

# A VOICE IN THEIR FUTURE

THE NEED TO EMPOWER ROHINGYA REFUGEES  
IN BANGLADESH

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# ACKNOWLEDGEMENTS

Refugees International's Communications Officer Aviva Shwayder contributed to this report.

Cover Photo: Afruza, a 29 year-old Rohingya woman leader, who lives in the refugee mega-camp in Bangladesh. Photo Credit: Refugees International.

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## SUMMARY

More than two years since the expulsion of the majority of the Rohingya population from Myanmar, Rohingya are still not being adequately informed or engaged on issues of vital importance to their lives and futures. The government of Myanmar continues to deny citizenship and representation to the few hundred thousand Rohingya still living in Myanmar. The Rohingya there face ongoing, severe human rights abuses, including restrictions on their freedom of movement and access to livelihoods and education. Bangladesh deserves great credit for providing refuge to 1 million Rohingya. With the support of UN agencies, nongovernmental organizations (NGOs), and donor countries, it has led a massive humanitarian response that has saved many lives. Bangladesh also refuses to recognize Rohingya as refugees however and has been increasing restrictions on that population. Moreover, Rohingya voices have been virtually absent from high-level discussions about their possible repatriation to Myanmar or relocation within Bangladesh, as well as decisions about matters of everyday camp life.

Key actors—including the governments of Bangladesh and Myanmar and UN agencies—all have made official statements that the ideal solution to the Rohingya displacement crisis is their repatriation to Myanmar. However, none of the three repatriation agreements that have been signed between these actors formally include the Rohingya or even mention the name Rohingya. Engagement with the Rohingya community has been limited to poorly coordinated, last-minute information campaigns rather than genuine consultations, and have left its people largely uninformed and unprepared for any possible return. The dangers of this approach were clear in two repatriation exercises that led to widespread angst among Rohingya refugees. The first attempt, in particular, resulted in panic, spikes in mental health consultations, and even reported suicide attempts. The second, although better managed to avoid the same levels of panic, still led to extensive anxiety and uncertainty.

Similarly, plans by the government of Bangladesh to move 100,000 Rohingya refugees to Bhasan Char, an island in the Bay of Bengal, have created confusion and fear among them. Bangladeshi authorities in the camps have collected and added Rohingya names to relocation lists, reportedly without those individuals' consent. Rumors abound about what those who do volunteer to relocate might receive for relocating. UN officials and NGO representatives have warned about serious unanswered questions over safety guarantees and the logistical capacity to host refugees on the island. Plans for assessment by a UN technical team have been delayed. Under current circumstances, no transfers should take place. An independent assessment and outreach to the Rohingya community will be essential to ensure that any relocations are truly safe and voluntary.

Meanwhile, the lack of a representative structure constrains Rohingya refugees' ability to address challenges that arise in everyday camp life, from service provision to redress for grievances. Currently, the role of the Rohingya in camp management is largely limited to the *majhi* system. The *majhi*—the leaders of sections of the camps—are Rohingya selected by the Bangladesh military at the start of the crisis, but with little regard for community sentiment. Bangladeshi authorities have allowed the UN Refugee Agency (UNHCR) to implement a community representation system in four of the 34 camps, but the government has been reluctant to expand it further.



The shortcomings of the *majhi* system are exacerbated by gaps in the efforts of humanitarian actors to communicate with the refugee community. UN agencies and NGOs have tried to improve communication with communities by setting up information booths, hotlines, and other feedback mechanisms. However, Rohingya are often not consulted in the early phases of project design and implementation. They also face language and other barriers to engagement that have not been adequately addressed.

The rise of a budding civil society within the Rohingya refugee population has helped to fill some of the representation gaps on broader issues. Groups like the Arakan Rohingya Society for Peace and Human Rights, Shanti Mohila, and the Rohingya Women’s Empowerment and Advocacy Network have risen to prominence. Their representatives have attended a UN Human Rights Council session and even briefly met with U.S. President Donald Trump as part of the 2019 Ministerial to Advance Religious Freedom.

Even this promising trend has been reversed in recent months, however. As part of a broader “securitization” in Bangladesh’s approach toward the Rohingya, authorities have cracked down on Rohingya civil society in camps and placed greater scrutiny and restrictions on NGOs supporting their work. While Bangladesh has legitimate security concerns linked to the camps, overly restrictive policies are counterproductive to addressing such risks and detrimental to its own interests. New policies tightening restrictions on the Rohingya have ranged from aggressive confiscation of phones and SIM cards to the initiation of fencing around the camps. Such policies not only risk harming the Rohingya now but—by further excluding refugees from livelihoods and skills-building opportunities—will hinder the prospects for any future sustainable return of Rohingya to Myanmar. Bangladesh’s January 2020 decision to expand access to education for Rohingya youth is a promising step back from this trend, but too many restrictions remain. In particular, restrictions on their movements further prevent Rohingya’s representation and engagement in decision-making forums. For example, uncertainty about Bangladesh’s more restrictive policies likely contributed to the fact that no Rohingya refugees were present at the first-ever Global Refugee Forum in December 2019.

Any sustainable solution to the plight of the Rohingya must include their participation, which starts with addressing the root causes of Rohingya suffering in Myanmar. Increasing international pressure on Myanmar to create conditions conducive for return will be essential. In the meantime, much more can and must be done to empower Rohingya refugees and ensure they are included in discussions that will define their fates. Until it is safe for Rohingya to return to their homeland, their voices must be supported and amplified, not restrained and stifled.

# RECOMMENDATIONS

## *To the Government of Bangladesh:*

- Reverse the restrictive policies on Rohingya that have been implemented since August 2019, including confiscation of cell phones, limitations on internet access and mobile communications, and curbing of volunteer and cash-for-work programs.
- Remove bureaucratic barriers, such as onerous project approval requirements and complex and uncoordinated requests for information that hinder the humanitarian activities of international NGOs, including the ability to work with Rohingya civil society.
- Refrain from repatriating Rohingya refugees to Myanmar until its government has taken meaningful and verifiable steps to address ongoing human rights abuses, restrictions on movement and humanitarian access, and denial of citizenship and fundamental rights to the Rohingya.
- Ensure that any future repatriation process is voluntary, gradual, and allows adequate time to directly engage Rohingya refugees, including women and youth, in continuous dialogue. This effort should include “go and see” visits that allow Rohingya to verify for themselves the safety of potential return. Moreover, any memorandum of understanding (MOU) on repatriation should be tripartite (between Bangladesh, Myanmar, and UNHCR) and include the name “Rohingya” and guarantees of Rohingya rights.
- Refrain from relocating the Rohingya to Bhasan Char until serious concerns are addressed and Rohingya refugees are properly informed about conditions they would face there. This information should include an independent UN assessment of the capacity for ensuring safety, freedom of movement, access to livelihoods, and the availability of aid and services, as well as risks of cyclones and flooding. Any relocation must be voluntary.
- Work with humanitarian agencies to improve community representation structures in the camps, including by strengthening refugees’ participation, especially that of women, and exploring alternatives to the existing *majhi* system.
- Facilitate representation from the Rohingya refugee community—including women and youth—in multilateral forums, starting with the next session of the UN Human Rights Council in March 2020.
- Recognize that the Rohingya are refugees with accompanying rights—including access to justice, health services, cash and livelihoods, and education, as well as freedom of movement—and do not restrict aid organizations from providing these types of services or engaging refugee volunteers to help provide them.

## *To UN Agencies, Member States, Donors, and NGOs:*

- Support the participation of Rohingya refugees—including women and youth—in multilateral forums on the Rohingya crisis, starting with the next session of the UN Human Rights Council in March 2020.
- Consult and inform refugees on UN agreements, such as any MOU on repatriation.
- Work with the government of Bangladesh to increase Rohingya representation in community structures within the camps.

- Engage local Bangladeshi media and community leaders with trainings and dialogue to inform them about humanitarian efforts to support the host community and to counter false reports and mischaracterizations that fuel tensions between Rohingya refugees and the host community.
- Oppose the repatriation of Rohingya to Myanmar until its government has taken meaningful and verifiable steps to address ongoing human rights abuses, restrictions on movement and humanitarian access, and denial of citizenship and fundamental rights to the Rohingya. Any returns must be safe, voluntary, and dignified, in line with international standards.
- Demand access for and inclusion of UN agencies in any process to repatriate Rohingya to Myanmar. Any MOU on repatriation should be tripartite (between Bangladesh, Myanmar, and UNHCR) and include the name “Rohingya” and guarantees of Rohingya rights.
- Fully fund the efforts laid out in the 2020 Joint Response Plan for the Rohingya humanitarian crisis, including empowerment of Rohingya civil society.





# BACKGROUND

## Root Causes of the Crisis

The plight of the Rohingya is rooted in their treatment by authorities in Myanmar, where they have faced decades of persecution and been denied citizenship. Despite the fact that Rohingya have lived in Myanmar for generations, the government and many people in Myanmar view Rohingya as illegal migrants from Bangladesh and even deny that a “Rohingya” ethnicity exists. A 1982 Citizenship Law excludes Rohingya from a list of 135 ethnicities recognized as having Myanmar citizenship. They are effectively stateless, denied the formal protections a government provides to its citizens. Rohingya were allowed to vote in the 2010 election and a few were even elected members of Parliament. However, the government of Myanmar subsequently revoked that right to vote, and political parties have prohibited Rohingya from running for office in more recent elections. As the next general elections loom in 2020, the Rohingya have no political representation in Myanmar.

In August 2017, the persecution of the Rohingya reached unprecedented levels. Myanmar’s security forces carried out widespread attacks on Rohingya communities, killing thousands and driving more than 700,000 Rohingya to Bangladesh over the course of a few months. The military operations were ostensibly a response to attacks by Rohingya militants on approximately 30 security posts, but they were well planned, organized, and grossly disproportionate. As Refugees International documented in an earlier report, Myanmar security forces systematically sur-

rounded villages, set them on fire, and shot residents as they fled.<sup>1</sup> Subsequent investigations by the U.S. State Department, a UN Independent Fact-Finding Mission, and several independent human rights groups documented widespread sexual violence, arbitrary killings, and the destruction of more than 300 villages. The fact-finding mission concluded that the attacks amounted to genocide and warned of an ongoing risk of genocide in the country today.<sup>2</sup>

Today, nearly 1 million Rohingya refugees are living in Bangladesh, mostly in a crowded, hilly mega-camp in the area of Cox’s Bazar. An estimated 600,000 Rohingya remain in Myanmar’s Rakhine State. Of these, more than 120,000 are confined in displacement camps, which are essentially open-air prisons. The general Rohingya population in Myanmar faces ongoing restrictions on freedom of movement and access to health care services and education. At the same time, Myanmar’s security forces continue to target Rohingya for forced labor, arbitrary arrest, and sexual violence.<sup>3</sup> In short, the root causes of the Rohingya crisis are yet to be addressed in Myanmar, and conditions remain far from conducive to the safe return of Rohingya refugees.

Refugees International recognizes that putting international attention and pressure on the government of Myanmar is of foremost importance for solving the plight of the Rohingya. However, addressing remaining gaps in responses in Bangladesh is also critical. This report focuses on the latter. For more on Myanmar and recommendations for maintaining multilateral pressure on its government to address ongoing abuses, please see past Refugees International reports.<sup>4</sup>

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1. “Bearing Witness to Crimes against Humanity: The Forced Expulsion of the Rohingya from Myanmar,” Refugees International, October 5, 2017, <https://www.refugeesinternational.org/reports/2017/10/bangladesh>.

2. “Detailed findings of the Independence International Fact-Finding Mission on Myanmar,” September 16, 2019, United Nations Human Rights Council, <https://www.ohchr.org/en/hrbodies/hrc/myanmarffm/pages/index.aspx>.

3. Daniel P. Sullivan, “Abuse or Exile: Myanmar’s Ongoing Persecution of the Rohingya,” Refugees International, April 2019, <https://www.refugeesinternational.org/reports/2019/4/24/abuse-or-exile-myanmars-ongoing-persecution-of-the-rohingya>.

4. “Bearing Witness to Crimes against Humanity,” Sullivan, “Abuse or Exile: Myanmar’s Ongoing Persecution of the Rohingya,”

# RESEARCH OVERVIEW

A Refugees International team traveled to Bangladesh in November 2019 to assess the humanitarian situation for Rohingya refugees living in camps there. The study focused on the engagement of Rohingya refugees on issues important to their future. Team members conducted interviews with representatives of UN aid agencies, the government of Bangladesh, local and international nongovernmental organizations (NGOs), and Rohingya refugees.

## Rohingya in Bangladesh

The government of Bangladesh deserves great credit for taking in 1 million Rohingya, most of them in a matter of months. With the support of UN agencies, NGOs, and donor countries, it has led a massive humanitarian response to Rohingya displacement. Well-coordinated vaccination campaigns, the relocation of refugees from areas vulnerable to landslides and flooding, and the construction and reinforcement of roads and embankments have prevented what could easily have been a much higher loss of life over the past two years. There are clearly constraints on what any government would be able to do in responding to a crisis of this proportion, but Bangladesh has also pursued policies that are causing unnecessary harm to Rohingya and leaving them out of decisions that will have a fundamental impact on their lives.

Though the Rohingya fit the international definition of refugees and are recognized by the UN Refugee Agency (UNHCR) as such, Bangladesh is not a party to the UN Refugee Convention and Protocol, and refuses to officially recognize them as refugees. Government officials fear that doing so

would only entice more Rohingya to come to Bangladesh because it would increase Rohingya expectations for resettlement in third countries. This denial of refugee status has practical consequences for Rohingya in Bangladesh by making it less likely they will be accorded the rights called for when given refugee status. These rights include access to education, health care, and legal recourse, in addition to the ability to resettle the most vulnerable among the population to other countries.

Indeed, Bangladesh has restricted the efforts of UN agencies and NGOs to provide education to Rohingya, denied them livelihood opportunities, and restricted their freedom of movement. In late August 2019, popular Bangladeshi attitudes shifted dramatically following a series of events that stoked fears and strengthened a narrative of Rohingya as a security risk. The details of those events will be discussed in more detail in a later section, but their effect was to trigger policy changes to significantly increase restrictions on Rohingya, including limitations on internet access and mobile communications, confiscation of phones, crackdowns on Rohingya civil society leaders, and initiation of fencing around the camps.

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Cindy Huang, "Human Rights in Southeast Asia: The Rohingya Crisis in Focus," Testimony before House Committee on Foreign Affairs Subcommittee: Asia, the Pacific, and Nonproliferation, "Human Rights in Southeast Asia: A Regional Outlook," Refugees International, July 25, 2019,, <https://www.refugeesinternational.org/reports/testimony-on-rohingya-crisis-cindy-huang>.

Moreover, as in Myanmar, Rohingya in Bangladesh suffer a lack of representation and inclusion in decision-making processes that fundamentally impact their lives. There are three key areas in which the government's failure to inform and include Rohingya has caused harm: possible repatriation to Myanmar, relocation within Bangladesh, and community representation within the camps in Bangladesh.

## REPATRIATION

The most consequential of the discussions concerning the Rohingya and their future is around repatriation—when and under what conditions they might return home to Myanmar. Nearly every Rohingya refugee with whom Refugees International has spoken on this and prior visits has expressed a desire to return to Rakhine State, usually with the caveat “when it is safe and we have our rights.” The statement of one Rohingya civil society leader was representative: “We just want to go back as soon as possible but need justice, dignity, and full citizenship rights.” One Rohingya woman told the Refugees International team, “We have heard about repatriation, but we won't go back until our rights and safety are guaranteed, until we know we won't have to come back [to Bangladesh].”

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“We just want to go back as soon as possible but need justice, dignity, and full citizenship rights.”

**-ROHINGYA CIVIL SOCIETY LEADER**

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From an international perspective, repatriation has long been identified as the most desirable of sustainable solutions for refugees. In formal agreements, both Bangladesh and Myanmar have identified repatriation as their shared goal. Yet Rohingya have scarcely been included in any of these discussions and have had little knowledge about already attempted repatriation exercises as they took place. The result has been widespread anxiety and, at times, panic among Rohingya refugees, effectively retraumatizing an already traumatized community.

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“Who asked you to make a MOU? You need to consult us.”

**-ROHINGYA YOUTH GROUP LEADER**

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There have been three memoranda of understanding (MOUs) signed concerning repatriation of Rohingya to Myanmar: between Myanmar and Bangladesh; between Bangladesh and UNHCR; and between Myanmar, UNHCR, and the UN Development Program. None of these MOUs explicitly included consultations with the Rohingya as part of any repatriation exercise. Indeed, they fail to even mention the name “Rohingya.”<sup>5</sup> As one Rohingya youth group leader told Refugees International, “Who asked you to make a MOU? You need to consult us.” Although the formal participation of Rohingya representatives is complicated by the absence of a clear representative structure (as will be described in a later section), repatriation discussions to date have failed even to adequately inform Rohingya about the discussions and decisions taking place. Bangladesh and Myanmar have attempted

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5. Myanmar refuses to recognize the Rohingya as an ethnic group, insisting that they are illegal Bengali immigrants. The MOUs are not public, but leaked drafts and consultations with those who have seen them indicate that the term Rohingya is not included.





Rohingya men living in the refugee mega-camp in Bangladesh. Photo Credit: Refugees International.

two repatriation exercises to date. Both have been rushed and resulted in no Rohingya volunteering to return. The first, carried out in November 2018, was announced just a few days before the exercise was to begin. Although the governments declared that 2,200 Rohingya had been identified and vetted for voluntary repatriation, Rohingya were not adequately informed about what was to occur. There was much anxiety about whose names were on the list and what repatriation would mean. Moreover, UN agencies were left out of the preparation. Though on hand to observe, they were unable to provide information or consistent messaging to Rohingya who asked them about the effort. Many Rohingya left the camps before the exercise began, afraid they would be on the list and forced to go back to Myanmar. When the Bangladeshi government sent buses to the camps with officials ready to facilitate the first leg of the journey, no Rohingya refugees showed up.

Despite this outcome, Bangladesh touted the effort as a success. It pointed to its will-

ingness to facilitate but not force Rohingya to return to Myanmar, in direct contrast to Myanmar's unwillingness to create conditions conducive for return. There was harm done, however. Humanitarian workers with whom Refugees International spoke described widespread panic. Health workers cited a spike in the number of refugees seeking mental health treatment and at least one reported suicide attempt. This anxiety was a direct result of the failure to coordinate messaging to the Rohingya and inform them of who was on the list and what to expect.

In August 2019, a similar exercise took place with only a few more days' notice. This time, UNHCR was able to coordinate common messaging and carry out direct consultations with the people included on the list of 3,450 refugees identified for repatriation. The end result—that no Rohingya came forth to voluntarily return—was the same, but the process avoided the panic of the previous attempt. Still, the rushed exercise left much room for uncertainty. Had any refugees come forward, they would have had little time to say their



## AYASSA BEGUN

“In front of my door, seven people were killed.” That is when Ayassa Begun, a 60-year-old Rohingya woman, decided to leave her home in Maungdaw, Myanmar. Around two and a half years ago—during the height of the ethnic cleansing campaign—Ayassa fled across the border with her family to seek refuge in Bangladesh. Ayassa told the Refugees International team that “I came here to save my life.”

She said she did not even know if she would be able to find food in Bangladesh but was left with no choice but to escape the violence. Beyond her expectations, life in the camp is okay for now. Her adult children are even able to earn income occasionally. Challenges still remain, however. “We are just surviving,” she explained. Her shelter is very hot and cramped, and she has problems accessing clean water. Moreover, if the government of Bangladesh goes through with its proposed plan to ban cash for work, which allows Rohingya to earn money for necessary day-to-day jobs in the camp, it will directly impact Ayassa’s family.

Another looming issue in the camps is the potential for repatriation. Although Ayassa has heard about repatriation, she said that “No one has come [in the camps] and talked about it.” Moving forward, it is critical that humanitarian actors and the international community better engage Rohingya directly so they are more informed about their options for their future.

When asked what home meant to her, Ayassa said, “Home is luxury. Heaven for humans.” Ayassa said she dreams of someday returning home to Myanmar, but also added that we “wish that Myanmar will accept us [the Rohingya] as citizens.” So far, Myanmar has not made meaningful commitments to restore Rohingya’s rights or provide any guarantees of citizenship.







goodbyes and prepare for the journey or properly vet the conditions to which they would be returning.

The Myanmar government has sent delegations to the Rohingya camps to discuss repatriation. However, Rohingya refugees who participated in those discussions told Refugees International that the meetings only increased their mistrust. Weeks before the latest effort at repatriation, Myanmar had sent a high-level delegation, led by Myanmar's permanent foreign secretary, to Bangladesh to speak with Rohingya community leaders in the camps about repatriation. One refugee who engaged with the delegation told Refugees International that the meeting went relatively well, with the Rohingya present able to share their concerns and the Myanmar delegation seeking to convince them that return would be safe. The rushed repatriation exercise a few weeks later came as a complete surprise, however, and contradicted what the Rohingya had been told. "How can we believe the Myanmar government?" the attendee said, looking back to the previous discussion. Then, referring to the repatriation exercise, he said, "No one has discussed with me. Why not?"

Myanmar sent another delegation in December 2019 to discuss repatriation again. However, the Rohingya refugees present were frustrated by the officials' insistence that they accept National Verification Cards. These identity documents are viewed with great apprehension by Rohingya, who see them as effectively closing off any claim to citizenship. The sentiment that Rohingya refugees involved in the consultations shared with the Refugees International team was reflected in a headline in the Dhaka Tribune on December 20, 2019: "Unproductive Meeting Between Myanmar, Rohingya Ends in Cox's Bazar."<sup>6</sup>

Ongoing attempts at dialogue are welcome and necessary. The fact remains, however, that conditions in Myanmar are far from conducive to Rohingya return, and the government of Myanmar has done little to improve them. Bangladesh should refrain from conducting any repatriation exercises until Myanmar takes tangible measures that will guarantee the security, dignity, and well-being of Rohingya currently in Myanmar. These measures include ensuring freedom of movement, humanitarian access, and an end to severe human rights abuses, so returnees do not end up perpetually living in camps, as have the more than 120,000 Rohingya who have been in such camps since 2012.

Once the government of Myanmar has put in place some level of credible guarantees of safety and rights for Rohingya—and had those steps vetted and validated by independent observers—it must work with Bangladesh and UNHCR to ensure that any repatriation exercise is carefully designed and conducted. To better facilitate such validation and streamline engagement and information sharing with refugees, any MOU on repatriation should be tripartite, including Bangladesh, Myanmar, and UNHCR. Any MOU should also include the name "Rohingya" and guarantees of Rohingya rights. Efforts must include transparent channels to carefully and fully inform refugees, including women and youth, about the prevailing conditions in Myanmar and what they can expect from the repatriation exercise. In addition, Rohingya should be enabled to conduct "go and see" visits to confirm conditions in Myanmar themselves, and UNHCR should have an ongoing presence and access in Rakhine State and an effective monitoring role. Ultimately, repatriation must be a gradual process with continual dialogue, not a one-time, rushed event.

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6. Abdul Aziz and Humayun Kabir Bhuiyan, "Unproductive Meeting between Myanmar, Rohingyas Ends in Cox's Bazar," *Dhaka Tribune*, December 19, 2019, <https://www.dhakatribune.com/bangladesh/rohingya-crisis/2019/12/19/rohingya-crisis-myanmar-govt-rohingya-meeting-ends-fruitless>.

# RELOCATION TO BHASAN CHAR

Another area of key importance to the future of the Rohingya refugee community, but in which they have had little to no say, is Bangladesh's plans to relocate 100,000 Rohingya to Bhasan Char, an island in the Bay of Bengal. The government has raised this idea several times over the years, and international critics have opposed it each time. Bangladesh has shown new seriousness by pouring some \$300 million into building sea walls and permanent structures over the last two years to ready the island for refugee relocation. The UN and international rights groups, including Refugees International, have raised serious concerns about the government's capacity to ensure safety, freedom of movement, access to livelihoods, and the availability of services on the island.<sup>7</sup> These issues remain unaddressed. Bangladeshi authorities have not properly informed Rohingya about the process, even while publicly announcing dates for the relocation to begin, leading to anxiety and uncertainty among Rohingya similar to that seen around the repatriation exercises.

Of greatest immediate concern are reports that camp authorities were adding the names of Rohingya refugees to lists of so-called "volunteers" for relocation without notifying them, much less obtaining their informed consent. In October 2019, ahead of an announced start to relocation, the human rights NGO Fortify Rights obtained such a list and verified through interviews that several individuals were unaware that their names were on it.<sup>8</sup> Refugees International interviewed Rohingya

who had spoken with some of the individuals listed and confirmed these findings. Refugees International also spoke with other observers, who described top-down pressure for Rohingya camp leaders to find volunteers. The top Bangladeshi camp officials—known as Camps in Charge (CiCs)—pressured some of the *majhi* (Rohingya camp leaders selected by the Bangladesh military) to collect as many names as possible, even through dubious and coercive means.

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“Bhasan Char is not our land. It is surrounded by water, far from our motherland. We don't want to go there. We want to go home.”

-ROHINGYA REFUGEE

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In addition, the failure to consult and inform Rohingya of the process has left ample room for rumors and misinformation to spread. Rohingya refugees with whom the Refugees International team spoke expressed a mixture of fears and false expectations. One refugee asked, “How will we survive there with water, cyclones, and storms?”<sup>9</sup> Another stated, “Bhasan Char is not our land. It is surrounded by water, far from our motherland. We don't want to go there. We want to go home.” Others had been misinformed. One man told the team he had heard that Rohingya who volunteered to move to Bhasan Char would be granted Bangladeshi citizenship. Another, speaking during an earlier Refugees International visit, thought volunteers would receive

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7. “Bangladesh Suspends Relocation of Rohingya Refugees to Bhasan Char—A Welcome Move,” Refugees International, November 12, 2019, <https://www.refugeesinternational.org/reports/2019/11/8/a-welcome-move-bangladesh-suspends-plans-to-relocate-rohingya-refugees-to-bhasan-char>; “Refugees International Warns Against Relocating Rohingya to Bhasan Char Island,” Refugees International, March 28, 2019, <https://www.refugeesinternational.org/reports/2019/3/28/refugees-international-warns-against-relocating-rohingya-to-bhasan-char-island>.

8. “Bangladesh: Halt Plans to Relocate Rohingya Refugees to Isolated Island,” Fortify Rights, October 24, 2019, <https://www.fortifyrights.org/bgd-inv-2019-10-25/>.

9. From a previous Refugees International mission.

money. Public statements and Refugees International conversations with officials indicate that neither of these rumors is true.

The Bangladeshi government has insisted that any relocation will be voluntary, but the reports described above call that assurance into question. Bangladesh has reached out to Rohingya refugees to show videos of the island, and some Rohingya have reportedly volunteered to relocate. Given the cramped and trying conditions in the camps in Bangladesh, more are likely to do so. The videos only show the infrastructure that has been built, however. They do not answer questions raised by UN agencies and international NGOs about freedom of movement, safety guarantees, or availability of services. For any relocation to be voluntary, Rohingya must be properly informed.

Obtaining informed consent will require sustained consultation with Rohingya refugees. Ensuring that they have been consulted, and that relocation is truly voluntary, will be possible only through external verification, such as by independent UN experts. Under current circumstances, no transfers should take place. A UN technical visit to Bhasan Char to assess these questions was scheduled during the time of Refugees International's visit but was postponed. The results of such an assessment should be released publicly and shared with Rohingya refugees in a concerted outreach campaign before any potential relocation to Bhasan Char occurs. Should the current concerns be addressed and conditions deemed appropriate for relocation, Rohingya will need to be properly informed and given time to prepare for the move. As with repatriation, any relocation exercise should be a gradual process rather than a sudden event.

## REPRESENTATION IN THE CAMPS

A third essential area in which Rohingya have not been adequately included is community representation in the camps. Simply stated, the community structures set up for Rohingya to address day-to-day issues in the camps are not sufficiently representative, especially for women. This situation constrains the ability of Rohingya refugees to engage on a variety of issues, from the provision of services to seeking redress for grievances. This inability in turn is exacerbated by gaps in humanitarian actors' efforts to communicate with the refugee community.

The prevailing governance structure for Rohingya in the camps is the *majhi* system, through which Rohingya leaders of various camp sections were appointed by Bangladeshi authorities rather than elected by the community. This system was set up by Bangladeshi security officials at the start of the crisis based on expediency rather than individuals' earned stature in the community. Today, the *majhis* answer to Bangladeshi CiCs, who are overseen by the Refugee Relief and Repatriation Commissioner, an official in the Bangladeshi Ministry of Disaster Management and Relief. Bangladeshi authorities, despite allowing UNHCR to implement an election system in four of the 34 camps, have been reluctant to change the system, seemingly satisfied with the army's or CiCs' hand-selected leadership.

The current system has undermined traditional forms of self-governance, however; also, according to refugees with whom Refugees International spoke, it has left Rohingya feeling unheard by camp authorities and has created incentives for the *majhis'* corruption. The *majhis* are empowered to act as both representatives of Rohingya refugees to the CiCs and enforcers of policies the CiCs pass down. They have influence over how community





Overview of the Rohingya refugee mega-camp in Bangladesh. Photo Credit: Refugees International.

disputes are settled and aid is distributed, yet they are not paid. According to refugees and humanitarian actors, this situation has led some *majhis* to charge rent to camp residents illegally and demand money in exchange for adding their names to aid recipient lists.<sup>10</sup> Refugees continue to look to *majhis* as their primary resource for seeking information and addressing problems, but such corruption feeds feelings of mistrust. A survey of Rohingya refugees in 2019 found that one-third of Rohingya have “*little to no trust*” in *majhis*.

The need to strengthen community representation systems has been recognized in the annual Joint Response Plans developed by UN agencies and approved by the Bangladeshi government, but has not yet been

realized.<sup>11</sup> UNHCR has supported the election of local leaders in four of their camps, but it has proven difficult to maintain or expand the practice. The *majhis* that were replaced with the elected leaders still retain influence but resent their loss of formal recognition. The election of women leaders has been particularly controversial within the traditionally male-dominated Rohingya society, leading to debates within the humanitarian community about how best to increase women’s representation without stoking social tensions and endangering women.<sup>12</sup>

The International Organization for Migration (IOM) has conducted interesting research around increasing community buy-in by empowering traditional community structures.<sup>13</sup>

10. Refugees International interviews with Rohingya refugees; “Protection Considerations on the ‘*Majhi* System,’” Protection Sector Working Group Cox’s Bazar, June 30, 2019, <https://www.humanitarianresponse.info/en/operations/bangladesh/document/protection-considerations-majhi-system>.

11. “Joint Response for Rohingya Humanitarian Crisis,” Strategic Executive Group, February 15, 2019, <https://www.humanitarianresponse.info/en/operations/bangladesh/document/2019-joint-response-plan-rohingya-humanitarian-crisis-january>.

12. Verena Hölzl, “For Rohingya Women, Refugee Elections Bring New Opportunities—and New Problems,” *The New Humanitarian*, August 29, 2019, <https://www.thenewhumanitarian.org/news-feature/2019/08/26/Rohingya-women-refugee-elections>.

13. Danny Coyle, Abdul-Kadar (AK) Rahim, and Mohammed Abdullah Jainul, “Clan, Community, Nation: Belonging among Rohingya Living in Makeshift Camps,” January 2020, Bangladesh International Organization for Migration.

For example, and as a result of that research, it has considered raising the profile of imams and elders alongside the *majhi* system. This conclusion is supported by the same survey that showed widespread mistrust of *majhis*, finding that 99.5 percent of surveyed Rohingya had “complete trust in the religious leaders-imams in the camps.”<sup>14</sup> How this challenge is addressed ultimately is beyond the scope of this report but warrants further research and experimentation—as does Bangladeshi camp authorities’ willingness to be flexible in using the *majhi* system.

Beyond strengthening community representation systems in the camps, humanitarian actors must do more to improve consultation with refugees and gather feedback on the provision of services—what the international humanitarian architecture calls Communications with Communities (CwC). Humanitarian organizations have invested significant efforts and resources into improving CwC around everyday concerns in the camps. For example, information booths, hotlines, and house-to-house surveys have been set up to better obtain feedback on issues like food provision or provide information about referral pathways for health and gender-based violence services. Indeed, humanitarian actors have made significant improvements since the early, chaotic days of the humanitarian response.<sup>15</sup> Still, major gaps remain.

Several aid workers and refugees with whom the Refugees International team spoke described projects carried out without sufficient prior consultation with the Rohingya community. In one example, an aid group had secured funding for putting up new latrines in a certain camp but failed to properly consult

Rohingya in that camp, and when they began, found there was no space available to construct the number of latrines agreed on. In another, latrines were constructed in an area where women felt they would be unsafe if using them at night. Several refugees also cited a lack of variety or quality of food.

Language issues are an additional challenge. There is no written Rohingya language; most who speak other languages, such as Burmese, are illiterate, so communicating in writing is also a challenge. The Chittagonian dialect of Bengali is close to the Rohingya language (around 70 percent compatible) but often can still be misinterpreted.<sup>16</sup> For these reasons, many refugees feel their complaints go unheard and unaddressed.

There are several promising initiatives in progress to address these gaps. For example, the World Food Program has piloted stores where refugees can use vouchers to choose their own food supplies from an alternating variety of goods, rather than just the standard set of lentils, rice, and vegetable oil. The stores are run by different shop owners to incentivize competitive quality control. To facilitate communication, the organization Translators Without Borders has developed a written Rohingya language with a dictionary. Also, to help inform humanitarian actors of key community concerns, BBC Media Action and Translators Without Borders run a monthly publication in English called “What Matters” that highlights issues cited by Rohingya refugees.<sup>17</sup> UN agencies used podcasts and broadcasts in the Rohingya language, as well as written materials in Burmese, Bangla, and English, to better inform refugees about the August 2019 repatriation exercise. Expanding

14. Ioannis Papisilekas, Maria Fatas Ortega, and Kate Hughes, “‘We Do Not Believe Myanmar!’ The Rohingya Survey 2019,” Xchange, 2019, <http://xchange.org/reports/TheRohingyaSurvey2019.html>.

15. Daniel Sullivan, “Unnatural Disaster: Aid Restrictions Endangering Rohingya Ahead of Monsoons in Bangladesh,” Refugees International, May 2018, <https://www.refugeesinternational.org/reports/rohingyalivesatrisk>; Francisca Vigaud-Walsh, “Still at Risk: Restrictions Endanger Rohingya Women and Girls in Bangladesh,” Refugees International, July 2018, <https://www.refugeesinternational.org/reports/2018/7/24/still-at-risk-restrictions-endanger-rohingya-women-and-girls-in-bangladesh>.

16. “Rohingya Zuban,” Translators Without Borders, December 11, 2017, <https://translatorswithoutborders.org/rohingya-zuban/>.

17. “What Matters? Community Feedback Summaries for the Cox’s Bazar Response,” BBC Media Action and Translators Without Borders, January 13, 2019, [www.shongjog.org.bd/news/?id=d6ea30a3-be19-4747-bb90-64fdf255ef97](http://www.shongjog.org.bd/news/?id=d6ea30a3-be19-4747-bb90-64fdf255ef97).





Rohingya refugee boy living in the mega-camp in Bangladesh. Photo Credit: Refugees International.

such initiatives can help to fill remaining CwC gaps.

## ROHINGYA CIVIL SOCIETY: FILLING GAPS IN REPRESENTATION

Beyond representation with camp authorities on day-to-day matters inside the camps, the Rohingya community also lacks representation in discussions taking place at the global level. Whether discussions concern repatriation and relocation or education and camp registration, the Rohingya community does not have an obvious body of leaders with whom international actors—whether national governments, UN agencies, or NGOs—can engage.

This situation is partly explained by the history of oppression faced by Rohingya in Myan-

mar, which has prevented a robust representative governance structure from forming within the Rohingya community. The chaotic nature of the Rohingya arrival in Bangladesh, in addition to the *majhi* system, further disrupted traditional forms of community governance under religious leaders and elders. Many Rohingya now live among strangers from other parts of Rakhine State rather than with their previous neighbors.

This void has been partially filled by the organic growth of civil society groups within the camps, which have shown an impressive ability to organize and rally masses of Rohingya around common key messages. This phenomenon was seen in protests over the way UN registration cards were distributed in late 2018. More recently, tens of thousands of Rohingya refugees gathered peacefully in the camps on August 25, 2019, in what they labeled, “Rohingya Genocide Day.” Rohingya civil society groups like the Arakan Rohingya Society for Peace and Human Rights have played a key role in such organizing. Other groups,



A barber working in the Rohingya refugee mega-camp. Photo Credit: Refugees International.

like the Rohingya Women's Empowerment and Advocacy Network, have been able to mobilize hundreds of volunteers to provide health and gender-based violence awareness campaigns, emergency medical transportation, livelihood trainings like sewing classes, and basic in-home education. Groups like Shanti Mohila and Rohingya Youth for Legal Action have organized and engaged in accountability efforts, providing individual testimonies and formal appeals to the International Criminal Court to investigate the persecution of the Rohingya.

Rohingya civil society representatives, supported by international actors and facilitated by Bangladesh, attended the UN Human Rights Council session in March 2019 and the U.S. International Ministerial to Advance Religious Freedom in July 2019, where one representative briefly met President Donald Trump. A few Rohingya were also able to attend the opening of the genocide trial brought against Myanmar at the International Court of Justice in the Netherlands in December 2019. Further

efforts must be made to ensure that Rohingya voices, including women and youth, are included in international forums discussing their future.

Some humanitarian actors with whom the Refugees International team spoke felt uneasy about international actors supporting a small set of civil society leaders and essentially handpicking who will represent the Rohingya community on the international stage. Others also have raised concerns about these leaders' legitimacy as representatives, given recent divisions among civil society groups and reports of some civil society leaders' connections with criminal networks active in the camps. Concerns about legitimacy of representation thus are valid. International actors supporting the representation of Rohingya should make every effort to ensure that those given the opportunity to externally represent the Rohingya community truly reflect a broad and diverse swath of that community. Given that formal Rohingya representation in decision-making processes remains elusive, and



developing more representative structures will take time, empowering the existing civil society is critically important.

Ultimately, correcting the failure of camp authorities and humanitarian actors to adequately consult and inform Rohingya refugees on matters relevant to life in the camps and beyond requires developing culturally sensitive representative structures, empowering Rohingya civil society, and ensuring those civil society leaders' participation in global meetings and plans for repatriation and relocation. Unfortunately, the ability to do any of these things has been curtailed by recent developments in Bangladesh.

## A DANGEROUS TURNING POINT IN BANGLADESH

The end of August 2019 marked a dangerous turning point for Rohingya refugees in Bangladesh. At that time, Bangladeshi authorities began tightening what were already troubling restrictions on Rohingya freedom of movement, access to education, and livelihood opportunities. A welcome exception was the government decision in January 2020 to expand access to education for Rohingya youth, but most recent policies have inclined toward more restrictions. Government directives since August have imposed more burdensome reporting requirements for NGOs that support Rohingya, restricted Rohingya volunteers and cash-for-work programs in the camps, and initiated construction of fencing around the camps. Authorities have limited access to the internet in camps and more strictly enforced policies like restrictions on refugees' ownership of phones. At a

press conference on August 22, 2019, Bangladesh's foreign minister even suggested that the government would purposely make conditions worse in the camps to incentivize Rohingya to leave.<sup>18</sup>

A sharp shift in public opinion precipitated these policy changes. Whereas the host population once saw the Rohingya as survivors of a vicious ethnic cleansing campaign, they more recently have come to see them primarily as a security threat. Although the reasons for this change are complex, it can be attributed predominantly to a series of three events that were manipulated by nationalist voices and local media sources.

First, on August 22, 2019, the rushed repatriation exercise ended without any Rohingya volunteering to return to Myanmar. For many in Bangladesh, this result underscored the reality that Rohingya refugees would remain a large and growing presence in Bangladesh for much longer. This realization in turn fed a growing sense of frustration among politicians and local host populations facing new challenges, ranging from environmental damage to higher prices and lower wages in the local market.<sup>19</sup> While humanitarian actors have allocated significant resources to support the host community, they have not done well in communicating about these initiatives.

Second, on the same day, a Bangladeshi youth leader was killed, allegedly by Rohingya men involved in drug smuggling. The news of the killing incited a day of rioting by Bangladeshis living near camps in Teknaf in the south. Attacks targeted Rohingya refugees as well as international humanitarian agencies and NGOs. As a result of the killing, many Bangladeshis came to view the Rohingya as a dangerous security threat.

18. "Foreign Minister for Lessening Comfort at Rohingya Camps," *Daily Sun*, August 22, 2019, <https://www.daily-sun.com/post/417288/2019/08/22/Foreign-Minister-for-lessening-comfort-at-Rohingya-camps>.

19. "Impacts of the Rohingya Refugees Influx on Host Communities," United Nations Development Program, <https://www.undp.org/content/dam/bangladesh/docs/Publications/Pub-2019/Impacts%20of%20the%20Rohingya%20Refugee%20Influx%20on%20Host%20Communities.pdf>.

Finally, the most consequential event was a large rally of Rohingya refugees held on August 25, 2019. The rally—in which tens of thousands of Rohingya participated—was organized to mark the two-year anniversary of attacks on the Rohingya by authorities in Myanmar. As mentioned earlier, many observers pointed to the rally as a positive sign of civil society growth in the camps. However, local media and national politicians seized on the Rohingya’s ability to organize as evidence that they could pose a security threat to Bangladeshis. This negative portrayal dominated the media coverage despite the Rohingya’s message. They focused on calls for justice and the creation of conditions that would allow them to return to Myanmar, along with explicit statements of thanks to Bangladesh for its generosity in hosting them. Bangladeshi authorities had approved the rally, which remained entirely peaceful. Yet the prevailing takeaway among many Bangladeshis was that the Rohingya were a significant security threat.

In response, Bangladeshi authorities increased restrictions not only on Rohingya refugees but also on NGOs. Bangladesh expelled some local and international NGOs from the camps on charges of assisting the Rohingya with the rally. Remaining NGOs have faced increasingly complex and uncoordinated requests for information from various Bangladeshi authorities. NGOs have also come under increasing scrutiny and pressure not to engage with Rohingya civil society. One prominent civil society leader with whom Refugees International met told the team that previously he had met with international representatives daily. However, between August and November 2019, he had met with only 14 representatives, and his office has been shuttered since December 2019.

The Bangladeshi government’s new policies have been detrimental to the ability of Rohingya to have their voices heard, and to their general well-being. For example, restricting volunteer and cash-for-work programs pre-

vents Rohingya from meeting their needs in dignity and being able to supplement the basic humanitarian assistance they receive. In addition, phone and SIM card restrictions make it more likely that those seeking emergency medical assistance at night—when humanitarian responders are required to be out of the camps—do not get timely medical attention. In citing the added difficulties, one Rohingya civil society leader pleaded, “We need communications in camp level, we need to work... We are human, we are not cattle.” The ban on phones and SIM cards has practical and psychosocial effects because it makes it more difficult for Rohingya to remain in touch with family still in Rakhine State or be informed about what conditions are like across the border. This difficulty in turn affects the potential for voluntary repatriation. Moreover, it undermines the effectiveness of early warning systems that notify residents of the risks of monsoons and cyclones.

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“We need communications in camp level, we need to work... We are human, we are not cattle.”

**-ROHINGYA CIVIL SOCIETY LEADER**

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Closer scrutiny of civil society by Bangladeshi authorities has also restricted informal in-home education networks. One Rohingya civil society representative estimated that hundreds of voluntary tutors who had been providing informal education were forced to end their activities. The same applies to community health volunteers.

Bangladesh faces real security risks, including organized crime and the presence of extremist groups in the camps. But overly restrictive policies are detrimental to Bangladesh’s own interests and counterproductive in addressing such risks.



Water pumps in the Rohingya refugee mega-camp in Bangladesh. Photo Credit: Refugees International.

Phone and internet restrictions affect the local host community and Bangladeshi officials in the camps in addition to refugees. Restrictions on cash-for-work programs, ostensibly meant to prevent Rohingya from taking jobs that could be offered to the local host community, are more likely to lead to health risks than job opportunities. For example, locals are unlikely to take the jobs of cleaning latrines or trekking to remote water distribution points to distribute chlorine for water purification. With no one to do these jobs, illnesses are more likely to affect the refugees and spread to the host community. The loss of the little additional income provided through cash-for-work programs may also drive more desperate refugees to seek alternative forms of livelihoods to allow them to cope, including drug trafficking, human trafficking, and supporting or joining violent extremist groups.<sup>20</sup>

The government's announcement in late January 2020 that it would begin to expand access to education for Rohingya youth up to age 14 was a welcome change in this troubling trend. In partnership with UNICEF, it will allow an initial 10,000 Rohingya children to access education according to the Myanmar curriculum.<sup>21</sup> This change is significant and will help empower Rohingya youth. It should be the first step in further lifting restrictions that hurt both Rohingya and their Bangladeshi hosts.

The remaining restrictions are exacerbating Rohingya exclusion from matters important to them and their futures. In December 2019, for example, internet restrictions prevented Rohingya from viewing the opening proceedings of the genocide trial at the International Court of Justice—a pivotal moment for Rohingya desperate for accountability. The restrictions were lifted temporarily after the first

20. "A Sustainable Policy for Rohingya Refugees in Bangladesh," International Crisis Group, December 27, 2019, <https://www.crisisgroup.org/asia/south-asia/bangladesh/303-sustainable-policy-rohingya-refugees-bangladesh>.

21. "Bangladesh: Rohingya Children Get Access to Education," Amnesty International, January 28, 2019, <https://www.amnesty.org/en/latest/news/2020/01/bangladesh-rohingya-children-get-access-to-education/>.



day and again for the announcement of the court's preliminary decisions on January 23, 2020, but soon were reinstated. Beyond the obvious communications challenges created by phone and internet restrictions, the government's steps to close civil society offices and intimidate NGOs seeking to support Rohingya civil society actors are suppressing one of the few areas in which Rohingya voices increasingly had been heard.

## CONCLUSION

The Rohingya have been denied representation for decades in Myanmar and are struggling to find it today in Bangladesh. Although the root of the problem and the ultimate answers lie in Myanmar, policies that create unnecessary harm must not be accepted in Bangladesh. Premature and forced repatriation or relocation to Bhasan Char must be avoided. Rohingya voices must be represented in discussions over repatriation, relocation, and other issues of fundamental importance to their daily lives in asylum, as well as their futures. Better efforts must also be made to ensure that Rohingya are properly informed about the risks and details of such momentous moves. Bangladesh and humanitarian actors must also be made aware of the risks of further traumatizing a community that has seen horrible atrocities. Finally, although true representative structures will take time to develop, the budding growth of civil society, freed from decades of oppression in Myanmar, must be encouraged, not repressed.

**DANIEL P. SULLIVAN, SENIOR ADVOCATE FOR HUMAN RIGHTS, AND AVIVA SHWAYDER, COMMUNICATIONS OFFICER, TRAVELED TO BANGLADESH IN NOVEMBER 2019.**

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# ABOUT REFUGEES INTERNATIONAL

Refugees International advocates for lifesaving assistance and protection for displaced people and promotes solutions to displacement crises around the world. We do not accept any government or UN funding, ensuring the independence and credibility of our work.





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