

Life as citizen or stateless in Burma

A case study of the concepts of citizenship and statelessness in a weak
state

Abstract

Ever since the principle of sovereignty was established in Europe after the peace of Westphalia in 1648, the importance of belonging to a state has increased. And in today's society, during a time filled with a lot of wars and a major refugee crisis, having a citizenship has never been more important. Having a citizenship means that you get certain rights, but also obligations towards the state. It also means that if you are without, defined as stateless, you have to live without the protection only a state can provide. This thesis, through theory testing on a case study will examine what the concepts, citizenship and statelessness, mean in terms of rights and obligations in the context of a weak state, in this thesis Burma. The analysis will show that the national laws are designed to clearly benefit those who the government consider to be citizens and to actively exclude others, such as the ethnic minority, Rohingyas. In the analysis, it also becomes apparent that the rights that do exist for the citizens in Burma are not always up to international standards.

Keywords: Citizenship, statelessness, weak state, rights, obligations, Hannah Arendt, James C. Scott, Burma

Number of words: 9761

Table of contents

1. Introduction.....	1
1.1 Purpose and research questions.....	2
1.2 Disposition.....	3
1.3 Key Concepts.....	3
1.3.1 Weak or failed state.....	4
1.3.2 Citizenship.....	5
1.3.3 Statelessness.....	6
1.4 Burma: A weak or failed state.....	7
2. Material.....	10
2.1 Primary material.....	10
2.1.1 National laws.....	10
2.1.2 International laws.....	12
2.2 Previous research.....	13
3. Theoretical framework.....	14
3.1 A study based on Theory testing.....	14
3.1.1 Theory 1: Hannah Arendt and a right to have rights.....	15
3.1.2 Theory 2: James C. Scott and the art of not being governed.....	16
4. Method.....	18
4.1 Case study.....	18
4.2 Analytical framework.....	19
5. Analysis.....	21
5.1 The constitution and the duty to pay taxes.....	21
5.2 Burma Citizenship Law and the duty to serve the country in case of war.....	22
5.3 UDHR and the right to own property.....	24
5.4 ICESCR and the right of everyone to education.....	25
6. Concluding discussion.....	27
7. References.....	30

1. Introduction

Ever since the principle of sovereignty was established in Europe after the peace of Westphalia in 1648, the importance of belonging to a state has increased. In Europe there are many states that are strong for various reasons. One of the reasons is that the majority of the European states were early recognized as sovereign and not colonized as many other countries in the rest of the world (Migdal, 1988, p. 45-51). Being a citizen in what is defined as a strong state is something that provides important protection in terms of rights. In a strong state, it is clear that the citizens can require their human rights to be met because there is a clear responsible actor in form of the state. If the state does not meet what is needed, there is a legal system to lean on that requires its compliance, but in many other parts of the world, it is not as desirable to be included in the society as one of the recognized citizens. Especially, in those who are defined as weak states, it is a large proportion of citizens who actively choose to live their lives as stateless in the hope of avoiding the oppression the state is exercising daily against its people. In the weak and often referred to as the failed state, there is also no effective legal system that put pressure on rulers. In these weak states, there are also different components that affect and make the state either unable or unwilling to meet the fundamental rights of its people, the rights that all human beings have under the United Nations Universal Declaration of Human Rights.

During a time filled with a lot of wars and a major refugee crisis, having a citizenship has never been more important. Therefore, it is interesting and highly relevant to examine and discuss how the concept of citizenship practically works in a state apparatus that is weak, since there is not a lot of research done in this particularly field.

This thesis, through theory testing on a case study will examine what the concepts, citizenship and statelessness mean in terms of rights and obligations in the context of a weak state. In this paper, arguments will be presented as to why Burma is the state that will be used as illustrative example of a weak state. The name, Burma, officially known as Myanmar will be used throughout the thesis, since it is still the name that most people commonly use (Dittmer, 2010, p. 51).

1.1 Purpose and research questions

The purpose of this thesis is to examine two different concepts; citizenship and statelessness and what they mean in terms of rights and obligations in the context of a weak state. In order to answer this overall question, the definition of what a weak state implies must be presented. After that, the concepts of citizenship and statelessness will be defined and applied to a weak state, in this study, Burma will serve as an illustrative example and the object for a case study. A discussion will then be held regarding the rights and obligations that the concepts entail.

This thesis will be based on theory testing on a case study where I will see if any of the theories of Hannah Arendt or James C. Scott, whose ideas and literature are both prominent in the discussion of citizenship and statelessness, can explain what it actually means to be a citizen or stateless in Burma. The second question about statelessness will also lead to a shorter discussion in the end of this thesis, regarding the people who actively choose not to be citizens of a state, to open up for further examination in the future.

In order to fulfill my purpose, the following questions have been the basis for the study:

What does the concept of citizenship mean in terms of rights and obligations in Burma as a weak state?

What does the concept of statelessness mean in terms of rights and obligations in Burma as a weak state?

1.2 Disposition

In the following section all the important key concepts will be presented and defined. This section is early on presented since all the concepts will be frequently used throughout the thesis. The key concepts are; citizenship, statelessness and weak or failed state. After that, a section will be presented whether Burma is a weak or failed state, I will argue for the fact that Burma is not only a weak state but also falls under almost every category of the definition of a failed state. After that, I will present the primary material, which the thesis is based on. Since the main focus is what the concepts of citizenship and statelessness mean in terms of rights and obligations, the primary material will consist of national and international laws regulating it in Burma. Subsequently, the choice of theory and later on method will be presented. I will use two different theorists, Hannah Arendt and James C. Scott and their theories on a case study, the case of Burma. The theorists ideas about citizenship and statelessness will be in centre for that discussion and it will take place in the analysis. Lastly a section with a concluding discussion and thoughts on for further research in the field will be presented.

1.3 Key concepts

A large part of the thesis will be based on different central concepts and its meaning, so it is important to define these concepts early so that the following analysis and discussion will be clear. The key concepts in the thesis are; citizenship and statelessness, where its meaning in the context of a weak state is to be examined. To get a clearer picture of what a weak state, often referred to as a failed state, actually means, this concept will also be defined in the following section.

1.3.1 Weak or failed state

In many scientific discussions about citizenship and statelessness, the state usually becomes a third concept that is often mentioned, due to the fact that all are undeniably linked to each other. According to international declarations and treaties, the state is the main responsible actor against securing individuals rights. Discussing citizenship and statelessness is not rewarding without giving the concepts a clear context to exist in. This thesis is about the meaning of the concepts in the context of a weak state and what it means to its citizens. Therefore, a clearer definition of what a weak, often referred to as a failed state, is presented first.

There is no current consensus about the definition of what a weak or failed state actually means, instead it is a topic that many researchers discuss and define differently. The definition that will be used in this thesis can be found in both the scientific article, *What to Do With Failed States—a Quest for a Solution from the Inside* and in Britannica, an acknowledged British encyclopedia. The definition will therefore be based on two different yet well-known, often cited and acknowledged sources.

The main definition of a failed state is according to Britannica, when the state is unable to project authority over its territory and the people living there but also when the state cannot protect the national boundaries. Within the state the government is unable to fulfill both organizational and administrative tasks that is required in order to control both resources and its people. The important institutions that should maintain peace, order and protecting its citizens are often barely functioning or they are very feeble and flawed in a failed state (Britannica, 2017).

In the article, *What To Do With Failed States - A Quest for a Solution from the Inside*, the concept is further broaden. The consequences of a protracted and deep crisis in a state is described with both the concepts of a weak state and the notion of a failed state. Those states are characterized as descending into violence and even anarchy by interfering with its own citizens and also threatening their neighbors, through a political climate filled with instability and random warfare that also leads to refugee flows. It also occurs a lot of violations and

abuses of the citizens human rights, most of the basic of rights, such as the right to life. The article makes a difference between the notion of a weak state and a failed state. A failed state is described as being in the last phase of a state collapse. So all the consequences of a protracted and deep crisis have eventually caused a visibly lack of any recognizable central authority. The article makes the same conclusion as Britannica, the main characteristic features of failed States include the lack of an efficient central power that controls the territory. The author in the article also strongly stress that the label “failed State” is one that should not be used too often, and that the main difference of a weak state and a failed state is mainly depending on the differentiation of the level of crisis and by the authority that the state can project (Szpak, 2014, p. 251-252).

1.3.2 Citizenship

An acknowledged definition of citizenship can be found in the Swedish encyclopedia, Nationalencyklopedin. The concept is defined as a legally binding relationship between individual and state which occurs either at birth or after notification or application for citizenship. Furthermore, the meaning of the concept is explained in the context of a state, for instance through the rights attached, such as the right to live and work in the state, the right to vote, the right to travel to and from the state and more. Also obligations related to the concept are mentioned, for example, the obligation to perform military service or pay taxes to the state. The concept of citizenship is something that has historically emerged as a connection between citizens and a particular area. It is possible to track this connection as far back as in Roman law which made a distinction between citizens who had access to all rights and strangers. This is also something that influenced the European countries of today to similar interpretation and application of the concept (Nationalencyklopedin, 2017).

Burma currently recognizes three categories of citizens and these are called: citizen, associate citizen and naturalized citizen (Burma Citizenship Law, 1982). In this thesis I will only talk about the first category, citizen. This category includes the people that are full citizens and can enjoy all the rights stipulated under the constitution in the state. The different categories and the meaning will be further explained when presenting the material. The focus of this thesis

will be primarily on the rights and obligations that the concept citizenship is comprised of and how these are taken into form in a weak state.

1.3.3 Statelessness

The definition of statelessness is also from Nationalencyklopedin, and it is when an individual lacks citizenship in any country and therefore becomes completely without the protection a state can offer. A person can be stateless due to many reasons, including through authority decisions where an individual is deprived of his citizenship or through birth when the parents already live as stateless (Nationalencyklopedin, 2017). The Universal declaration of human rights, now referred to as UDHR, states that all human beings are entitled to all the rights and freedoms set forth in the declaration. Article 2 in the declaration points out that no distinction shall be made based of the country or territory of which a person belongs to. Article 15 also states that every human being has a right to a nationality and that no one should be deprived of his nationality. Even though the declaration is a document that is highly acknowledged and valued in the world, a lot of states still violates citizens basic human rights (UDHR, 1948).

Statelessness is generally divided into two categories, de facto and de jure. The two different categories involve different legal circumstances and different international protections. Jure statelessness means that a person is not considered a citizen in any state's legal system. In international law, it is this strict state of statelessness which is referred to as statelessness. De facto statelessness is a broad term that can include all people who, despite their citizenship, do not enjoy such rights as mentioned in acknowledged and valued international declarations and treaties (UNHCR, 2012), p. 6-8). The focus of this thesis will be primarily on the rights and obligations that the concept statelessness is comprised of and how these are taken into form in a weak state. The ethnic minority, Rohingyas, will primarily be the chosen group of stateless people that will be used throughout the thesis as an illustrative example.

1.4 Burma: A weak or failed state

In most scientific forums, whether you review articles or other literature, Burma is not one of the common examples of a weak or failed state. In this section, I will argue that the reason is due to lack of research on the field and that many other states been more scrutinized. I will also argue for the fact that Burma is not only a weak state but also falls under almost every category of the previous definition of a failed state.

Three states used more often as examples in discussions about failed states are Pakistan, Somalia or Yemen. One author and journalist, Joshua Kurlantzick argues that these states are three of the highest-profile failing states in the world. Kurlantzick also argues that the same failing system exists in Burma. He describes Burma as a state that is unable to project authority over its territory and the people living there. Along most of the northern and eastern borders the laws and policies are routinely ignored. Kurlantzick points out that any discussion about Burma in international forums tends to always focus on the political conflict between the government and the opposition. During this political conflict the country has evolved into a failed state. Due to this fact there is not a lot of research on the field since people tend to only focus on one existing problem (Kurlantzick, 2011, p. 242).

Other signs of Burma being a failed state is the constant pressure of armed conflicts that also leads to greater refugee flows. More conflicts leads to more instability in a larger region and thereby not only impacting Burma's own citizens but also threatening their neighbors (Kurlantzick, 2011, p. 242-243). One constant conflict is between the state of Burma and different minorities in the country. One ethnic minority, the Rohingyas are known to be the most persecuted minority in the world due to many reasons. For example the rejection of citizenship rights, the denial of freedom of movement but mostly because of the ethnic cleansing the state is responsible for (Ibrahim, 2016, p. 1-2). The state's oppression have forced the Rohingyas into both internal and external exile and the current situation has lead to even greater refugee flows, mainly to Bangladesh (Ibrahim, 2016, p. 113). The violations and abuses of the Rohingyas basic human rights also illustrates Burma as a failed state.

In Burma a lot of the important institutions that should maintain peace, order and protecting its citizens are barely functioning. The legal system within the country is not designed to protect all its citizens and legal institutions as the supreme court has no jurisdiction over the military (Dittmer, 2010, p. 267). One reason is the new national constitution the military rewrote after loosing the country's free election, in 1990. The charter was designed to benefit the military by maintaining power, for example by reserving a percentage of parliamentary seats for the military or by giving senior generals veto power over legislations in the parliamentary (Kurlantzick, 2011, p. 243). In today's Burma a lot of institutions follows order directly under the militant rule, for example the police is informally a part of the Tatmadaw, Armed Forces of Myanmar (Englehart. 2005, p. 625-626). A lot of important institutions that provide for example educational and health services are not working properly since most of the taxes people pay goes directly to the military or to numerous inefficient state-owned enterprises (Dittmer, 2010, p. 214-215).

Burma is definitely a weak state, but falls also under all the characteristics of a failed state, except two. There is still a recognizable central authority that controls the territory and is under military power. The regime still maintains power through oppression and force and by the new constitution, the country is today even more dependent on the military (Kurlantzick, 2011, p. 243-244). Because of that the government is still able to perform some organizational and administrative tasks to control both resources and the people. For this reason, contemporary Burma represents a better example of a weak state and will be referred to that in this thesis (Smith, 2007, p. 24-25).

As it said in the beginning of this section Burma is not one of the common examples of a weak or failed state and the reason is due to lack of research on the field and because many other states been more scrutinized. Joshua Kurlantzick provides one explanation by saying that the international community has been too focused on the long and still current political conflict between the government and the opposition (Kurlantzick, 2011, p. 242). When the leader of the opposition, Aung San Suu Kyi was put to house arrest the world gave its full attention, since she became a symbol for peace and democracy in the country (Dittmer, 2010, p. 119-125).

A lot of other states have been more scrutinized for different reasons. The independent and

non-profit research organization, The Fund for Peace publish an annual ranking of 178 countries in what they call the Fragile States index. According to this list, a fragile state has several attributes that matches the previous definition of a failed state, including human rights violations, a central power that is so weak that it has little control over its territory and also a massive displacement of refugees. On the list Burma is under the category of "alert" and ranked as the 25th most fragile state out of 178 countries (The Fund for Peace, 2017). Some countries, for example Somalia has been on what is called, the troubled ten for many years. The countries of the troubled ten are also countries that have been more scrutinized, mostly because the countries has not progressed or moved in any direction for better or for worse, leading to big concerns and interests. The troubled ten are also under the category "very high alert", usually due to civil wars, making them countries in need of civil aid, objects in international magazines and more well-known to the world (The Fund for Peace, 2017).

So why Burma to this specific study when there is a lot of others weak states to examine? The answer lies in the fact that the country includes a lot of people divided under different concepts. The people who are recognized citizens or the people as the Rohingyas whom the state refuses to recognize as citizens and therefore forced to live as stateless. But one thing that differs Burma from many other states is that a very large part of individuals are actively choosing to live under the concept of statelessness in attempt to avoid the oppression which they consider the state's responsible for, making Burma an incredibly interesting case to investigate (Scott, 2009, p. 1-5).

2. Material

This section first presents the primary material and why these are relevant to the study. Subsequently, a short section about previous research will be presented and how it will be used in the thesis.

2.1 Primary material

The primary material underlying this thesis are the different laws and regulations that Burma is built upon. Since the essay focuses on what the concepts of citizenship and statelessness mean in terms of different rights and obligations, it is relevant to look at the documents that establish that in a state. The primary material will consist of regulations from both national and international law. The national laws that are most relevant for the study are the country's constitution and the Burma Citizenship Law. The international laws that are most relevant for the study are the Universal declaration of human rights, UDHR and International Covenant on Economic, Social and Cultural Rights, now referred to ICESCR. The international laws only contain rights and not obligations for individuals. The obligations of individuals are only codified in national laws, because the obligations are towards the state. But by using international laws as well, the discussion about individuals rights can get more width.

2.1.1 National laws

The constitution of Myanmar

The constitution of Myanmar is the supreme law of the country, making it highly relevant for the study of what kind of rights and obligations the citizens live under (Constitution of the Republic of

the Union of Myanmar, 2008). In September 2008, the country's third and current constitution was published. The constitution was rewritten by the military after losing the country's free election, in 1990. The charter was designed to benefit the military by maintaining power through different new articles. This thesis will focus on the different rights and obligations in the constitution that is relevant to the concepts of citizenship and statelessness (Dittmer, 2010, p. 266-268).

The Burma Citizenship Law

The Burma Citizenship Law provides the rules about who is legally a citizen in Burma. The law currently recognizes three categories of citizens and these are called: citizen, associate citizen and naturalized citizen. People are only full citizens in Burma if they belong to an ethnic group who have settled before 1823 and the British invasion, one ethnic group the state argues did not are the Rohingyas (Burma Citizenship Law, 1982). Even though being able to trace the Rohingyas history back to the eighth century, the law does not recognize Rohingyas as one of the national races (Human Rights Watch, 2017).

Associate citizens are people who applied citizenship under the prior Citizenship Act of 1948. Back then, to be able to get a citizenship the people had to have been living at least five years in Burma, respected the law and spoke an indigenous language. And lastly, naturalized citizens are those who actually lived in Burma before 1948, but did not apply for citizenship until after 1982. If an individual does not fall under any of these categories, that person is called a foreigner according to the law. The law also declares that dual citizenship is not recognized in the country. If a person wants to become a citizen in Burma, it means giving up one's previous citizenship. The Burma Citizenship Law was created by the military in Burma during 1982. It has a heavy emphasis on ethnicity and thereby excludes a lot of people from getting a full citizenship, but allows them to apply for the two other categories that contain fewer rights (Burma Citizenship Law, 1982).

The Burma Citizenship Law will be used as a complement to the constitution that contains more of the rights and obligations that exist in Burma. But to be able to understand what the

concepts of citizenship and statelessness actually means and the different protections it provides the citizenship Law is more helpful. Together the constitution and the Citizenship Law provides a broad and clear meaning of what kind of rights and obligations exists in a national context and to whom in the country. In this thesis, the concept of citizenship will only refer to the first category, citizen, since this category includes individuals that are full citizens in the eyes of the state in Burma.

2.1.2 International laws

Universal declaration of human rights

The Universal declaration of human rights is a document drafted by representatives from all regions of the world with different legal and cultural backgrounds. The declaration was proclaimed on the 10th of December 1948 and contains fundamental human rights that is to be universally protected. Burma was one of the countries that voted in favor of the declaration. The document consists of 30 articles affirming individual's rights, none of them are legally binding in themselves, but have been used a lot of times in other laws, national constitutions and international treaties. While not being a treaty, many of the provisions in UDHR have become incorporated into customary international law, which is binding on all states. Further, the declaration has also given rise to other different international agreements also legally binding to the states that ratify them, one of them is ICESCR (United nations, 2017).

The declaration does not contain any obligations of individuals since the focus is only of human beings fundamental human rights. The obligations in the declaration is depending on states taking responsibilities for their own citizens and respecting the declaration. In this thesis the declaration will be used as material for what kind of rights individuals have under customary international law.

International Covenant on Economic, Social and Cultural Rights

Burma has ratified several different international conventions on human rights and humanitarian law and must therefore respect its international obligations. The country recently ratified ICESCR in October 2017 (OHCHR, 2017). ICESCR together with UDHR and the International Covenant on Civil and Political Rights (ICCPR) forms the International Bill of Human Rights which is the basic foundation for all human rights within the United Nations. Since Burma has not ratified ICCPR the thesis will rely on the two other important documents that represents the international law (OHCHR, 2005).

The big difference between ICESCR and UDHR is that the covenant is legally binding for Burma. In the thesis the covenant will be used as material for what kind of rights individuals have under international law.

2.2 Previous research

There is not a lot of research done about how in reality it is to be citizen or to be stateless in a weak state. There is also not a lot of research about the different concepts of citizenship and statelessness and what kind of privileges and protection it gives in Burma. So the previous research that I will use in this thesis is a collection of information about Burma, especially about the situations for the minorities, primarily the Rohingyas due to their life as stateless.

I will also rely on previous research to various concepts used in the thesis, since a lot of people have been discussing the meaning of it for decades. The definitions will consist of what a weak state means and the definitions of citizenship and statelessness. The previous research will also be used to supplement, strengthen or to question the material or the analytical framework. In the analysis different articles about the rights and obligations will be presented, the previous research will be used as an instrument to provide knowledge about the reality and how citizens or stateless people in Burma actually live.

3. Theoretical framework

This section will present the chosen theoretical framework and why it will benefit the thesis, and also how it will be used throughout the analysis. Subsequently I will present two different theorists and their idea of citizenship and statelessness and how they will contribute to the theoretical framework.

3.1 A study based on Theory testing

When conducting a study based on theory testing, the primary purpose is to strengthen or weaken a theory, or to examine which theory most successfully explains a case. The ambition is never to verify or falsify any of the chosen theories. Practically, one uses theory testing by having one or more theories that are tested in the form of concrete hypotheses on an empirical material (Esaiasson et al 2012:40). In this thesis I will use two different acknowledged theorists and their ideas about citizenship and statelessness as hypotheses. The empirical material will consist of different laws and regulations that Burma is built upon. The two theorists are Hannah Arendt and James C. Scott. Their view of citizenship and statelessness differs significantly, making them interesting to use together in one study. Both theorists are of course a product of their own time but their thoughts and arguments are still very much applicable today.

When discussing the concepts of citizenship and statelessness it is important to do it in context to something. Both concepts have its own value, but depending on the context, the meaning can differ a lot. By using a case the concepts have a context, but the study is still very big and hard to tackle. That is why I chose to use theory testing as the theoretical framework, since there is already a lot of research done about the meaning of the concepts it is interesting and scientific relevant to use existing research and see if it can explain my ambitions in this thesis.

3.1.1 Theory 1: Hannah Arendt and a right to have rights

Hannah Arendt, born in a German-Jewish family was a highly influential theorist, most known for her literature about citizenship and the rights that come with it. Arendt fled to Paris in 1933 after the Nazi power takeover in Germany, and a lot of her work comes from a place of understanding since she also lived life as stateless after being stripped of her German citizenship (Nationalencyklopedin, 2017).

Her theory focus on discussing what happens when one's citizenship is taken from one and how a person without belonging to a state is perceived as human. Arendt said that people that talk about human rights do not know how to act when the humanity is all that a person has left, without belonging to any institution or state. A few years after the establishment of the Universal Declaration of Human Rights, Arendt criticized the idea of human rights, and meant that individuals must belong to a state or be affiliated with another institution in order to have any rights fulfilled. Arendt meant that human rights are ineffectual because enforcing them is in tension with countries national sovereignty. Arendt further explained that the authority sovereign states have is above any other institution in the world, and the national interests will always be prioritized over protecting individuals human rights. In her literature, Arendt argued that the relation between national identity and being seen as a person with full legal status was the reason that a lot of people became stateless during the second world war and the aftermath. Statelessness, in terms of rights means nothing, but in terms of obligations, the state can still force people to oppressive duties (Arendt, 1951, p. 278-283).

A right to have rights is a term that is widely known and Arendt used it as a way of describing human rights. It basically means every individuals right to count as an equal among others in a political community (Näsström, 2014, p. 544-545).

The theory and hypothesis that I will use from Hannah Arendt is that being stateless in a state, strong or weak does not include any protection at all. Not from any national or international laws. All the laws, even the international laws that claim to be universal can in practice only be guaranteed for citizens.

3.1.2 Theory 2: James C. Scott and the art of not being governed

James C. Scott, a professor of political science and anthropology at Yale University has written many books about citizens of Southeast Asia and how they try to resist various forms of domination and oppression from the state. Scott is known for his radically different approach in the discussion about statelessness and he defines states as an institution that performs internal colonialism against its people. In his book, *The Art of Not Being Governed* he talks about the concept of Zomia, a new name for virtually all lands at altitudes above three hundred meters up and traversing five Southeast Asian nations, that is Cambodia, Laos, Vietnam, Thailand and also four provinces of China. This area also contains over one hundred million minority people of different linguistic and ethnic variety. Scott's thesis is that Zomia is the largest still remaining region in the world where the people has not been fully incorporated into nations-states (Scott, 2009, p. 1-5)

In the book, Scott also argues that the importance of the state is usually exaggerated and has been by a lot of historians. He says that there is a lot of contemporary and historic literature on state-making and the importance of having a strong state but almost none about the obverse, the history of the people that deliberate choose not to be in a state and the good things that comes out of that (Scott, 2009, p. 33-36). Scott means that the nation-state has been the standard and almost the exclusive unit of sovereignty (Scott, 2009, p. 10-11).

Scott says that the people of Zomia are barbaric by design, it means that their way of living has been designed to discourage states to incorporate them to their territories. For example by the geographical location, their practices and culture they try to design a life that the state take no interest in. But the state wants to integrate Zomia for many reasons, because of the resources and to include more people to pay taxes or to increase their land (Scott, 2009, p. 8).

Scott's main argument is that the people of Zomia, and people in other parts of the world chose to be stateless to avoid the oppression and domination that the state perform against its citizen. He means that the obligations and force the state perform by slavery, taxes, force to serve in wars and more makes people rather be stateless and lose their rights that the state can guarantee than to be a subject in the country. Scott also means that the concept of being

stateless is something that has been associated with something negative, but it is just one way to look at. This is the hypothesis I will use from Scott's theory, that being stateless means losing rights but also to avoid oppressive obligations. Scott used Zomia as an example, but also argued for that it is applicable in other states as well (Scott, 2009, p. 9-13 , 304).

To conclude, the theories that I will use are Hannah Arendt's view that being stateless in a state, strong or weak, does not include any protection at all, but can still lead to individuals being forced to perform oppressive duties in terms of obligations. James C. Scott's theory that being stateless does mean being without rights that the state can guarantee but is also means living without the oppressive obligations that the state forces upon its citizens. It also means that people can create their own rights and to design their own way of living, and why should that be a worse way of living. Arendt's view is that being stateless is something very negative and Scott argues for a different approach.

4. Method

This section will first present general information about the chosen method; a case study, and how I will use it in this thesis. After that the analytical framework will be presented where I specify what categories will be used to simplify the analysis.

4.1 Case study

Case studies are often considered suitable for the development of theories. In this thesis the choice of method is therefore linked with the choice of theory giving the analytical framework more depth. The theories presented in the previous section will be tested on a case that illustrates a weak state, in this thesis that is Burma. The conclusion will either be that the theories of Hannah Arendt and James C. Scott is either strengthened, weakened or another theory may fit better (Esaiasson, et al. 2012, p. 40).

A case study is a research strategy that aims to provide profound knowledge of a phenomenon by examining one or a few units. The phenomenon to examine in this thesis is how the concept of citizenship and statelessness works in a weak state. The aim of a case study is to generalize for theory development. The hope is that the results contained in this paper should be applicable in similar cases.

To have explanatory ambitions means dealing with difficult challenges, since all conclusions about causal relationships are subject to uncertainty. However, empirical evidence can be found for explaining different social phenomena (Esaiasson, et al. 2012, p. 91-92). In a case study, the chosen case needs to be fairly freestanding with clear demarcation. The case of Burma have clear demarcations, since it illustrates a weak state that includes both people with full citizenship, people that are stateless by choice or by force from the state. The characteristics that describe the selected case are called variables. In this case study, the

concepts of citizenship and statelessness are used as chosen variables (Esaiasson, et al. 2012, p. 45). One variable will illustrate the rights and obligations of the people recognized as full citizens and the other the rights and obligations of the people that is not and therefore live life as stateless.

The different variables will be used to see how different relations with the state can give different outcomes for individuals. One aim is to get profound knowledge about what a citizenship actually means in the context of a weak state. Another one is to get more of an understanding as to why people actively choose statelessness over being a citizen. As mentioned before, in a european context the phenomenon where people actively choose to be outside the protection of the state is something often considered strange and incomprehensible.

4.2 Analytical framework

The chosen method and theoretical framework forms together the analytical framework that I will use consistently throughout the thesis. Both are based on a book about different methods written by Peter Esaiasson et al. I chose to describe the theory and method in a comprehensive way so there would be possibilities for creating a own way of using the instruments of theory and method on the material.

Together they form a theory testing case study where I will see if any of the theories of Hannah Arendt or James C. Scott can explain what it actually means to be a citizen or stateless in Burma. The primary material consist of different international and national laws that Burma is built upon. This section will mainly present how the theory and method will be used in the analysis and also which articles about the rights and obligations that will be used and why.

From the four different laws that the primary material consist of, I will chose five articles, either about a right or an obligation for individuals. I will choose one article from every law,

except from the Constitution, from there I will use two, one more only to complement the article from the Citizenship Law. However, the analysis will be divided into four main sections, to address each selected main article.

Clear choices have to be done, and I will in this section argue for why I chose the specific articles. The same articles will apply for both of the concepts regarding citizenship and statelessness, so the differences or similarities between them both will be clear. After that I will in the analysis, argue for what the specific article really means for the concept in the context of Burma, with the help of previous research and by the chosen theoretical framework. The material will either strengthen or weaken the chosen theories, or show which theory most successfully explains the case. Hannah Arendt's theory is clear, you do not have any rights if you are not a recognized citizen of a state, but in terms of obligations, the state can force you to perform a lot of oppressive duties (Arendt, 1951, p. 278-283). James C. Scott's main theory is that being stateless means being without rights that the state can guarantee, but is also means living without the oppressive obligations that the state forces upon its citizens (Scott, 2009, p. 9-13 ,304).

The articles that I have chosen are about the duty to pay taxes and the duty to serve the country in case of war, also the right to education and the right to owning one's own property. I chose these articles because I wanted width, these articles adress both economic, social and civil rights and obligations. The different articles are also important ones that Burma has been criticized about from mainly different NGOs and the UN, in the discussion of the Rohingyas, making them highly relevant to study further. The obligations comes from the national laws and the rights from the international laws.

5. Analysis

The analysis will consist of four parts, in order to address every chosen article. Starting with the two national laws and the articles about the obligations, and ending with the international laws and the rights.

5.1 The constitution and the duty to pay taxes

The article 389 in Burma's constitution says:

Every citizen has the duty to pay taxes to be levied according to the law (Constitution of the Republic of the Union of Myanmar, 2008, article 389).

Taxes are levied in nearly every country in the world, with the primary reason to raise revenue for government expenditures. Taxes usually finance better education, infrastructure, the improvement of health systems and more (Britannica, 2017). The question whether who is paying and how much differs a lot in different countries. Under the Myanmar Income Tax Law, both citizens and foreigners are taxed on all income they earn within the country. If the total income under salaries does not exceed 4.8 million Myanmar kyats a year, then no tax is payable (PWC, 2017).

In a strong and functional state, the majority of the taxes goes back to the society, but in weak states such as Burma the money often goes to the leaders, funding different projects that benefits the government, the military, wars and much more (Migdal, 1988, p. 66-74). In Burma, a lot of important institutions that provide for example educational and health services are not working properly since most of the taxes people pay goes directly to the military or to numerous inefficient state-owned enterprises. This means that being a citizen or stateless in

the context of a weak state, usually means a lower quality of life for a lot of individuals (Dittmer, 2010, p. 214-215).

According to the law, it exists a duty to pay taxes, for both citizens and stateless people, for example the Rohingyas. The Rohingyas must also, additionally pay exorbitant taxes on births and deaths (Refugees International, 2008). They also have to pay taxes to the government as a condition to be able to use the land for example to rice cultivation, because foreigners are not permitted to do so otherwise according to the law (Human Rights Watch, 1996 & Refugees International, 2008).

The article 389 about the duty to pay taxes and how it affects the citizens and stateless people is in line with Hannah Arendt's arguments, that stateless people can be forced to a lot of oppressive duties, including paying more taxes for wanting to have the same rights that the citizens already have, just by being citizens (Arendt, 1951, p. 278-283). James C. Scott's theory is not applicable, because he argues for the opposite, that statelessness actually can lead to something positive, to a life without oppressive duties. But in order to live a life without the present domination and oppression of the state, individuals do have to create a own way of living. That means being able to have land, resources and money to able to provide for themselves (Scott, 2009, p. 9-13, 304). The Rohingyas do not have that opportunity, and the money they do have goes to pay different taxes.

5.2 Burma Citizenship Law and the duty to serve the country in case of war

Article 14 in the Citizenship law decides the following:

A citizen shall have no right to divest himself of his citizenship during any war in which the State is engaged (Burma Citizenship Law, 1982, article 14).

The constitution also stipulates in article 386:

Every citizen has the duty to undergo military training in accord with the provisions of the law and to serve in the Armed Forces to defend the Union (Constitution of the Republic of the Union of Myanmar, 2008, article 386).

To have a citizenship, means the obligation to serve the country in case of war. It also means the duty to undergo military training. A person who is recognized as a citizen has the obligation to do both these things and do not have the right to divest himself of his citizenship during any war. A stateless person in Burma, do not have any obligation according to law to defend the country or to undergo military training (Constitution of the Republic of the Union of Myanmar, 2008).

Scott's theory about stateless people being able to live without obligations that the state forces upon its citizens is applicable here. Some obligations that consist in national laws are only binding upon its citizens. The Rohingyas may not be obligated to undergo military training or to serve the country in case of war but the military do make them perform forced labour. The Rohingyas are aiding the military forces by maintaining military infrastructure, tend to military-owned fields and to porter loads, and they have been doing it for many years (United Nations High Commissioner for Human Rights, 2016). In many aspects the Rohingyas are seen as simple and cheap manpower. Arendt also talks about this scenario, when a person without belonging to a state only has its humanity left, and how that really is perceived as nothing according to the state and its rulers. Arendt presupposes a clear distinction between life and just existence (Arendt, 1951, p. 278-283). The Rohingyas are just existing and being used as manpower, sometimes without getting anything to eat or drink. Their whole existence are being decided by the military when they are forced to work, being without their families and living on almost nothing.

5.3 UDHR and the right to own property

Article 17 in The Universal Declaration of Human Rights stipulate the following:

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property (UDHR, 1948).

According to the constitution of Burma, the State is the ultimate owner of all lands and natural resources, both above and below the ground. The State is also responsible for supervising the lands and to permit, only citizens, to the right of property and right to inheritance (Constitution of the Republic of the Union of Myanmar, 2008, article 37)

According to UDHR, all individuals, citizen or not have the right to own property and it is the responsibility of the state to protect and respect this article. But in Burma, foreigners, including mainly the Rohingyas need to pay a lot of taxes in order to use the land for survival, in order to produce food. They also have to pay taxes for housing in towns (Human Rights Watch, 1996 & Refugees International, 2008).

The government confines the Rohingyas to a particular part in the country, and without permission they can not travel (Sidasathian, 2012, p. 11). A lot of reports also show that the military forces the Rohingyas to pay bribes so they will not confiscate their properties. In other cases they require the Rohingyas to provide them with food and housing and if they can not, the military confiscate whatever property and possessions they have. Sometimes they also make them perform forced labour, and those who refuse or even complain are physically threatened, sometimes with death. The government forces has also been responsible for a lot of destruction of property, forcing the Rohingyas to flee for their lives. In 2012, the military destroyed a lot of property leading to displacement of 140.000 people (United Nations High Commissioner for Human Rights, 2016). During 2017 the military burnt down whole villages and forced the Rohingyas to migrate to Bangladesh in order to find a safe haven (IRIN, 2017).

In a strong state, the right to own property is more protected in form of a legal system where the individuals can go to court if their rights have been violated. The court in a strong state is also not forced to rule in favor of the state (Migdal, 1988, p. 57). In a weak state, such as Burma, where the legal system within the country is not designed to protect all its citizens and the legal institutions as the supreme court has no jurisdiction over the military, it is harder to fight for what is one's own (Dittmer, 2010, p. 267). This means that citizens do have rights, but also that the government can, easily if they want to, ignore these rights if they feel it goes against what the government benefits from.

The citizens in Burma do have rights to own property, meanwhile the stateless people of Rohingya do not. This is also in line with Hannah Arendt's and James C. Scott's theory, that if you are not a citizen, you can not claim any rights. Even if The Universal Declaration of Human Rights is universal, there is nobody to secure that stateless peoples rights are met. The international laws are based on the view that being recognized as a citizen is a essential condition in order to protect individuals rights in the international and national sphere. The Rohingyas has been subjects to oppression from the state for a long time, and even though the international community has responded and condemned the violations, they have not been able to secure the rights that the Rohingyas have under UDHR.

5.4 ICESCR and the right of everyone to education

Article 13 in International Covenant on Economic, Social and Cultural Rights articulates the following:

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or

religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right: a) Primary education shall be compulsory and available free to all (ICESCR, 1966)

Burma ratified ICESCR in October 2017, making the covenant legally binding for the country. But the government is making little progress to make sure that everyone in the country has the right to free education. Under the constitution only citizens have the full right to be ensured education in the country (Constitution of the Republic of the Union of Myanmar, 2008, article 366.) During many years, the Rohingyas has been provided with very few education opportunities. Since the imposed travel restrictions from 2001, the difficulties for the students that actually goes to school are harder. In order for children to go to primary school the parents have to pay and get a travel pass, which is difficult in obtaining. To get higher education is even harder since the only university in Rakhine, the area where Rohingyas live, is located at the capital Sittwe. The students that live outside are often unable to join university on a full-time basis (Minority Rights Group International, 2017).

In Burma only the citizens has the right for education, but the education in Burma lags far behind in terms of educational standards in the world. The students attending Burmese universities are also not allowed to speak, write or to publish freely (UNESCO, 2016). Weak states that has been subjects to colonialism tends to have an educational system that is far behind standards. Even if the people of Burma have the right to education, a lot of other rights are violated at school (Marques, et al. p. 1146-1147.

The theories of Arendt and Scott are visible here as well. The Rohingyas are not recognized as citizens, and therefore they can not claim their right to education, because there is not any clear responsible actor, that willingly wants to enforce that right. And even though Burma has ratified the covenant, making the covenant legally binding for the country, the national laws are still valued higher.

6. Concluding discussion

So what does really the concepts of citizenship and statelessness mean in terms of rights and obligations in Burma? First of all, there is a big difference in what kind of rights and obligations you will be able to enjoy in the country. The national laws are designed to clearly benefit those who the government consider to be citizens and to actively exclude others, such as the Rohingyas. The oppression and domination used against the Rohingyas becomes very clear, just by examine a few articles in national and international laws. Another thing that becomes apparent is that the rights that do exist for the citizens are not always up to international standards, or perhaps up to the standards that you can find in a strong and functional state. This is something clear when examining the duty to pay tax, regulated in Burma's constitution. In a strong and functional state, the majority of taxes should go back to the society, so that the state can continue to fulfill individuals rights, by improving health systems, the educational system and more. But in Burma the taxes goes directly to the military or to numerous inefficient state-owned enterprises. The government is not prioritizing the citizens need, but are instead focused on maintaining power.

When examining the different concepts of citizenship and statelessness against one another the big difference in terms of rights and obligations are clear. Being stateless in Burma means not being able to enjoy the rights that are fundamentally known for existing for all human beings. They do not have the right to own property, and any time, when the government finds it suitable they can confiscate all Rohingyas properties and belongings. This violates article 17 in The Universal Declaration of Human Rights. The right to education is also something that the Rohingyas do not have access to. Under the constitution only citizens have the full right to be ensured education in the country, even though the country recently ratified the International Covenant on Economic, Social and Cultural Rights. In the covenant it clearly says that the State have to recognize the right of everyone to education, but the country is not showing any signs of changing the national laws, to make sure that education is accessible for everyone in the country.

When it comes to obligations the Rohingyas do not have to undergo military training or serve the country in case of war, but they do have to pay enormous amount of taxes, compared to their livelihood.

As for the chosen theories, Hannah Arendt is the one explaining the case of Burma most successfully, even though James C. Scott's ideas also in some ways can be applicable. Human rights are supposed to be universal and for everyone to enjoy, regardless of being a citizen or stateless. But as Hannah Arendt points out, it is when an individual is stripped of their political identity and left with only its humanity, that the concept of human rights stop to exist. For the Rohingyas, they can not expect to have any rights under international law, ratified or not, since the state is the main actor for securing their rights. This is something that is also codified under international law, giving the state all power for the subjects living under their territory. The results in this thesis shows that the theory of Hannah Arendt is strengthen and very much applicable in todays' societies. There is a problem with international law presupposes that the state should be the responsible actor in order to fulfill all its citizens rights, when in fact the state is in many ways the one that oppresses its population.

Even though the concept of statelessness means not being able to have the same fundamental rights as a citizen, many people in Zomia choose to live life as stateless. This study did address one of many oppressive obligations that James C. Scott claims are the reason for people living life as stateless. The Rohingya do not get the same rights as citizens but they do have to pay taxes in order to be able to live in the country, and the taxes they pay, are for rights that the citizens already have. James C. Scott's theory is not applicable in the case of the Rohingyas, due to the fact that they do not have the land, the resources or capacity to create their own way of living, as Zomia. The Rohingyas are one of the most persecuted minorities in the world and the state has been trying for decades to make them leave the country. Reports show how the government confiscate their properties, burning down their villages to the ground and making sure that the Rohingyas do not get recognized as one of the citizens in the country. The majority of the people of Zomia however, had different and often better conditions to be able to start a new life.

James C. Scott meant that the residents of Zomia, live there as stateless in order to avoid the oppression that the state is responsible for. By examining the different rights and obligations,

it is clear that Burma, as a weak state do exercise a lot of power and domination against its citizen through oppressive laws, force and threats. That is why it would be interesting to investigate this phenomena further, for example by an comparative case study, to include the other countries where Zomia is located. The reasons for why people actively chose to be stateless would be the basis for such investigation. During a time filled with a lot of wars and a major refugee crisis, having a citizenship has never been more important. Therefore, it is interesting and relevant to discuss the phenomenon when people actively choose not to be citizens of a state and thereby do not get the protection only a state can provide. Another direction that also would be interesting and scientific relevant is to examine more articles from national and international laws to be able to have more empirical evidence.

7. References

Arendt, Hannah, 1951. *The origins of totalitarianism*. New ed. New York: Harcourt, Brace & Company

Dittmer, Lowell (red.) 2010. *Burma or Myanmar?: the struggle for national identity*. Singapore: World Scientific

Esaiasson, Peter, Oscarsson, Mikael Gilljam Henrik & Wängnerud, Lena (red.) 2012. *Metodpraktikan: konsten att studera samhälle, individ och marknad*. 4., [rev.] uppl. Stockholm: Norstedts juridik

Ibrahim, Azeem. 2016. *The Rohingyas: inside Myanmar's hidden genocide*. London: Hurst & Company

International Covenant of Economic, Social, and Cultural Rights, 16 December 1966. 993 UNTS 3.

Migdal, Joel S. 1988. *Strong societies and weak states: state-society relations and state capabilities in the third world*. Princeton, N.J.: Princeton University Press

Scott, James C. 2009. *The art of not being governed: an anarchist history of upland Southeast Asia*. New Haven, [Conn.]: Yale University Press

Sidasathian, Chutima, 2012. *Rohingya: the persecution of a people in Southeast Asia*, CreateSpace Independent Publishing Platform

Smith, Martin, 2007. *State of Strife: The Dynamics of Ethnic Conflict in Burma Since Independence*, Institute of Southeast Asian Studies

Universal Declaration of Human Rights, 1948. UN Doc. A/RES/217 (III).

Online sources:

Britannica, 2017. Failed state [electronic resource] Available at: <https://www.britannica.com/topic/failed-state> (accessed 2017-12-22).

Britannica, 2017. Taxation [electronic resource] Available at: <https://www.britannica.com/topic/taxation> (accessed 2017-12-28).

Englehart, Neil A. 2005. Is Regime Change Enough For Burma? The Problem of State Capacity, *Asian Survey*, Vol. 45, No. 4 [electronic resource] Available at: <http://www.jstor.org.ludwig.lub.lu.se/stable/10.1525/as.2005.45.4.622> (accessed 2017-12-23)

Globalcit, 2017. Burma Citizenship Law (Pyithu Hluttaw Law) No. 4 of 1982, [electronic resource] Available at: <http://globalcit.eu/wp-content/plugins/rscas-database-eudo-gcit/?p=file&appl=currentCitizenshipLaws&f=1982%20Myanmar%20Citizenship%20Law%20%5BENGLISH%5D.pdf> (accessed 2017-12-23)

Human Rights Watch, 1996, *Burma: The Rohingya Muslims: Ending a Cycle of Exodus?* [electronic resource] Available at: <http://www.refworld.org/docid/3ae6a84a2.html> (accessed 2017-12-29)

Human Rights Watch, 2017. World Report 2017: Burma, [electronic resource] Available at: <https://www.hrw.org/world-report/2017/country-chapters/burma> (accessed 2017-12-23)

IRIN, 2017 *UN warns Myanmar that demolishing Rohingya homes will 'heighten tensions'*, [electronic resource] Available at: <http://www.refworld.org/docid/586d0a234.html> (accessed 2017-12-30)

Kurlantzick, Joshua. 2011, Myanmar: The Next Failed State?. *Current History*. Vol. 110 Issue 737, [electronic resource] Available at: http://www.currenthistory.com/pdf_org_files/110_737_242.pdf (accessed 2017-12-23)

Marques, Margarida M., Valente Rosa, Maria João & Martins Lopes, Joana, 2007. School and Diversity in a Weak State: The Portuguese Case, Vol. 33, No. 7. [electronic resource] Available at: <http://eds.a.ebscohost.com.ludwig.lub.lu.se/eds/pdfviewer/pdfviewer?vid=2&sid=f0c65bc5-275b-4352-bcb6-4cbf86bf3955@sessionmgr101> (accessed 2017-12-30)

Minority Rights Group International, 2017. *World Directory of Minorities and Indigenous Peoples - Myanmar/Burma: Muslims and Rohingya*, [electronic resource] Available at: <http://www.refworld.org/docid/49749cdcc.html> (accessed 2017-12-30)

Myanmar Law Library, 2017. Constitution of the Republic of the Union of Myanmar 2008, Ministry of Information in Myanmar, [electronic resource] Available at: https://myanmar-law-library.org/IMG/pdf/constitution_de_2008.pdf (accessed 2017-12-23).

Nationalencyklopedin, 2017. Hannah Arendt [electronic resource] Available at: <http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lång/hannah-arendt> (accessed 2017-12-26).

Nationalencyklopedin, 2017. Medborgarskap [electronic resource] Available at: <http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lång/medborgarskap> (accessed 2017-12-22).

Nationalencyklopedin, 2017. Statslös [electronic resource] Available at: <http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lång/statslös> (accessed 2017-12-22).

Näsström, Sofia, 2014. The Right to Have Rights: Democratic, Not Political, *Political theory*, Thousand Oaks: Vol. 42(5) [electronic resource] Available at: <http://journals.sagepub.com.ludwig.lub.lu.se/doi/pdf/10.1177/0090591714538427> (accessed 2017-12-27)

Office of the United Nations High Commissioner, (OHCHR), 2005. Economic, Social and Cultural Rights: Handbook for National Human Rights Institutions, [electronic resource]

Available at: <http://www.ohchr.org/Documents/Publications/training12en.pdf> (accessed 2017-12-25)

Office of the United Nations High Commissioner, (OHCHR), 2017. Reporting status for Myanmar, [electronic resource] Available at: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=MMR&Lang=EN (accessed 2017-12-25)

PWC: Worldwide Tax Summaries, 2017. Myanmar: Individual - Taxes on personal income [electronic resource] Available at: <http://taxsummaries.pwc.com/ID/Myanmar-Individual-Taxes-on-personal-income> (accessed 2017-12-28)

Refugees International, 2008. *Rohingya: Burma's Forgotten Minority*, [electronic resource] Available at: <http://www.refworld.org/docid/494f53e72.html> (accessed 2017-12-29)

Szpak, Agnieszka, 2014. What to Do With Failed States — a Quest for a Solution from the Inside. *Chinese Journal of International Law*, Volume 13, Issue 2. [electronic resource] Available at: <https://academic-oup-com.ludwig.lub.lu.se/chinesejil/article/13/2/251/2755664> (accessed 2017-12-23)

The Fund for Peace, 2017. Fragile states index, [electronic resource] Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/951171705-Fragile-States-Index-Annual-Report-2017.pdf> (accessed 2017-12-23)

UN Educational, Scientific and Cultural Organisation, 2016. *Universal Periodic Review (23rd session, October–November 2015), Contribution of UNESCO to Compilation of UN information (to Part I. A. and to Part III - F, J, K, and P): Myanmar*, available at: <http://www.refworld.org/docid/58330dfc4.html> (accessed 2017-12-22)

UNHCR, 2012. Self-Study Module on Statelessness, [electronic resource] Available at: <http://www.refworld.org/docid/50b899602.html> (accessed 2017-12-22)

United Nations, 2017. Universal Declaration of Human Rights, [electronic resource] Available at: <http://www.un.org/en/universal-declaration-human-rights/> (accessed 2017-12-25)

United Nations High Commissioner for Human Rights, 2016. Situation of human rights of Rohingya Muslims and other minorities in Myanmar, [electronic resource] Available at: <http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/MMIndex.aspx> (accessed 2017-12-30)