



Inter-Parliamentary Union
For democracy. For everyone.

137th IPU Assembly

St. Petersburg, Russian Federation
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Assembly
Item 2

A/137/2-P.4
2 October 2017

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 137th Assembly of the Inter-Parliamentary Union submitted by the delegation of Indonesia

On 29 September 2017, the Secretary General received from the Deputy Secretary General of the House of Representatives of the Republic of Indonesia a request and accompanying documents for the inclusion in the agenda of the 137th Assembly of an emergency item entitled:

"Strengthening efforts to end the violent attacks on the Rohingya and the humanitarian crisis in Myanmar".

Delegates to the 137th Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 137th Assembly will be required to take a decision on the request of the Indonesian delegation on Sunday, 15 October 2017.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The IPU Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a recent major situation of international concern on which urgent action by the international community is required and on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL BY THE
DEPUTY SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES
OF THE REPUBLIC OF INDONESIA**

Jakarta, 29 September 2017

Dear Mr. Chungong,

In regards to the Emergency items to be discussed in the upcoming 137th IPU Assembly in St. Petersburg, the Indonesian delegation would like submit an emergency item entitled:

"Strengthening efforts to end the violent attacks on the Rohingya and the humanitarian crisis in Myanmar".

I hope this document reaches you well and I look forward to having it disseminated to all IPU Members for their consideration. Attached is an explanatory memorandum and the draft resolution.

Thank you for your kind assistance.

Yours sincerely,

(Signed)

Damayanti HARRIS (Ms.)
Deputy Secretary General
House of Representatives
of the Republic of Indonesia

STRENGTHENING EFFORTS TO END THE VIOLENT ATTACKS ON THE ROHINGYA AND THE HUMANITARIAN CRISIS IN MYANMAR

Explanatory memorandum submitted by the delegation of Indonesia

Since its founding in 1889, the Inter-Parliamentary Union (IPU) has continuously promoted peace and cooperation for the firm establishment of democracy. In October 2016, the IPU adopted its 2017-2021 Strategy entitled *Better parliaments, stronger democracy*. Hence, with regard to the conflict escalation in the Rakhine State of Myanmar, it is timely to exercise a constructive approach in addressing the grave humanitarian issues.

The Rohingya crisis is a violation of human rights with serious humanitarian consequences. The Myanmar authorities apply restrictions to the Rohingya and deny them their rights of citizenship. In the Rakhine State, community segregation is institutionalized. Due to restrictions on the number of children families can have, thousands of children are left with no birth certificates, thus limiting their access to basic services. The 1982 Citizenship Law denied the Rohingya their citizenship rights.

It is crucial for the IPU, as the global assembly of people's representatives, to ensure that the basic necessities of the affected population are being met while encouraging long-term solutions to ensure sustainable and inclusive development for all communities in Myanmar. Unfettered access to the Rohingya population should be granted for humanitarian assistance, including in other countries where the Rohingya seek asylum and protection.

The Rohingya case has to do with displacement, refugee and statelessness issues, as well as peace, security and democracy. It also has strong correlations with the long-term sustainable development of a country and the protection of human rights irrespective of race, gender, sex, age, nationality. The IPU has sufficient resources to address these issues within its committees, including the Committee to Promote Respect for International Humanitarian Law (IHL). The Committee is mandated to promote the full observance by IPU member countries of the IHL, the fundamental law for the protection of civilians during conflicts.

According to the United Nations, to date, more than 400,000 Rohingyas, mostly Muslims, have fled Myanmar to Bangladesh, adding pressure to the Rohingya camps that house 300,000 people from the earlier waves of refugees, most of whom are children.

In 2013, Myanmar rejected a UN resolution calling for the Myanmar authorities to grant citizenship to the Rohingya. In November 2015, the Rohingya were banned from voting in the general elections, leaving them with no political representation. Abusive and violent measures against the Rohingya continued, which resulted in grave casualties among the Rohingya Muslims.

With regard to this issue, the President of the Committee to Promote Respect for International Humanitarian Law of the Inter-Parliamentary Union Ms. Nurhayati Ali Assegaf communicated with the Secretary General of the IPU Mr. Martin Chungong, and recommended that the IPU conduct a further assessment of the situation of the Rohingya and take the necessary inter-parliamentary actions for a peaceful solution to the conflict, including sending a fact finding mission.

The Myanmar Parliament rejected the IPU's proposal to have an exchange of views on internal conflicts arguing that the Myanmar authorities had formed an internal Investigation Commission, where the Parliament was involved. Later, Myanmar also denied access to an international fact-finding mission of the UN Human Rights Council.

In September 2017, the United Nations High Commissioner for Human Rights Zeid Ra'ad al-Hussein accused Myanmar of carrying out "a textbook example of ethnic cleansing" against the Rohingya Muslims and of the military's "brutal" security campaign that was in clear violation of international law.

During the World Parliamentary Forum on Sustainable Development held in Bali in 2017, the global parliamentary community called for the restoration and stability and respect for human rights of all people in the Rakhine State regardless of their faith and ethnicity.

The involvement of security forces in the atrocities against the Rohingya posed a significant threat to global stability and democracy. The international community should reaffirm its commitment and take responsibility to ensure respect for the numerous international instruments and global governance. The IPU and the UN should collaborate to intervene while developing a long-term solution for the Rohingya.

It is with due consideration that the parliamentary delegation of the Republic of Indonesia to the Inter-Parliamentary Union, led by the Vice Speaker of the House of Representatives of the Republic of Indonesia, H.E. Mr. Fadli Zon, requests that the emergency item entitled *Strengthening efforts to end the violent attacks on the Rohingya and the humanitarian crisis in Myanmar* be included in the agenda of the 137th IPU Assembly.

**STRENGTHENING EFFORTS TO END THE VIOLENT ATTACKS ON THE ROHINGYA AND
THE HUMANITARIAN CRISIS IN MYANMAR**

Draft resolution submitted by the delegation of INDONESIA

The 137th Assembly of the Inter-Parliamentary Union,

- (1) *Reaffirming* relevant UN General Assembly resolutions, including resolutions 70/233, 68/242, 67/233, 66/230 on the *Situation of human rights in Myanmar*, as well as the related resolutions of the Inter-Parliamentary Union, including the resolution *The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar*, adopted by the 117th Assembly,
- (2) *Recalling* UN General Assembly resolution 64/238 which recognizes the Rohingya ethnic minority in the Northern Rakhine State of Myanmar,
- (3) *Recalling also* UN General Assembly resolution 69/248 which urges Myanmar to grant citizenship and equal rights to the Rohingya ethnic minority,
- (4) *Stressing* that the protection of civilians during conflicts, irrespective of their ethnicity and citizenship status is a fundamental responsibility under International Humanitarian Law,
- (5) *Condemning* the continued attacks and acts of violence by the Myanmar military against the Rohingya ethnic minority which has led to the deterioration of the human rights situation in Myanmar and resulted in high casualties among civilians, and an increased number of refugees and internally displaced people,
- (6) *Strongly* disturbed by the gross violation of all international human rights instruments, including the Universal Declaration of Human Rights, and by the suppression of the media and the restriction of international aid to civilians,
- (7) *Expressing* its deep condolences for the victims and their families while acknowledging that the Rohingya ethnic minority is subject to many forms of systematic persecution and discrimination,
- (8) *Deeply disappointed* by the lack of progress towards political reform in Myanmar following the result of the 2015 election which welcomed the National League for Democracy (NLD) party led by Myanmar's pro-democracy icon Aung San Suu Kyi to the administration,
- (9) *Noting* the importance of global stability, solidarity, and peaceful coexistence as critical elements for sustainable growth and development,
 1. *Condemns* the continued atrocities against the Rohingya ethnic minority in Myanmar which are considered as crimes against humanity and constitute a grave and blatant violation of international law and international human rights covenants;
 2. *Supports* the United Nations Human Rights Council's decision to send an independent, accountable multinational team to investigate alleged human rights violations by the security forces in the Rakhine State;
 3. *Demands* justice against the perpetrators and for the victims;

4. *Calls for* a sustainable solution to the human rights situation in the Rakhine State through the formulation of a peace-building plan;
5. *Also calls for* inclusive assimilation programs for Rohingya refugees in the receiving countries;
6. *Urges* Myanmar authorities to grant citizenship rights to the Rohingya as well as any other legal rights including freedom of movement and access to the labour markets, education and health services;
7. *Also urges* Myanmar authorities to provide unfettered access for humanitarian assistance and international investigations to the affected areas;
8. *Further urges* the Government of Myanmar to fully observe the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), in particular the provision of nationality rights of women and children;
9. *Calls upon* Myanmar authorities to address systematic and institutionalized discrimination against the Rohingya ethnic minority, as well as other ethnic and religious minorities in the country;
10. *Also calls upon* all IPU member countries to contribute to the restoration of stability and security in the Rakhine State.