Statelessness by Design: Myanmar's Bureaucratic Methods of Erasing the Rohingya

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Key Ideas

• Documents establishing a person's legal identity can have life-or-death consequences. **Without identity documentation, people risk becoming stateless.** Stateless people lack a state to protect them or guarantee their basic rights, and are therefore extremely vulnerable.

• **Governments can engage in bureaucratic practices that render people stateless**, even when these people are entitled to a legal identity under domestic or international law.

• **Bureaucratic practices often reflect political choices and outright targeting of minorities.** Governments' political choices can thus leave people stateless and vulnerable.

Recommendations

• **The problem of statelessness requires political solutions, not simply technocratic ones.** Political actors must decide to grant legal identity documentation to all individuals in their territory who would otherwise be stateless.

• **Immigration and asylum officials must be aware that some migrants cannot produce documents due to political persecution.** Be cautious in treating official government records as unbiased and complete records. In the case of Myanmar, Rohingya refugees may not have documents to prove their identity or their family's history in Myanmar.

The Myanmar government has deliberately used its bureaucracies to erase the Rohingya people from the nation, leading to their situation of statelessness and vulnerability.

The Rohingya are the world's largest stateless population, with over 1.6 million Rohingya people experiencing statelessness as of 2024.[1] Research by Dr. Amanda Cheong, an Assistant Professor of Sociology at the University of British Columbia and a CMS affiliate, shows that the Rohingya community's situation of statelessness is no accident. The Rohingya are a predominantly Muslim ethnic group concentrated in the Rakhine State of Myanmar (formerly known as Burma) that has been subjected to severe persecution since the late 20th century. While Rohingya people assert that they are an indigenous ethnic group that has been present in Myanmar for centuries, the dominant narrative within Myanmar alleges that those who claim Rohingya identity are illegal immigrants from neighbouring Bangladesh.

Since the 1970s, Rohingya people have increasingly been targets of violence, forced displacement, and erasure, both by mobs and by government actors. Dr. Cheong's research shows how the Myanmar government has deliberately used its bureaucracies to erase the Rohingya people from the nation, leading to their situation of statelessness and vulnerability.[2]

Key Findings

Erasing "Rohingya" from the Census

In 2014, the government of Myanmar conducted its first census in decades. Typically, a census aims to achieve a complete count of the country's population and present a demographic portrait of the nation. In Myanmar, these two goals came into conflict as the government sought the erasure of the Rohingya community. For the 2014 census, the government created a list of ethnic categories that individuals could identify with. They excluded "Rohingya" from that list. Rohingya people were instructed to identify with the category "Bengali," which designates them as foreigners. This was a major blow to the Rohingya community, especially because citizenship in Myanmar is based on being a member of a recognized indigenous ethnic group.

In addition to omitting the Rohingya identity category from the census, many Rohingya were omitted from the census enumeration outright. During the enumeration process, anyone who attempted to identify as "Rohingya" was not counted. Further, many Rohingya households were skipped entirely by enumerators. As a result, the population of Rohingyas—under the misnomer "Bengalis"—was significantly undercounted. The final census report acknowledged that a predominantly Muslim community in the Rakhine State was undercounted "because they were not allowed to self-identify using a name that is not recognized by the Government,"[3] but the report did not mention the name "Rohingya" even once—further underscoring the government's erasure of the Rohingya identity.

Invalidating Identity Documents

Legal identity documents are a vital resource for establishing citizenship, rights, and access to government services. Over time, the Myanmar government has chipped away at Rohingya people's access to identity documents. Initially after Myanmar's independence, Rohingyas were granted the same national ID cards as all other Myanmar citizens. However, in the 1980s, Rohingyas had their national ID cards replaced with "temporary" national ID cards that labeled them as individuals whose claims to citizenship needed to be verified. These "temporary" national ID cards did not expire and could be used to exercise certain rights associated with citizenship, such as voting. Then in 2015, in the run-up to an election, the Myanmar government declared that the type of national ID card held by most Rohingya people was invalid. The government instructed Rohingya people to turn in their "invalid" IDs. Those who did received inconsistent documentation in exchange. Some were given pieces of paper, but no replacement identity document. Others were given new, ad-hoc identity documents that were not part of the official national ID system, that would expire after only two years, and that did not grant any legal rights to their bearers. Through bureaucratic means, Rohingyas were progressively demoted from de facto citizens to disputed citizens and then to statelessness.

The Consequences of Erasure and Omission

The Myanmar government's bureaucratic erasure of the Rohingya group from the national body has serious consequences. Because citizenship in Myanmar is based on belonging to a national ethnic group, the government's refusal to recognize the Rohingya ethnicity makes it impossible for Rohingyas to prove that they are rightful citizens of Myanmar under the law. Without citizenship status in Myanmar or elsewhere, Rohingya people are stateless and cannot call upon the protection of any country.

By excluding Rohingyas from the national ID card regime, the government deprived them of yet another resource for proving their belonging in Myanmar. This makes it harder for them to assert their right to remain living on their land, or to return to their land after being displaced by mass violence— an event that has occurred many times. Deprived of legal identification, proof of citizenship, and state protection, many become stateless refugees. As shown in Figure 1, in 2024 there were more stateless Rohingyas living in other countries than living within Myanmar. After displacement, most Rohingyas remain stateless, since neighbouring countries do not legally recognize them as refugees and do not grant them access to rights associated with refugee status, like identity and travel documentation. Without such documentation, they often cannot access education or the labour market.
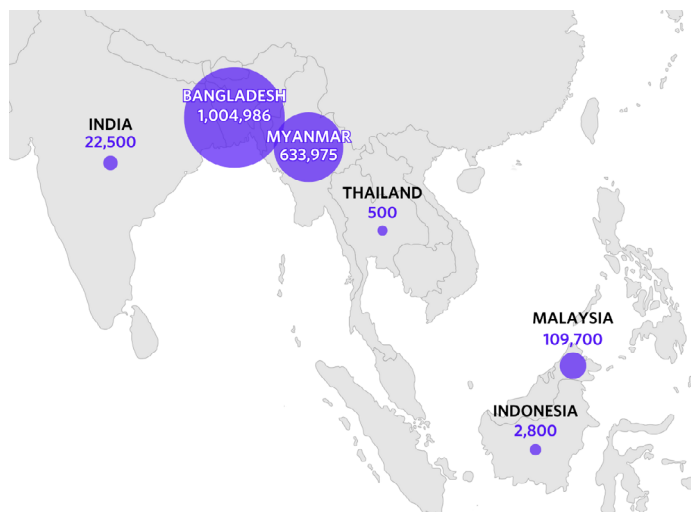

Figure 1. Stateless Rohingya by Country (Source: UNHCR 2024)

Methods

These findings come from a 2024 peer-reviewed article by Amanda Cheong published in the journal *Social Problems*. Dr. Cheong conducted four months of fieldwork in Yangon, Myanmar in 2014 and 2015, during Myanmar's census and elections. She also conducted fieldwork with diasporic Rohingya communities in Malaysia in 2015 and 2017, and with a Rohingya activist in Washington, DC in 2015. She conducted 41 interviews with Rohingya individuals and non-Rohingya diplomats, non-profit workers, and academics, and she analyzed archival documents.

Conclusion

Typically, when a state's bureaucracy does not document every birth, assign every individual a standardized ID, and count every resident in the census, those omissions are seen as "failures" of the bureaucracy. These failures are often understood as the result of weak state institutions that do not have the capacity to reach every individual in the country. However, the case of Myanmar shows that these omissions are not always "failures"—sometimes, they are intentional. Governments may deliberately carry out bureaucratic functions, like conducting a census or managing legal identity documentation, in a way that excludes, omits, and erases certain groups.

While the United Nations has pursued technocratic solutions to statelessness, focusing on strengthening state bureaucracies[4] or even turning to high-tech tools like blockchain to maintain legal identity records,[5] Dr. Cheong's research shows why those efforts may fall short. Many people are stateless and lack identity documents because the countries where they live refuse to recognize their existence. In these situations, the problem of statelessness can only be addressed with political solutions.

References

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Amanda Cheong is an Assistant Professor of Sociology at the University of British Columbia. Her research focuses on how legal status and documents shape people's lives, particularly in Southeast Asia and in North America. Her research has been published in peer-reviewed journals like *International Migration Review*, *Social Problems*, and *Ethnic and Racial Studies*. She is currently writing a book about the experiences of stateless and document-less individuals in Malaysia. She earned her BA at the University of British Columbia and her PhD at Princeton University.

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