

# **A Case Study on How and Why Rohingya Refugees are Neglected in Bangladesh**

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## **Abstract**

In the 21<sup>st</sup> century, Rohingya refugee is one of the most discussed issues trembling the world people's heart and mind as global media-both electric and print focused on the misery of Rohingya minority in Myanmar and then in Bangladesh after taking refuge beginning in 1978 (after independence of Bangladesh) and then in 1991, 2012 and at last in 2016 also with a little continuity of fleeing Myanmar to Bangladesh. This study is divided into three sections. Firstly, it discusses the historical background Rohingya refugees arriving into Bangladesh. Then, after coming to Bangladesh, how their life is threatened and frightened is illustrated with some secondary data of interview. Finally, this paper concludes with the decision that Rohingya refugees are seriously neglected in Bangladesh because of different legal restrictions from the government and also for multidimensional national security issue.

**Key words:** Rohingya refugees, push, Bangladesh, Myanmar, neglect, rights

## **Introduction**

Rohingya is a minority Muslim ethnic group living in northern part of the Arakan state, Myanmar named Buthidaung and Maungdaw adjacent to the Naf River (used as border between Bangladesh and Myanmar) of Bangladesh. History says that decades long violent outbreaks in Myanmar have forced thousands of Rohingyas fleeing to Bangladesh and then some to India, Malaysia or other near countries with a most recent wave in 2012 and 2016. There are two Rohingya Camps in Cox's bazar led by UNHCR and controlled by the BD government: Kutupalong and Nayapara in Cox's Bazar. But importantly, only 12% registered refugees are living here where a majority of them live in different places scattered in Cox's Bazar district with

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fear of police-arrest, abuse and want of food and other basic needs. Even those living in UNHCR camps are also victims to different types of oppression by some local gang groups. These make untold suffering in their lives counting them as one of the most persecuted groups in the world.

### **Historical Background of Rohingya Refuge Arrival in Bangladesh**

The Muslims in Arakan have a long history from the beginning of the Maruk-U dynasty (1430-1785) of the Arakan Kingdom even with a possibility of their living before the emergence of the Kingdom. The British rule (1824-1948) in Arakan experienced a steady movement of people from Bangladesh (the then east-Benagl) to Arakan because a large scale Indian immigration was encouraged by the British which is seemed to be the reason for the growth of population in Arakan at that time. The British administration classified them as Chittagongians or Mahomedans. But the Japanese occupation period (1942-1945) armed the Buddhist Arakanese to fight against the British and the British used Muslim forces for counterattack which made a confrontation between Buddhist Arakanese and Muslims with a heavy damage in both sides experiencing also internal and external migration (mostly to east-Bengal) again. The situation did not even change after the independence of Burma in 1948 which became worse after Ne Win's military coup in 1962. There had been some noticeable change in the demographic composition of Myanmar in 1963-1964 and in 1974 which made an opportunity for the Myanmar government to use the issue of religion and race to fasten its decaying support. Undertaking two censuses in this two period demonstrated that a growing number of Arakanese (Buddhist were more than Muslims in number) went to eastward Arakan, place of majoritarian Burmese settlers like areas of Bassein, Pegu, Mandalay etc. leaving their ancient land. But the Myanmar government marked this increased population in eastward area as the result of the population influx from Bangladesh and made a plan to push them back from the border area in favor of Buddhists.

Then, an alleged coup attempt in February 1976 by a group of junior army officers made the situation more complicated as both the Buddhist and Muslims of Arakan were reportedly involved in this coup. As a result, the Myanmar government strongly believed that this coup attempt was according to an organized plan to oust the government from power. Thus the

government went to more hardline and started counter-insurgency operations named “Operation Dragon King” only against the Rohingyas living in small villages near Bangladesh-Myanmar border from a fear that Rohingas may get arms support from nearby Bangladeshi Muslims. Accordingly, by June 1978, 167,000 Rohingya Muslims were pushed into Bangladesh (South Asia Forum for Human Rights, 2005), making the latter a refugee-receiving nation for the first time.

In 1991, the Myanmar military launched an operation against the Arakanese following an agreement with China to provide \$900 million worth of military equipment like jet fighters (McColm,1992). This agreement allowed Myanmar junta government to show more militant posture than the before which can be clearly understood by its more desperate policies in an effort to win the heart of majority Buddhist in Myanmar.

But to get a more clear understanding we have to look not long before that because of the demise of the Ne Win’s government in 1988 and followed by refusal of the military government to hand over the power to the popularly elected representatives in 1990, the military junta government lost all credibility among majority Buddhists. This failure in democratic movement to oust the government from power made military junta more courageous making more frightful situation among Muslims in Arakan as they had also active participation in the failed democratic movement.

Military government clearly understood that democratic movement strengthened the unity of Arakanese Muslims. As a result, the military government did everything possible to weaken the unity among Arakanese Muslims, also thought to be way of the consolidation of the government’s support among majority Burmese Buddhist community as some monks were also killed during the anti-government demonstration in 1990. As a part of this policy, Myanmar government then started ‘Operation Pye Thaya’ in July 1991 targeting again to use the ‘card of Religion and race’ against Arakanese Muslims which at the same time weakened the possibility of any united liberation movement in Arakan.

Being victim to military junta government’s operation, by April 1992, more than 223,000 (Bangladesh Observer, 29 April 1982) fled Myanmar to Bangladesh which (within next six

months) reached to 265,000 (Dawn, Karachi 3 January 1992), comparatively almost double than the first push in number leaving another big burden for poverty laden Bangladesh.

Myanmar's 'March to democracy' beginning in 2011 also created clashes between Rakhaine's Buddhists and the Rohingyas in 2012 killing at least 192 people and displacing 140,000, most of whom were Rohingyas. (Slodkowski, Lone, Lewis and Das, 25 April 2017 in Reuters)

Because of years of persecution, a militant group called Harakah al- Yaqin or "Faith Movement" was formed by Rohingyas living in Saudi Arabia after 2012 communal violence which (according to Myanmar government) consists of 400 fighters (Ibid). The 2012 violence flared after the rape and murder of a Buddhist woman on 12<sup>th</sup> May,2012 which followed by an attack on a bus carrying Muslims and then weeks long clashes between the two groups leaving many dead and forcing thousands of both sides to flee their homes ( BBC News Asia, 2 August 2012).

At last after 9 October 2016 incidence in Myanmar when alleged Rohingya militants attacked border posts before dawn, a two-week military onslaught named "clearance operation" across about 10 Rohingya villages in northwest Rakhine state killed hundreds of lives, destroyed at least 1500 homes, raped countless women and forced reportedly 75000 Rohingyas fleeing to Bangladesh (Ibid).

As result, again a big flow of Rohingya took refuge in Bangladesh. On 21th November, 2016, an unnamed official from the UN's migration agency said that he had seen over 500 Rohingya Muslims enter aid camps set up along the border (press TV, 21 November 2016). In addition, an irregular flow of Rohingya refugees is seen over the year.

## How Are Rohingya Refugees Neglected in Bangladesh

### ▪ **Unlawful Push Backs**

Geographically Bangladesh is separated from Myanmar by Naf River which is used by the majority of Rohingas fleeing to Bangladesh often by overcrowded wooden boat taking a serious risk of capsizing anytime. *For example:* On 5<sup>th</sup> December 2016, one boat carrying 35 Rohingya capsized in the Naf River near to Jadimura village in Cox's Bazar, according to two survivors interviewed by local media (Abdul Aziz, *Dakha Tribune*, 5 December 2016 )

In the face of increasing number of people attempting to enter Bangladesh especially towards the end of November 2016, the BD government deployed additional Border Guard Bangladesh (BGB) and coastguard ships across the border with Myanmar to patrol there. Even the BD government has attempted to keep its border with Myanmar sealed and also claims to have pushed backed thousands of Rohingas trying to flee since 9 October 2016 (*bdnews24.com 19 November 2016*), which is seemed to be a clear violation of International law.

Before, in 2012, for the first time, Bangladeshi Coast guard pushed a lot of boats carrying Rohingyas to Myanmar leaving their life into complete uncertainty and danger ignoring all criticisms from different Human rights organizations like Human Rights Watch (HRW) as such. Over 3,923 Rohingyas were reportedly pushed back to Myanmar by the BD coast guard in 2012 (*The Stateless Rohingya*, Published on 2<sup>nd</sup> January, 2013).

Though Bangladesh is not a party to the 1951 Refugee Convention, being a party to International Customary Law, International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment make binding on Bangladesh to follow them. When Bangladesh closes its border to Myanmar, it forces the Rohingya to put their lives at risk (UNHCR, November 1997). According to *Non-refoulement*, a customary international law which is bindings on all states, an absolute ban on returning refugees to countries where they are at risks of serious human rights violation, clearly violates international law. Despite this, November 2016 alone experienced at least 2320 Rohingya pushed back into Myanmar and at least another 2400 additional people during the first half of

December 2016 (Amnesty International, interview with BGB personnel in Cox's Bazar as of 14 Dec. 2016).

- **Lack of Food and Shelter**

Many new comer Refugees are living in different informal refugee camps of Kutupalong and Leda, while many others have settled in villages or hid themselves in the surrounding forests where lack of access to food, clothes, medicine has made their life extremely unbearable. Taking shelter in the forest easily expressed their extremely poor condition like animals or in some cases worse than animals as they are under instant risk of arrest, torture, rape, deportation or other casualties. Cox's Bazar, in spite of being one of the poorest districts in Bangladesh, experienced a large movement of new Refugees in 2016 straining the resources of the local community (WFP,2016). In November 2016, an interview by Amnesty International with aid workers in Dhaka reveals the alarming levels of malnutrition and poor sanitation in Kutupalong, Makeshift Camp (KMC) which already houses some 40,000 unregistered Rohingya refugees (Amnesty International, 14 November 2016).

*For instance:* A 55-year old man who has arrived in early December 2016 and is now living with relatives in Kutupaling Makeshift Camp (KMC) said:

*“We are in a very hard situation and have nothing. We have no clothes and we can't eat – we have no food. We lost everything. The people are helping us, but we are living hand to mouth. If I eat in the morning, I don't have anything to eat in the evening.”(Amnesty International, 22 November, 2016).*

One villager, a man from Dar Gyi Zar (Arakan) who arrived in Bangladesh on 15 November 2016 said:

*“We are very much afraid these days. The refugees are giving food to us at the moment, but we are worried that we'll be sent back to Myanmar. The authorities can do anything at any time. We have no protection”(Alamgir,16 December 2016).*

In the rainy season, the dwellers in Kutupalong makeshift camp get wet day and night while in hot seasons, they cannot stay inside the slums due to heat. They also suffer during the cold season lack of blankets and other necessary items to keep them warm.

- **Barriers on Aid Provision**

After the October 2016 incident, international aid agencies like United Nations High Commissioner For Refugees (UNHCR) and international Committee of the Red Cross (ICRC) asked and requested the BD government to be able to register and to access to the newly arrived Rohingas in need to provide aids. But in both cases, the BD government was unanswered (Chowdhury, 2 December 2016). In fact, the BD government fears that smooth provision of aid to the newly arrived Rohingas will encourage them more to take refuge in Bangladesh and will contribute to a pull factor (Amnesty International Interview, 21-24 November), which can be more understood by one BD local government official's speech on Media on 3 December that:

*“Distribution of relief among the refugees will encourage more Rohingas to enter the country”  
(Hossain and Islam, 3 December 2016)*

In many cases, threat of arrest and deportation back to Myanmar make the Rohingya refugees compelled to hide themselves which is also creating barriers for the aid workers to reach aid to the Rohingas especially those who have newly arrived in Bangladesh (Amnesty International interview, 21-24 November 2016)

- **Limited Education Rights**

Of the thousands of people now crammed in camps in Bangladesh, only 12% are registered Rohingya refugees living in two UN camps with access to education which generally reveals the Truth that children outside of this percentage will break the bricks or plant rice with other local farmers (Thompson, CNN world News, July 16, 2017). However, they can get education until they are 12, secondary education is not allowed to them (Sattar, ALJAZEERA News, 28 January 2017).

## ▪ **Health Care service and Sanitation**

In the two official camps, established in 1992 in Cox's Bazar, UNHCR provides medical aids. Muslim aid-UK worked some days there providing healthcare service which became stopped after threats from BD govt. MSF-Holland (an international medical humanitarian organization) is running a clinic in Kutupalong Makeshift Camp to supervise the health care condition of Rohingya refugees and local population but still there is no regular supply of sanitation and clean water there (ISAACS, September 5, 2016). Many Rohingya females are raped while going to collect water from the hillside streams or Wells of local Bengali villages. (Ibid)

Dehydration, diarrhea, fever, pneumonia, coughing and skin diseases are frequent among new arrivals in Bangladesh in 2016. Because of regular BGB personnel monitoring in local clinics, Rohingya refugees even fear to take medical treatment in an attempt to avoid being detained and deportation (Amnesty International, 22 November 2016). As a result, a continuous fear chase their everyday life which deter themselves to get a free movement.

## **Why are Rohingyas Neglected in Bangladesh**

The Bangladesh government, in accordance with their realist perspectives, argues that BD, for not being a party to the UN convention on refugees, is not obliged to allow Rohingya's access and to provide education, shelter and healthcare to them. Nonetheless, Bangladesh has accepted a big amount of Rohingyas in 1978, 1991 and then at last in 2016 (though small in number & informal). Bangladesh for the first time refused to accept the Rohingyas in 2012 keeping in mind the issue of national security and extra burden over the country as already many refugees are living here for 20 years with almost zero contribution to national economy. According to different government agency of Bangladesh, illegal Myanmar nationals are collecting Bangladeshi passport using fake national ID and birth certificates and going to Saudi Arabia and connecting themselves with different unethical activities expressed following their police arrest. It directly embarrasses Bangladesh and the Bangladeshi community living in Saudi Arabia. About 90% workers working at a lower rate in different local hotels, motels, ports and other

small businesses are Rohingyas which is upsetting the local population and job market as locals are losing out their jobs. They are also creating pressure on Cox's Bazar's already existent crisis in land and forest as many undocumented Rohingyas are cutting off valuable trees and destroying woods in the reserve forests in the Bandarban and Cox's Bazar areas causing serious harm to Bangladesh's environment, ecology and biodiversity (Islam, 2012).

Bangladesh government also fears that, the Rohingya Solidarity Organization (RSO) and the Arakan Rohingya Islamic Front (ARIF) are well-known for their militant activities in Arakan. Though their activities were restricted in Arakan, because of series push back and refusal from BD administration to accept them to Bangladesh made them disappointed which persuaded them to expand their activities in southern part of Bangladesh. As a result, they have tired themselves with small arms trade keeping them refuge to local jungle involving into smuggling avoiding 129 –km long Border Outpost's (BOP) vigilance.

Moreover, the passport Act 1920, the Naturalization Act 1926, the Registration of Foreigners Act 1939, the Foreigners Act 1946, the Bangladeshi Citizenship Act 1951, the Bangladeshi Control of Entry Act 1952, the Bangladeshi Passport Order 1973 and the Extradition Act 1974- all these treat all foreigners irrespective of asylum seekers or simply visitors in a same manner which is generally thought to be a restriction for Rohingyas to get refuge in Bangladesh.

## **Recommendations**

Bangladesh government must stop the policy of Pushing back Rohingyas attempting to flee Myanmar under threat of life and allow all international aid agencies including UNHCR and International Red Crescent Society (IRCS) to provide aids to refugees. At the same time international community should further support the BD government in providing humanitarian aid. Of course it is true that these may be temporary solution where it is needed to look at the root causes of this humanitarian crisis. Such as.....

- ✓ Myanmar government should amend the 1982 Citizenship Act to ensure citizenship regardless of race, color, ethnic origin, gender, religion or language which will allow Rohingya and other Muslims the freedom to manifest their religion peacefully through worship, practice and teaching publicly or privately.
- ✓ Bangladesh government should also ratify the 1951 Refugee Convention to ensure the access of the people seeking asylum and refugee status determination procedures without any kind of discrimination. They should also apply the principle of *non-refoulement* ensuring that no one fleeing Myanmar is transferred to another place including Myanmar where their lives are at risk. The BD govt. also should ensure that refugees, after taking refuge to Bangladesh, are not detained, prosecuted or punished solely for their method of arrival in Bangladesh.
- ✓ Association of South-east Asian Nations (ASEAN) states should provide all types of cooperation and assistance to the BD government to meet the humanitarian needs of Rohingya refugees and also should ratify the 1951 Refugee Convention to ensure access to refugee status determination process.
- ✓ USA, United Nations (UN), European Union (EU) and their all member states should use all political and diplomatic tools to put string pressure on Myanmar to stop violation of international law in northern Rakhaine state.
- ✓ Organization of Islamic Co-operation (OIC) should be much more active to solving this problem through providing financial assistance and all political and diplomatic tools.

## **Conclusion**

If anyone looks at the geographical location of Bangladesh easily can understand its smallness with a huge population with already high unemployment rate. So settling extra about half million refugees here will create the situation more acute. UNHCR, Red Crescent or other international organizations working for Rohingya refugees will not provide them job which is a natural human demand now a days. International society should understand and analyze it very carefully. Myanmar has proximity also with some ASEAN countries who can receive some numbers of refugees based on an agreement on ASEAN table.

Surprisingly, the Myanmar government is continuously rejecting all claims over the destruction of the Rohingya villages, killing and raping of Rohingya people, even denying the alleged Rohingya outflow from Myanmar to Bangladesh. They considered the Rohingyas as Bengali and Bangladesh government has also no capability to recognize them as such. It made them clearly stateless in both the countries. Under Myanmar's 1982 Citizenship Law, there are 135 registered ethnic groups in Myanmar where unfortunately, name of Rohingya was not found. This made them stateless in Myanmar and also neglected in Bangladesh due to somewhat reality and other complicated factors discussed above.

Recently Bangladesh government has taken decision to relocate the Rohingya refugees to 'Thengar Char', a newly formed silt and uninhabited island extending 30,000 hectares that emerged in the Bay of Bengal in 2006. But many expressed their fear saying this relocation may create another 'humanitarian disaster' because of its anytime possibility of being flooded by high

tide when there would create serious crisis of potable water or potential for agriculture and certainly with the fear to be attacked by pirates also.

However, Rohingas now residing in two camps in Cox's Bazar are very happy to hear the decision to relocate them in another place, can be easily understood through interview of some Rohingas by electric and print media. On November 12, 2014, journalists from BTV (national television of Bangladesh) and some print media visited Kutupalong refugee camps and interviewed some refugees and camp committee members. *For example:* The camp committee Chairman Mr. Sayed Alam said to NTV "We refugees are delighted after hearing the announcement by the PM and firmly eager to be shifted to another safe place as we have been suffering here for more than 2 decades" (Rohinga Vision TV,14 November 2014).

In addition, early December 2016 experienced a little bit relaxation to restrictions to aid agencies, *for example*, on 6<sup>th</sup> December, the International Organization for Migration (IOM) reported having provided some basic aid, including non-food items like clothes and blankets to newly arrived refugees in Cox's Bazar, Bangladesh. It is expected that ongoing torture in Arakan will come to end soon and Bangladesh will get rid of more burden.

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