The Rohingya living in the vast refugee camps in Cox' Bazar, Bangladesh, are officially stateless and have no basic rights thanks to policies pursued by the military government of Myanmar. (Mondal Falgoonee Kumar/iStock via Getty Images)

Statelessness – the Root Cause of the Rohingya Crisis – Needs to Be Addressed

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Executive Summary

Rohingyas, who make up the world's largest stateless population of more than 3.5 million, are an ethnoreligious minority group originating in Myanmar. Although the ancestors of the Rohingyas and their ancestors have been living in northern Rakhine state since the 8th century, Myanmar does not recognize their citizenship rights. Government-sponsored discrimination, detention, abuse, violence, and torture have been unleashed against them.

In Myanmar, Rohingyas do not seem to have the right to have rights. The country's military government enacted the apartheid-like Citizenship Act in 1982, which made the Rohingyas stateless. They fled persecutions to various countries, including neighboring Bangladesh, India, Pakistan, Thailand, Saudi Arabia, the United Arab Emirates, Malaysia, Indonesia, and Australia. After the recent genocide of August 2017, only 600,000 out of the total Rohingya population is left in Myanmar. The rest are dispersed around the world as stateless people. Currently, the highest number of Rohingyas – more than 1.6 million – live in Bangladesh. Among them about 1 million are sheltering in the 33 camps of Cox's Bazar, the South-Eastern district of the country, and thousands live in Bhashan Char, an island in the Bay of Bengal.

In the refuge countries including Bangladesh, Rohingyas are denied basic rights and protection because of their statelessness. Intense and continued diplomatic efforts from international organizations – such as the United Nations, European Union, Organization of Islamic Cooperation (OIC), and the Association of Southeast Asian Nations (ASEAN) – and regional powers, including China and India, are essential for solving the decades-long Rohingya crisis. A crucial point in resolving the crisis should have been to ensure an end to the Rohingyas' stateless identity.

Introduction

Myanmar (formerly known as Burma) is a South Asian country surrounded by Thailand, Laos, China, India, and Bangladesh.[1] Its population includes various ethnic communities, such as the Karen, Shan, Mon, Chin, Kachin, Rakhine, and Karenni people. The country's Constitution divides Myanmar into seven ethnic states[2] and recognizes 135 distinct ethnic groups.[3] However, the Rohingyas have not been included in this list. Consequently, they have been stripped of their citizenship rights, despite living in the Rakhine state for centuries, and have been rendered stateless[4]. The latest census, in 2014, which reported that Myanmar had a population of more than 51.4 million, excluded the Rohingyas.[5] Many believe that more than 1.1 million Rohingyas lived in Myanmar at the time of the census.[6] But the authorities refused to count them as "Rohingyas"; instead, they used the terms "Bengalis" or "foreigners" to label them.[7]

The Rakhine state of Myanmar is one of the poorest among the country's seven states.[8] The state was known as "Arakan" until 1989.[9] The entire country changed its name from "Burma" to "Myanmar," also in 1989.[10] In Rakhine state, apart from a few hundred Hindus and Christians, the vast majority of Rohingyas are Muslims, and they constitute 4% of Rakhine's population.[11] The Rohingyas constituted 1% of the total population of Myanmar, and 45% of the country's total Muslim population.[12] However, this estimate was made before 2017, when the military government perpetuated a massacre against the Rohingyas and expelled about 90% of them from the country.[13] Rohingyas are Muslims, but Buddhism is the state religion of Myanmar, and almost 90% of the population practices Theravada Buddhism.[14] Lynn observed that

in the last 35 years the total Muslim population of Myanmar decreased to 2.3% from 3.9% (excluding Rohingyas).[15] This decrease can be contrasted with the Islamophobic claim of Myanmar's leaders that the Muslim population of Myanmar could be the majority.[16]

Following Myanmar's independence from Britain in 1948, the civilian governments recognized Rohingyas as citizens and issued them identity cards as Burmese citizens.[17] This recognition continued until 1962, when the military took political power and started to curtail the Rohingyas' citizenship rights.[18] The military junta suspended the 1947 Constitution and introduced a new one in 1974. Following this new Constitution, the military authorities disqualified many Rohingyas as Burmese citizens.[19] The authorities then enacted the 1982 Citizenship Act, which completely denied the Rohingyas' citizenship rights.[20] Since 1982, the Rohingya communities have been living in Myanmar but have been denied the "right to have rights."[21] Thus, the long history of discrimination, persecution, and violence against the Rohingyas began in 1962, and these stateless people are still suffering this misery.

Literature Review

A stateless person may be defined as one not having a nationality from any country. In other words, no country recognizes the person as belonging to it. According to Article 1 of the 1954 Convention on Statelessness, this term means, "not considered as a national by any state under the operation of its law."[22] The exact number of stateless people in the world is unknown, but the United Nations High Commissioner for Refugees (UNHCR) estimates that this figure is more than 10 million).[23] However, according to the UN, so far, the UNHCR has managed to count only 4.3 million people as stateless.[24] Of them, the Rohingyas constitute the largest group.[25] The total Rohingya population is more than 3.5 million, but the majority is stateless and is scattered around the world.[26] The highest number of stateless Rohingyas currently live in Bangladeshi camps, since their expulsion from Rakhine.[27] However, the Bangladeshi authorities do not recognize these Rohingyas as refugees; instead, they label these displaced people as Forcibly Displaced Myanmar Nationals, or FDMNs.[28]

Many critics have observed that the Rohingyas' marginalization and persecution stem from their statelessness.[29] Chicker, Debnath, Chatterjee, & Afzal, and Eisenman observed that the Myanmar government expeditiously stripped the Rohingyas of their nationality and forced the condition of statelessness on them.[30] Caster noted that without any citizenship rights, the Rohingyas were also deprived of their human rights, including education, health care, and freedom of movement in Myanmar.[31] The Myanmar government's "Operation Dragon King" (Naga Min) program, designed to check the Rohingyas' citizenship registration cards, prompted the first expulsion of Rohingyas in 1978.[32] The next two influxes (in 1991-92 and 2012), during which a significant number of Rohingyas fled to Bangladesh, were the consequences of the 1982 Citizenship Act.[33] The largest human exodus in Asia since the Vietnam War occurred in August 2017, when the Rohingyas fled in droves to Bangladesh.[34] This incident was also the consequences of Rohingya statelessness. The Time magazine journalist Feliz Solomon termed it the "exodus of the stateless."[35]

The stateless Rohingya refugees do not have any identity or legal documents. This lack of documentation makes them susceptible to discrimination.[36] For example, confiscation of land belonging to the Rohingyas has been widespread in Rakhine since the 1990s. Until today, many members of the Myanmar armed forces have occupied Rohingya lands without compensating the owners.[37] When a Rohingya individual loses lands in Myanmar, he or she becomes homeless in addition to being stateless.[38] The Rohingyas, who do not have citizenship rights, also do not have access to education, health care, or employment, and they are unable to participate in the political process.[39] Kaufman and Lewa observed that more than 60% of Rohingya children between the age of 5 and 17 years have never been enrolled in any school in Myanmar.[40] The illiteracy rate among Rohingya children is nearly 80%, as they are excluded from accessing formal education.[41] So, the Rohingyas continue to flee their country in the face of this deprivation of their rights and state-sponsored persecutions and violence. However, the countries where they take shelter – for example, Bangladesh, Malaysia, Indonesia, India, and Pakistan – do not recognize the Rohingyas as refugees due to their stateless status.[42]

The Stages of Rohingya Statelessness

The authorities in Myanmar accepted the Rohingyas as a separate indigenous ethnic group immediately after the country's independence in 1948. The Rohingyas then enjoyed all rights as citizens.[43] However, the Rohingyas' miseries ensued after the military takeover in the 1960s.[44] Over the years, military governments have created, pursued, and implemented various discriminatory policies to legally exclude the Rohingyas from their citizenship rights.[45] The Rohingya political activist Nay San Lwin noted that "Rohingya statelessness is not an accident of history, it was deliberately produced by the Myanmar military."[46]

From 1948 to 1962: Civil Administration – Full Citizenship for Rohingyas

Myanmar achieved its independence following an agreement, signed on October 17, 1947, between British Prime Minister Clement Attlee and Burmese Constituent Assembly President Thakin Nu.[47] Article 3 of the Nu-Attlee Agreement identified Rohingyas as bona fide citizens of Myanmar.[48] In independent Myanmar, individuals were not required to belong to an officially recognized race to be a citizen. Thus, the Rohingyas were considered citizens.[49] The first prime minister of Myanmar, U Nu, granted special area status, titled "Mayu Frontier Administration (MFA)," to northern Arakan, where the Rohingyas were dominant.[50] Later, the military administration was less inclined to use the term "Rohingya," but the people of MFA continued to describe themselves as such. The term "Rohingya" turned out to be an ethnic and political identity.[51] During the U Nu government, some Rohingya Muslims leaders served as parliament members.[52] One of them, Sultan Mahmud, was the health minister from 1960 to 1962 under the U Nu administration.[53]

From 1962 to 2015: Junta Administration – the Rohingyas are shifted from being Citizens to refugees

General Ne Win's coup in 1962 led to increased ethnic discrimination in Myanmar. His military administration banned all political parties, including MFA, except for his own, the Burma Socialist Program Party (BSPP).[54] During this time, "national race," or *taingyintha*, became a preeminent political idea in Myanmar. In

1964, the junta government founded the Institute of Development of National Races to advance this idea.[55] In 1965, the military government scrapped the ethnic Rohingya-language broadcast programs of the Burmese Broadcasting Service.[56] In 1974, the military regime formulated the new Constitution for Myanmar, which recognized 135 races but excluded the Rohingyas.[57] Later that year, the parliament passed the Emergency Immigration Act, requiring all citizens to carry an identity card, called the National Registration Certificate (NRC).[58] However, the Rohingyas were declared ineligible for NRCs; instead, they were offered Foreign Registration Cards (FRCs).[59]

This 1974 act was the first official initiative to formally snatch the Rohingyas' citizenship status, making them foreigners in their motherland.[60] The Burmese authorities launched Operation "Naga Min" (Dragon King) in 1978 to register and verify the status of citizens. This operation expelled more than 250,000 Rohingyas from Myanmar, although most of them managed to return later.[61] The Rohingya repatriation of 1979 was followed by the new Citizenship Law in 1982 that made the Rohingyas legally stateless. This law is the central legal instrument to render Rohingyas stateless.[62] In 1989, color-coded Citizens Scrutiny Cards (CRCs) were introduced in Myanmar: pink cards for full citizens, blue cards for associate citizens, and green cards for naturalized citizens. The Rohingyas did not receive any cards.[63] In 1995, following UNHCR advocacy, the Myanmar authorities issued the white-colored Temporary Registration Card (TRC) to the Rohingyas. This white card allowed the Rohingyas to cast their votes in the 2010 general elections and 2012 by-elections.[64] However, these white cards were subsequently revoked in early 2015, barring cardholders from voting or standing for parliament seats in the 2015 elections.[65] Thus, the Rohingyas lost their voting rights, their last human right in Myanmar, in 2015.

From 2016 to Today: From Suu Kyi to the present Junta Administration – No change of statelessness

The landslide victory of the National League for Democracy (NLD) in the 2015 elections saw Aung San Suu Kyi, the daughter of Myanmar's father of the nation, Aung Sun, become the state counsellor of Myanmar (equivalent to a prime minister). Suu Kyi was the state counsellor and minister of foreign affairs from 2016 to 2021.[66] During this period, the general hope that the miseries of the minority Rohingyas would be alleviated was dashed, and the situation further deteriorated for them.[67] In 2016, during Suu Kyi's regime, the term "Rohingya" was banned from both public and private use.[68] In 2018, the Myanmar authorities allegedly prohibited Radio Free Asia from using this term.[69] Then the worst of all occurred in August 2017, during Suu Kyi's regime. The military unleashed systematic genocide, including widespread murder, rape, and burning of homes of Rohingyas, forcing more than 700,000 to flee Rakhine.[70]

The Myanmar military once again seized power on February 1, 2021, detaining Suu Kyi and other NLD government officials. Since then, nothing positive has happened with regard to the Rohingyas' statelessness status. The remaining 600,000 Rohingyas in Myanmar, including 142,000 confined to camps for internally displaced persons (IDPs), still live without any citizenship rights.[71] The only positive development is that the shadow National Unity Government, formed by the ousted politicians of Myanmar, has declared that it will accept the ethnicity and term "Rohingya" in a future democratic Myanmar.[72]

Since Myanmar's independence, the Rohingyas have been issued different types of identity cards. However, after the 1962 military coup, the Rohingya identity cards were either declared invalid or taken away from them. Each replacement card carried fewer rights and more restrictions. Here is a chronology of Rohingya statelessness and the various cards issued to them as a proof of citizenship:

- **1948:** Full citizenship of Rohingyas with National Registration Certificates (NRCs).
- **1962:** Since November 5, 1962, no NRCs were issued to Rohingyas.
- **1974:** Foreign Registration Cards (FRCs) were given designating Rohingyas as non-nationals under the Emergency Immigration Act.
- **1978:** Verification of citizenship program expelled more than 250,000 Rohingyas
- **1982:** Rohingyas became stateless with the enactment of the Citizenship Act. Three

categories of citizens – full citizens, associate citizens, and naturalized citizens were introduced, based on 135 recognized races.

- **1989:** Color-coded Citizenship Scrutiny Cards (CSC) – pink, blue, and green, respectively – were given. Only a few Rohingyas have been issued a CSC.
- **1995:** Temporary Registration Cards (TRCs), or white cards were given to Rohingyas. White cards did not serve as a proof of citizenship, they only allowed voting rights.
- **2014:** Rohingyas were excluded from the census count, as the then-Myanmar authorities proposed that they would be counted if they agreed to be labeled "Bengalis."
- **2015:** Presidential order for the invalidation of white cards.
- **2016:** Of the 759,672 white cards distributed, 469,183 have been returned and exchanged for new green cards (NVC-National Verification Card).
- **2017:** Most of the Rohingyas (90%) were expelled from Myanmar; they described NVCs as genocide cards
- **2017 to today:** NVCs are offered to Rohingyas that identify them as non-citizens.

Sources: Own data file compiled from multiple sources: Dulal, 2017; Hein, 2018; Minorities at Risk Project, 2004; MSF, 2022; Ullah, 2019

Data Collection for This Study

The required information for this study was collected from both primary and secondary sources. The study uses both qualitative and quantitative approaches in analyzing the issue. Primary data have been collected through open-ended, in-depth interviews and Focused Group Discussions (FGDs) with Rohingya refugees, utilizing the Culture-Centered Approach (CCA). CCA is a meta theoretical framework that works through dialogue with the research participants so that the local meanings of participants' problems and probable solutions can be articulated and understood. The author conducted 41 in-depth interviews and a number of FGDs of the Rohingyas living in Bangladeshi refugee camps from December 2021 to January 2022. The author also conducted 12 in-depth interviews of the

Rohingya refugees during his earlier visit to the camp in February 2020. He first visited the Rohingya refugee camps as a Bangladesh Television (BTV) reporter in July 2018 to cover the news of U.N. Secretary General Antonio Guterres's visit to the Rohingya camps. In addition, the author conducted more than 50 in-depth interviews, joined in a number of FGDs, and recorded participants' observations of the Rohingyas who have been living in New Zealand (resettled through the third-country settlement process of UNHCR). He conducted these interviews in New Zealand between September 2020 and November 2021, while working as a research assistant for the Center for Culture-Centered Approach to Research and Evaluation of Massey University. In addition, the author's experiences working as a television journalist and covering the Rohingya crisis from 2017 to 2020 and his current involvement as a Rohingya researcher have been utilized in this article.

This article refers to only a small number of individual stories. However, the semi structured, in-depth interviews and observations carried out over a six-year period outlined the lived experiences of all the Rohingya refugees. As mentioned above, more than 100 in-depth interviews were conducted during two extensive field visits to Cox's Bazar camps and the author's more than three years of work with the Rohingya refugees living in the city of Palmerston North in New Zealand. In addition, oral histories of the Rohingyas were collected, and participant observations were recorded at different family gatherings, community events, and everyday activities as the author and the Rohingya refugee families interacted with each other in Palmerston North. Also, the author's work with the New Zealand Red Cross as a settlement cross-cultural worker helped him gain insights into the lived experiences of Rohingya families and their cultural and historical backgrounds.

The Culture-Centered Approach to Refugee Studies

The culture-centered approach is an analytical framework that foregrounds the intersection of culture, structure, and agency.[73] In CCA, cultural contexts are the entry points for theoretical insights to describe any community-led solutions experienced by a marginalized community like the Rohingya refugee community.[74] CCA unlocks the definition, meaning,

and design of participation to community voices (Rohingya refugees), with the goal of building theories from below.[75] Those who practice CCA believe that the community is the best place to solve any problem experienced by the cultural members of a subaltern community.[76] Dialogue between researchers and participants appears as a tool in CCA, where the lived experiences of the participants are used to find out community-driven solutions.[77] CCA argues for the central role of community participation through dialogue to define any problem faced by the community – for example, the members of the Rohingya refugee community, who are "systematically erased from dominant discursive spaces of knowledge production."[78]

Statelessness: The Root Cause of the Rohingya Crisis

The Rohingya crisis is a multidimensional quandary that has remained unresolved for more than 75 years, since Myanmar achieved its independence. With the denial of citizenship under the 1982 Citizenship Act, the Rohingyas were rendered stateless in their country, and they lost basic human rights, such as the right to protection. The state-sponsored discrimination and atrocities against the stateless Rohingyas have resulted in a massive wave of forced migrations to neighboring countries.

A Rohingya man (age 65) living in New Zealand, who came to this country from Malaysia under the UNHCR's third-country resettlement process, observed that statelessness was the main cause of their persecutions in Myanmar. It is worth mentioning here that, during our interview, the man continued to use the name "Burma" instead of Myanmar. When this author drew his attention to this, he responded, "My country is Burma, not Myanmar." He said the Burmese government intentionally changed Arakan's name to the state of "Rakhine." He emphatically declared that, "we are Arakanese. We do not know Rakhine or Myanmar. We are Arakanese or Burmese and, of course, Rohingya."

He continued:

We the Rohingyas are not terrorists. But the Burmese military government tried to label us as terrorists.

From 1962, we have been oppressed and persecuted. Even we could not go to another village without permission. And, from 1982, we have been totally stateless and have lost all our rights. I think before the independence of Burma in 1948 and some years after the independence, Rohingyas were in good condition. Then in 1962 when the Army took power, Rohingyas lost everything.

The Rohingya refugees are also known as "boat people" in the outside world, as they risked their lives to reach a developed country, voyaging in wooden boats).[79] Rohingyas used to undertake boat journeys from Myanmar to flee genocide and persecution, but now they undertake it to escape cramped and overcrowded camps in Bangladesh in search of a better life.[80] This author spoke with some of these Rohingya "boat people" who came to New Zealand from Malaysia under the third-country resettlement program. They said that they had been forced to leave Myanmar as the authorities denied them citizenship. One Rohingya man (age 33) who fled Myanmar through boat mentioned:

I left my country, Burma (Myanmar) in 2008 without any identity document via a boat. After 18 to 20 days of boat journey, I reached Thailand from Burma. Even some days (during the journey), we had only salty sea water to drink as there was shortage of food in the boat. After some days in Thailand, I managed to enter Malaysia. The whole boat journey was carried out with the help of a "Dalal" (broker). I had to pay him a lot of money.

This man explained his decision to leave the country in the following way:

I had taken the decision to leave my country as I was unable to study or find a job. My siblings are younger than me, but I could not help them. Sometimes even we could not manage our food. In 2008, I was 20 years old. At that time, there was no opportunity in my country to educate ourselves, no opportunity to work. As stateless Muslims, we could not even move freely. The "Maugh" people [Rakhine Buddhists], who lived in my village as neighbors, always insulted us, disturbed us, and even persecuted us. Seeing all this, I had decided to leave my motherland.

A Rohingya female interviewee (age 58) at a refugee camp in Cox's Bazar, Bangladesh, who fled in August 2017, insisted that they were Rohingyas and loved to be identified as Rohingyas. During the interview, she asked this author to call her a Rohingya as it was her ethnicity and identity. When the elderly lady mentioned the loss of lives of many Rohingyas and their properties, she could not hold back her tears. The interviewee observed:

We are Rohingyas. You should also call us Rohingya. We want to live as Rohingya, we want to go back to our country [Myanmar]. We want to move and walk freely in our country. We have the same rights as the Maugh people [Rakhine Buddhists] are currently enjoying; we want back those rights in Myanmar. We lost everything as we are stateless. In 2017, my sister's daughter and her husband were killed by the Burmese military. We want back our citizenship rights and live in our ancestor's land peacefully.

Rohingya Statelessness Needs to be Addressed

This study argues that although there are many causal factors pertinent to the Rohingya crisis – such as Islamophobia, racism, economic interests, and power dynamics – statelessness is the root cause of all the problems. Resolving the statelessness or Rohingya nationality issue can fix most of other issues. The "stateless" Rohingyas cannot protest misdeeds perpetuated against them or seek redress in the justice system. This author's experience of working on the Rohingya issue for more than six years has made him aware that the legal recognition of Rohingyas as Myanmar citizens would resolve the crisis once and for all. This recognition will enable them to enjoy all the social, political, and civil rights of other citizens. Interviewees for this study also categorically mentioned that the statelessness crisis should be resolved first.

When Rohingyas fled persecution in 1978 and 1991, the UNHCR facilitated their repatriation to Myanmar without addressing the root cause of their forced migration, which was their identity of statelessness. Consequently, persecutions against the Rohingyas have been continuing unabated until today. During the interviews at one of the Cox's Bazar refugee camps,

the author encountered a Rohingya man (age 62) who had fled Myanmar three times. The Rohingya man mentioned that in 1978, when the Myanmar military started to scrutinize their citizenship identity, he first came to Bangladesh. Then, in 1991, he came again. Finally, in August 2017, this man fled Myanmar to avoid the atrocities perpetuated by the local authorities. From 1978 to 2017, for 39 years of his life, he could not find a secured place in Myanmar due to his stateless status. He described his to-ing and fro-ing in the following way:

In 1978, I fled to Bangladesh for the first time when the Burmese authorities scrutinized our identity document (citizenship). Then I went back to Burma after 2 to 3 years. Again, in 1991, I was tortured by the Burmese government people and forced to come to Bangladesh. I stayed two years here in Bangladesh. Again, I went back to Burma and tried to stay there. At that time, just after 10 days of our arrival in Burma, torture and persecutions started against us. Then, they had taken our houses, lands, property, and placed us in a camp [i.e., IDP camps]. After living 20 years in IDP camp, I managed to flee and came to Bangladesh in August 2017.

Currently, the highest number of Rohingyas, more than 1.6 million, live in Bangladesh. The Bangladeshi government considers repatriation as the only viable solution to the Rohingya crisis. However, the Rohingyas living in various camps demanded that their citizenship issue should be resolved first. A Rohingya youth (age 29) interviewed by the author at a Cox's Bazar refugee camp, who also fled from Myanmar in 2017, observed that they were interested in going back to Myanmar if citizenship rights had been ensured. He talked about five demands to be fulfilled before their repatriation from Bangladesh to Myanmar:

Our demands are – at first, we want security; then our citizenship right, our freedom of movement, free and fair marriage rights, our religious right of practicing Islamic rituals, and lastly, our right to get government jobs. If these five demands are fulfilled, we will definitely go to our country, Myanmar. Returning of our citizenship right is the main demand. And our lands and other properties taken away by the Burmese government should be returned to us.

There is a saying in the Rohingya language: "*Duniyaye Burmarttun waro Roaingare beshi sine*," meaning "Rohingyas are better known around the world than Myanmar itself."[81] This saying also means that the term "'Rohingya'" is now well accepted all over the world, although the crisis has yet to be resolved.[82] The policy literature produced by various international aid agencies, humanitarian organizations, and think tanks, – such as Amnesty International, Human Rights Watch (HRW), and Fortify Rights, – argues for amending the 1982 Citizenship Act to enable the Rohingyas to get back their citizenship rights. For example, a Euro Burma Office briefing paper claims that "until the 1982 Citizenship Law is changed, the status of Arakan Muslims (Rohingyas) will remain in limbo.".[83]

Discussion

Citizenship, or nationality, is a fundamental human right that facilitates other rights. According to Article 15 of the Universal Declaration of Human Rights (1948), "everyone has the right to a nationality," and "no one shall be arbitrarily deprived of his nationality."[84] However, despite Rohingyas' substantial historical presence in Myanmar, Myanmar does not recognize the Rohingyas' identity. Rather, the state of Myanmar has converted the Rohingyas to be stateless.[85] According to Linda Bosniak, a reputed scholar, citizenship is composed of four components: legal status, rights, political activity, and identity.[86] The Rohingyas are unable to demand any rights in Myanmar due to the stripping of their legal status. Instead, they have been fleeing state-sponsored persecutions in Myanmar since 1962. Their statelessness has been the key element in their decades-long persecutions in Myanmar. This factor is also a key reason for their lack of protection as refugees outside Myanmar.[87]

In today's world, a citizenship document is the gateway to all rights for a migrant, asylum seeker, or refugee. Conferring citizenship on the Rohingyas, the largest stateless community living in Myanmar and elsewhere, is the best way to begin resolving the crisis. The Kofi Annan Advisory Commission had urged Myanmar to review the Citizenship Law of 1982 to bring peace to Rakhine state.[88] While the National Unity Government enjoys popular support in Myanmar, it does not have the power to address the problem of the Rohingyas'

citizenship documentation. The present military government of Myanmar lacks popular support in the country, but it governs the country. The international community, if sincere about resolving the crisis, should put further pressure on the present Myanmar military government to address the Rohingyas' legal citizenship issue. This author's long experience dealing with the Rohingya crisis indicates that a permanent solution to the crisis lies in the Myanmar government's intention to recognize the Rohingyas and grant them citizenship.

Recommendations

- Full legal recognition of the right to citizenship and issuance of appropriate civil documentation to all Rohingya people, irrespective of their residing countries should be ensured first.

- For ensuring citizenship of Rohingyas, the 1982 Citizenship Act of Myanmar should be amended in line with international standards.

- The "Rohingya" ethnic status needs to be ensured.

- Since the military coup of February 2021, Myanmar has been governed by the military, so dialogue between the military and Rohingya is important. Again, as Rakhine state is governed by the Arakan Army, a tripartite dialogue between the militia, the Arakan Army, and the Rohingya should be organized.

- Any repatriation of Rohingyas from any country should be safe, voluntary, and sustainable. The repatriation effort should be supervised by the U.N. bodies.

- Without resolving the root cause of the Rohingya crisis, – that is, without ensuring citizenship rights for the Rohingyas, – no repatriation should be undertaken.

- Community rehabilitation and integration of Rohingyas should be prioritized in Myanmar, including through identifying and combating hate speech.

- The Bangladeshi government should work with the UNHCR to resume the third-country resettlement process for the Rohingyas living in the country.

Conclusion

The current Rohingya crisis is complex. A durable resolution to the problem is difficult. Since the latest Myanmar military coup in February 2021, the crisis has become even more complex. Safe, voluntary, and sustainable Rohingya repatriation from various countries to Myanmar will be the best fix for this crisis. However, unless the Rohingya statelessness issue can be resolved, the repatriation may be futile. This futility was evident in the cases of repatriation after the 1978 and 1991-92 exoduses. A long-term, permanent solution is required that will help the Rohingyas repatriate from Bangladesh and other countries to Myanmar peacefully and stay there safely.

Providing humanitarian aid to the Rohingyas is not the real solution to the crisis. Rather, measures for effective repatriation are required, with the help of regional and international bodies, so that the Rohingya crisis can be permanently ended. International organizations, – such as the United Nations, Organization of Islamic Cooperation, European Union, and ASEAN, – should come forward wholeheartedly to settle the crisis. Especially, genuine interest from Myanmar's two giant neighbors – China and India – is crucial. Myanmar regularly enjoys pivotal support from China. Consequently, critics sometimes describe Myanmar as a "de facto Chinese client state."[89] Myanmar is also the gateway for India's "Act East" policy, and thus is receiving heavy economic attention.[90] These factors point to the genuine interest of these two neighbors, which is crucial for resolving the Rohingya crisis. However, as stated above, the root cause of the crisis – the Rohingyas' stateless identity – needs to be fixed first; unless this issue is resolved, the Rohingya crisis cannot be settled.

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