare and education and freedom from discrimination. The community’s key asks from the new government echo the themes of rights that are associated with being a citizen.
- **The Rohingya highlight freedom of movement as a core right that they do not currently enjoy due to their stateless status.** Freedom of movement is highlighted as being a key right enabled by documentation and core when explaining how stateless communities perceive citizenship. It was identified as being the main right that would significantly change their lives. Freedom of movement is one of the main hopes for change with the new Government. Women and youth also highlight the importance of this right in their everyday life.
- **Young stateless people have a very limited awareness of what citizenship means.** Both young women and men found it extremely difficult to explain any perception on citizenship, with little understanding of documentation and related processes. Young people do however express that documentation to confirm their citizenship would grant important rights such as freedom of movement, access to livelihoods and access to education.

- **Women do not have access to information on the substantial elements of documentation or hold their own documentation.** The low literacy rate in Rakhine State among the Rohingya women and lack of access to participation in discussions concerning documentation was highlighted as key challenges in their ability to understand the procedures and contents of the documentation that they received. In some instances, women were found not to be the custodians of their own documentation.
- **Women often share that if they received a citizenship card there would be peace in Rakhine State.** Women's perception of peace is explained as freedom of movement, livelihood opportunities, being able to marry freely without marriage permissions, being able to register their children to household lists and for their children to have access to education.
- **The Maramagyi confirm that having a CSC card has enabled access to rights, diminished discriminatory treatment by the authorities and made them feel "secure".** Before receiving the CSC the Maramagyi had no identity card and report having felt discriminated by the authorities. The Maramagyi communities report that their lives changed significantly with the CSC and their situation both in terms of access to documentation and rights that they can enjoy as a result.
- **The Kaman perceive that they face restrictions in accessing documentation and rights due to religious discrimination.** Despite being a recognized minority group the community highlights that they are discriminated because of their Muslim faith. The community hopes for equal access to rights as other citizens, the granting of the CSC for all and freedom from discrimination.
- **Some Hindu perceive the Naturalized Citizenship Scrutiny Card to be a temporary card with which they perceive gives them an insecure status and they cannot access full rights.** Particularly in northern Rakhine some are concerned that if the law changes they might be sent to India.
- **The Rakhine highlight the importance of a citizenship card to ensure freedom of movement, freedom from discrimination and access to services.** The Rakhine consider the citizenship card is considered to be very important as if they don't have the card it will directly affect their freedom of movement, their children's access to education and civil documentation. Women perceive that they may be discriminated without the card.
- **All groups included in the study experience limited access to reliable information on documentation, rights, obligations and entitlements.** Similar to the stateless community there is a lack of access to information and little dialogue between the authorities and communities to dispel rumours and ensure clear and transparent messages. This results in communities not being fully informed or empowered to make informed decisions.

## 6. Recommendations

---

The findings in this report identify significant information gaps on citizenship, documentation and rights. Such information gaps undermine the stateless population's ability to make informed choices during the citizenship verification process and hinder government attempts to make substantial progress. Women and youth are those with the least access, perpetuating their inability to participate and make decisions. In light of these, key recommendations for improving the current citizenship verification process, include the following:

- **Improving access and providing information:** Information of the procedures of the citizenship verification exercise should be delivered directly by authorities in a language that is understood to ensure that all members of the community, including women and youth, are able to access the procedure and be informed of the requirements to apply. A consistent dialogue between authorities and the communities on the process and status of the citizenship verification exercise will ensure transparency and confidence in the procedure and dispel rumours. Consideration should also be given to outreach within communities to ensure information and the application procedure is accessible.
- **Resolving the terminology issue:** The terminology issue has not been resolved and is likely to continue to be an impediment for implementation. A low level of participation will be expected if this issue is not resolved in a manner that is acceptable to all communities.
- **Enhanced consultations with affected communities:** It is evident that communities either do not know about the citizenship verification, or do not understand the process and its ramifications. Active steps to consult with both the stateless and Rakhine communities on how a citizenship verification process will be implemented under the current legal framework will be essential.
- **Simplified application forms:** The application procedure will be expedited by the use of simplified application forms and the implementation of a low threshold for submitting supporting documentation. Township archives could be referenced, particularly when applicants do not have complete family records.
- **Timely decision-making:** Decisions should be issued in a timely manner and information should be provided on mechanisms to follow-up pending cases, or to pursue review or appeals for rejected decisions.
- **Flexible approach:** Given the low level of literacy among the community, a low threshold for establishing knowledge of a national language will ensure that a greater number of applicants benefit from the exercise, particularly for women and youth. Waiving the multiple fees which applicants cannot afford will also increase participation. Members of the community who may be living with disabilities or the elderly likewise should not be excluded from the exercise and measures to ensure they are able to participate should be implemented.
- **Tangible changes:** The absence of tangible changes that has followed the exercise to date has resulted in a lack of confidence in the procedure throughout stateless communities. Progressive tangible changes must be seen for those who are confirmed as citizens.