

Legal Aspects of the Right to Nationality Pursuant to Myanmar Citizenship Law

by **Dr. Su Yin Htun,**
University of Mandalay

Chairperson: Mr Matthew Seet,
NUS Law

Tuesday, 26 November 2019
12.30pm to 2.00pm

Federal Conference Room,
Federal Building, NUS (Bukit Timah Campus)

ABSTRACT

It is universally accepted that everyone has the right to nationality. The Myanmar framework on the right to nationality constitutes a unique, exclusive, ethnic citizenship system based on the jus sanguinis, ie, law of blood. The Myanmar Citizenship Law was enacted in 1982 by repealing the Union Citizenship Act 1948. As the citizenship status was changed by the Law, many people in Kachin, Karen and Rakhine States had lost their rights to nationality and suffered human rights impacts. In Rakhine State, serious communal violence occurred in 2012, 2016 and 2017, and the government declared a state of emergency. This research paper focuses on how to fulfil the international standard of nationality rights in Myanmar. It provides a historical overview and legal analysis of citizenship laws in Myanmar using a human rights lens and offers suggestions for legal reforms that can help address the problem of statelessness in Myanmar. Specifically, it recommends the use of the jus soli (law of the soil) approach to citizenship. This paper constitutes a call for a legal solution by using the jus soli, i.e the law of the soil, in either Myanmar Child Law or Myanmar Citizenship Law.

ABOUT THE SPEAKER



Yin Htun is a lecturer of the Department of Law at Mandalay University, Myanmar. She was appointed as a tutor at Meikhtilar University in 2005, and then promoted as assistant lecturer at Taunggyi University. Next, she transferred as lecturer from Taunggyi University to Mandalay University. Her work experience on teaching is over fourteen years. She got her LLB in 2004, LLM in 2006 and PhD in 2016. She received a US-ASEAN Fulbright Scholarship from US Government in 2018. She has participated in internal seminars and international workshops. Her research publications are:

1. Internal Displacement caused by Environmental Degradation (Mandalay University Research Journal, Vol.11, 2017, P- 72 – 86)
2. Legislative Measures on Domestic Violence against Women in Myanmar (Journal of Department of Historical Research and National Library Press, 2018, P-229 - 260)
3. Legal Protection Afforded to Women against Domestic Violence in Myanmar (Korean Language) (Our Voices 2: "Women's Body, Sexuality, and Violence in Asia", Ewha Womans University, Seoul: Ewha Womans University Press, January, 2019, P-123 - 135)
4. Legal Preservation on Cultural and Natural Heritages in Mandalay Region, Myanmar (Proceeding Book, "History, Cultural Evidences, Cultural Heritage and Social Memory" International Conference on Burma/Myanmar Studies (ICBMS), Volume 6, P-527-536)
5. Environmental Issues on the Mining Activities in Myanmar (17th Myanmar Academy of Arts and Science, University of Yangon, 2017) (J. Myanmar Acad. Arts Sci. 2018 Vol. XVI. No.8) (P-259- 276)
6. The Impact of Tourism on Child's Cultural Rights in Myanmar (Group Research with Vietnamese Researchers under the SHAPESEA, 2018) (Children's Rights in the Tourism Industry: The Case of Vietnam and Myanmar, Hong Duc Publishing House, Hanoi, 2019) (P-165 – 183)
7. Mapping the civil documentation status of populations in Mandalay Region, Myanmar; (UNHCR report organized by Raoul Wallenberg Institute of Human Rights and University of Mandalay in 2018)

REGISTRATION

There is no registration fee for this seminar, but seats are limited.
There will be a light meal provided on a first-come-first-served basis.

Closing Date: **Tuesday, 19 November 2019**

For enquiries, please contact Nur Fazirah at rescle@nus.edu.sg

To register, go to <https://nus.edu/30vJpIC>

Or scan the QR code

