

# Sarajevo Declaration

## at the Preparatory Workshop on **The Rohingya Crisis: What Next?** 7 May 2022

### **Preamble:**

This Conference unequivocally reiterates:

- That the right to life, liberty, and pursuit of happiness are inalienable rights of every human being and such rights cannot be suspended, usurped or violated by any government, people, or community;
- That perpetrators of genocide and crimes against humanity – whether State or non-state actors and those who aid and abet such acts must be held accountable and must face justice individually and collectively;
- That it is the duty of all actors (individuals, groups, communities, states and agencies) to prevent torture, atrocities, acts of genocide and mass violence and restore, protect, promote and respect human rights for all; and,
- That those who support and protect the persecuted and vulnerable and are engaged in mitigating such harms should be recognised for their role.

### **We the participants of the International Conference on the Rohingya Crisis:**

- Welcome the convening of the Sarajevo Workshop on 6 and 7 May 2022 as a follow-up to the International Arakan Conference on The Rohingya Crisis and Solution, organised by Hasene International, Cologne, Germany in 2018 and also welcome the next Conference in 2023 which will be entitled “The Rohingya Genocide: Carving the Way Out”.
- Demand that the International Community firmly keep the Rohingya cause at the forefront of the diplomatic agenda, including that of the United Nations Security Council, General Assembly, and Human Rights Council.
- While we express satisfaction at the positive developments at the ICJ since the Cologne Conference and the determination of Myanmar state crimes in Arakan as genocide by the US Government, we are deeply concerned at the continued genocidal acts by the Myanmar authorities in Arakan and at the lack of progress to bring about a political solution. We are distressed at the plight of the internally displaced Rohingyas, with a substantial number virtually

incarcerated behind barbed wire fences, and those who had to flee the land as refugees in Bangladesh, Malaysia, Thailand, India, and elsewhere.

- We call upon the international community to comprehensively investigate the ongoing acts of genocide, crimes against humanity, and war crimes in Myanmar, and demand the prosecution and punishment of the perpetrators of such violations, and to protect the Rohingya from further harm.
- In that vein, we firmly support the establishment by the United Nations Human Rights Council through resolution 39/2 of an Independent Investigative Mechanism for Myanmar (IIMM) that is mandated to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes, in accordance with international law.
- We firmly underscore that it is the duty of the international community to ensure that the Myanmar authorities comply with their international commitments and thus create enabling conditions in Rakine (Arakan) for the voluntary, safe, dignified and sustainable return of the forcibly displaced Rohingya population.
- We regret to note that the National Unity Government of Myanmar's policy on Rohingya lacks direction, coherence and transparency.
- We also demand the respect of Rohingya people's human rights.
- We unequivocally stress that the right to return to one's homeland, and the right to self-determination are inalienable rights of every person, as enshrined by the Universal Declaration of Human Rights and the 1966 International Covenant for Civil and Political Rights (ICCPR).
- While we acknowledge the generous admission and support granted to Rohingya refugees by several countries, especially Bangladesh, we urge them to continue to extend their support and ensure protection of all refugees including women, children, the elderly, widows and persons with disabilities.
- We call upon host States
  - To continue to treat Rohingyas with compassion, while maintaining a humanitarian perspective and upholding international standards. We also urge those States to provide appropriate documentation to Rohingyas with irregular status, so that their rights and dignity are protected; to offer amnesty to those in detention for irregular entry and to uphold the principle of family unity. We further appeal host States

not to forcibly deport the Rohingyas to Myanmar as life and liberty in all likelihood would be at risk.

- To involve members of the refugee community in decision making processes that affect them and their community in line with the 2018 Global Compact on Refugees, and,
- To repatriate refugees only after ensuring their protection in Myanmar and only after securing informed consent of the individuals and households concerned.
- We call upon the International Community
  - To recognize that all Rohingya have a right to return to their ancestral homeland in Myanmar.
  - To ensure the voluntary, safe, dignified, and sustainable return with full citizenship rights along with ethnic identity of the Rohingya population to Myanmar and insist upon the enactment of legislation upholding the socio-cultural, political, and economic rights of the Rohingya population.
  - To call the National Unity Government of Myanmar (NUG) to account on its failure to abolish the discriminatory 1982 Citizenship Law, as was their promise to do so.
  - To further call on the NUG to accept the UN Fact Finding's Mission report and to recognize the Rohingya genocide.
  - To consider the above mentioned three-points as a key benchmark in affording both support and international coverage to the NUG.
  - To increase funding, solidarity and support to the Government of Bangladesh in their efforts to provide for and protect the persecuted Rohingya community and to find durable solutions.
  - To also extend solidarity and support to the Gambia as it defends its case referral to the International Criminal Court (ICC) and to explore all avenues of justice and accountability for the Rohingya people, including through invoking universal jurisdiction.
  - To constructively build on the strengths of the Rohingya population, particularly women, and engage them as leaders in the design of any future sustainable development solutions in line with the SDGs and support Rohingya-led initiatives to constructively showcase and build on their genocide survivors' narrative.
- We call upon the Bangladesh authorities

- To uphold the rule of law and international norms and practices in the treatment of the Rohingyas including their right to education, skill development, right to work, health, security and lift restrictions of movement within the camps.
- To ensure proper and credible investigation in cases of deaths, arson, harassment and violence involving Rohingya refugees and provide them with access to justice.
- To allow registered NGOs and donor agencies safe and unhindered access to continue to provide humanitarian aid.
- To play a key role in mobilizing the international community and continue to lobby the United Nations (Security Council, General Assembly, Human Rights Council) with a view of finding a constructive solution for all.
- To ensure that any relocation of Rohingya refugees to Bhashan Char is voluntary and the rights of the people on site are upheld and respected.
- We call on the National Unity Government (NUG) of Myanmar
  - To abolish the discriminatory 1982 Citizenship Law, accept the UN Fact Finding Mission's report and to recognize the Rohingya genocide.
  - To make an unequivocal statement committing to genuinely include the Rohingya people in their decision-making processes so as to incorporate the Rohingya's concerns with a view to restoring their rights.
  - To act through its National Unity Consultative Council (NUCC) to include the Rohingyas as a representative ethnic group and to conduct a thorough, open and transparent consultation with Rohingyas and other affected minorities so as to reflect their views.
  - To include Rohingyas and other affected minorities in the designing of an inclusive federal democratic Myanmar, and constitutionally guarantee individual and ethnic rights that should be assured by the Constitution.
- We call upon the Arakan Army/United League of Arakan
  - To cease the ongoing violence, harassment and seizure of Rohingya lands and arbitrary tax on the Rohingya people and create enabling conditions for peaceful coexistence.
  - To uphold and respect the human rights of the Rohingya people.

- We call upon States, individually and collectively as well as on regional and international bodies, including ASEAN, BIMSTEC and the OIC
  - To impose targeted sanctions directly to those individuals in the Myanmar military regime that are responsible for the atrocity crimes, until such time as Myanmar ends genocide, recognises Rohingya ethnic identity under the Myanmar state framework, restores citizenship rights to the Rohingya people, rescinds oppressive and apartheid type laws and returns properties and land to the displaced Rohingya people and other affected minorities.
  - To form an international coordination group consisting of States and displaying regional balance, in collaboration with the UN Special Envoy of the Secretary-General for Myanmar and the ASEAN Special Envoy for Myanmar, with a view to fostering constant dialogue and engagement on the progress in achieving the ASEAN five-point consensus in the region and bring about a peaceful solution in the interest and with the voices of all peoples of Myanmar, including Rohingyas.