



STATELESSNESS IN MYANMAR

OVERVIEW

Myanmar has a population of 50.3 million people. The country is also home to an estimated **495,939 stateless Rohingya**, the country's main stateless population. Other stateless minority groups are also present in the country, as well as individuals who have been left stateless due to flaws and gaps in Myanmar's Citizenship Law. One of the most significant problems with Myanmar's Citizenship Law is its discriminatory nature because of its focus on race and ethnicity. There are no protection measures against the deprivation of nationality and statelessness, with corruption practices perpetuating the issue.

Explore the main issues below or [download the detailed Country Position Paper](#) (with bibliography).

MYANMAR'S CITIZENSHIP LAW AND STATELESSNESS

In Myanmar, the acquisition of nationality is detailed in the 1982 Citizenship Law. The Citizenship Law states that the acquisition of 'full citizenship' is based on the principle of 'race' or 'ethnicity'. Myanmar however only officially recognises 135 national ethnic groups and thus, individuals who do not belong to one of these groups, are at risk of statelessness. Children of unrecognised ethnicities are at risk of statelessness as the Citizenship Law stipulates that children can only acquire Myanmar nationality if both parents are citizens and are one of the recognised national ethnic groups. There are currently no protection measures in place to protect children from being born stateless. The Citizenship Law further does not allow for the possibility of naturalisation through marriage or through long-term residence. In practice therefore, many spouses or 'multiple-generation' citizens, are unable to acquire full citizenship in Myanmar.

DEPRIVATION OF NATIONALITY

The 1982 Citizenship Law allows for the revoking of citizenship in Myanmar under wide-ranging and loosely-defined criteria. This poses a real risk of statelessness to individuals who have their nationality revoked as there are no counter protection measures against statelessness under this law. This, combined with dual nationality not being permitted in Myanmar, results in the likelihood that the deprivation of nationality will result in statelessness is significantly increased.

CIVIL REGISTRATION AND DOCUMENTATION PRACTICES

There are many barriers to accessing civil registration and documentation in Myanmar. For people living in remote rural areas of the country, it is particularly difficult to access various services, for example, birth registration. The bureaucracy surrounding the citizenship application system creates barriers to a successful submission. Corruption, discrimination and arbitrary decision-making throughout the administrative system further amplifies difficulties. Generally, there is a lack of consistency and transparency in the processes relating to citizenship.



THE ROHINGYA

The Rohingya, a predominantly Muslim ethnic group which has its roots in Rakhine State to the West, are not listed among the 135 national ethnic groups recognised by Myanmar and are therefore not entitled to citizenship, rendering them stateless. With around half a million Rohingya remaining in Myanmar, they make up the nation's biggest stateless population. Many Rohingya are based outside Myanmar, having fled to countries including Bangladesh, Malaysia, Thailand, Saudi Arabia, India and Pakistan.

OTHER STATELESS GROUPS IN MYANMAR

The Rohingya are not the only ethnic minority in Myanmar who are at risk of or are stateless. Other groups also include Gurkhas, Tamils, Hindu speakers of Bengali-dialects, groups at the Myanmar border and Muslim and Hindu populations. There are further other minority groups in Rakhine State and other Muslim minorities in Myanmar who are considered part of this vulnerable demographic.

Persons of mixed ethnicity or mixed religious parentage are also at risk of being stateless as they do not meet the strict criteria set by the Myanmar Citizenship Law. If either parent belongs to an unrecognized ethnic minority, in theory, children should still be able to obtain nationality in certain situations. This however rarely happens in practice. Other groups at risk of statelessness in Myanmar are Internally Displaced Persons (IDPs) and returning refugees (mostly from Bangladesh).

CHALLENGES TO MYANMAR'S STATELESS RESIDING OUTSIDE THE COUNTRY

Many of Myanmar's stateless population are found outside the country. Their status as stateless exposes them to certain challenges including social exclusion and the denial of human rights. They are additionally more vulnerable to trafficking, exploitation, detention and refoulement to Myanmar, who does not recognise them as citizens.



Statelessness is often overlooked in asylum and migration debates. It is a hidden but very real issue affecting many refugees and migrants in Europe.

#StatelessJourneys is a joint project between the European Network on Statelessness and the Institute on Statelessness and Inclusion. It was designed to expose gaps, identify solutions and deliver evidence-based advocacy to secure the protection of stateless refugees and migrants, and to prevent new cases of statelessness arising in Europe.

For more information about the issue and the project please visit <https://statelessjourneys.org>



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