

CHAPTER IV

CLOSING

4.1. Conclusion

1. In fact, the Myanmar government has failed to fulfill its responsibility to protect the Rohingya from various forms of mass atrocity. This failure to protect is due to the denial of ethnic citizenship of the Rohingya by the Myanmar government. The legal basis used as a benchmark for the rejection of the citizenship status of the Rohingya ethnic group is based on the Burma Citizen Law of 1982. This has resulted in the Rohingya losing their civil rights, physical security, and access to basic needs. The actions taken by the Myanmar government have fulfilled the elements of international crimes, especially genocide and crimes against humanity, which should be the main focus in carrying out protection under Pillar 1 of responsibility to protect (R2P).
2. The use of humanitarian intervention by the international community against Myanmar under the principle of responsibility to protect (R2P) still faces significant obstacles when viewed according to Pillar 3 of responsibility to protect (R2P) regarding decisive action. Despite diplomatic efforts, humanitarian assistance through the United Nations High Commissioner for Refugees (UNHCR), and pressure have been exerted, political obstacles

regarding the use of veto by permanent members of the UN Security Council and the principle of non-intervention at the regional level, namely ASEAN, have limited the effectiveness of the implementation of humanitarian interventions. So that it is difficult to stop the crisis completely in solving the root of the problem.

3. The responsibility of the Myanmar state to the Rohingya ethnic group is an absolute authority to protect all its citizens. Thus, this requires the Myanmar state to immediately carry out national legal reforms, especially the Burma Citizenship Law of 1982, stop all forms of violence, carry out law enforcement against criminals, ensure safe reparations and repatriation for the Rohingya ethnic group, as well as provide compensation and make an official apology. The fulfillment of this obligation is a prerequisite for the Myanmar state to reaffirm its sovereignty as Sovereignty as Control.

4.2. Suggestions

1. The principle of responsibility to protect (R2P) still needs to be developed again to be more focused on strengthening the basis of international law that is more legally binding so that it is not solely a global political commitment. This is very crucial to do because it aims to minimize the politicization of the veto in humanitarian crises and ensure that the principle of responsibility to protect (R2P) can develop more consistently and effectively to be implemented in countries experiencing humanitarian crises.

2. The Myanmar government should be urged to immediately revise the Burma Citizenship Law of 1982 to recognize that the Rohingya are part of their legitimate citizenship so that they can end their statelessness. Myanmar's government also needs to establish an independent internal accountability system that is useful for prosecuting perpetrators of mass atrocities against the Rohingya.
3. The international community, especially the United Nations and ASEAN, is urgently needed to strengthen more coordinated and measurable economic and diplomatic pressure mechanisms. ASEAN is encouraged to re-evaluate the principle of non-intervention in cases of gross human rights violations that may have an impact on regional stability. As for the UN Security Council, it needs to find new ways to overcome the obstacles to veto.
4. For further research, it is hoped that it can examine more deeply the role of non-state actors and international corporations in supporting the implementation of responsibility to protect (R2P) in Myanmar. In addition, the effectiveness of international justice mechanisms in prosecuting perpetrators of crimes against countries that have not ratified all international human rights treaties or have not ratified the Rome Statute will be very relevant to enrich understanding of the context of responsibility to protect (R2P).