

## The Rohingya People: threat or victims

The recent displacement of over 700,000 ethnic Rohingya refugees from a population of 1.1 million in Myanmar has been pronounced both a 'human rights nightmare' and the 'world's fastest developing refugee emergency'.<sup>1</sup> Although Rohingya refugees from Myanmar fleeing violence and persecution into neighbouring states has occurred for decades, the extent of state sponsored violence and sheer scale of Rohingya relocation has seen the 2017 refugee crisis in Myanmar characterised as a 'looming human catastrophe' and 'textbook example of ethnic cleansing'.<sup>2</sup>

Understanding the current refugee crisis in Myanmar requires a brief examination of the historical factors that underpin the social and political tensions between the minority Muslim-Rohingyas and the Buddhist-majority Myanmar population. During the British rule of Myanmar (then Burma) between 1824-1948, large numbers of labourers migrated from the Indian subcontinent to Myanmar, who were viewed with hostility by the native population.<sup>3</sup> Following independence in 1982, the Myanmar government decreed this migration under British rule as illegal, consequently implementing legislation stripping Rohingyas of their citizenship rendering them formally 'stateless'.<sup>4</sup> Further, repressive policies limiting the Rohingyas access to basic services including medical care, education, livelihood opportunities were introduced, reinforcing the treatment of Rohingyas as second-class citizens, subject to political exclusion, human rights violations and considerable social discrimination.<sup>5</sup>

The most recent violence (in 2017) between the Rohingyas and the Tamadaw (Myanmar military) follows a series of similar violence in 2015 and 2012. On 25 August 2017, a few dozen men from the Arakan Rohingya Salvation Army (ARSA) are reported to have attacked around 30 police posts in the Rohingya-inhabited Rakhine State with sticks and knives, killing 12 officers.<sup>6</sup> Declaring defence against the 'oppressive Burmese regime' and 75 years of state-sponsored violence against the Rohingya, the ARSA cited the obligation to 'defend, salvage and protect the Rohingya community' for their actions.<sup>7</sup> In response, the Myanmar government declared the ARSA as Muslim terrorists seeking to impose Islamic rule, responding with disproportionate violence against the Rohingya population. Survivors and witnesses have shared account of widespread torture, mutilations, sexual assault against women and girls, acts of humiliation and murder. Witnesses also report Myanmar security forces planting internationally banned antipersonnel mines along the Myanmar-Bangladesh border in an

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<sup>1</sup> United Nations News Centre, 'Rohingya refugee crisis a 'human rights nightmare,' UN chief tells Security Council', United Nations, accessed 29 September 2017,

<<http://www.un.org/apps/news/story.asp?NewsID=57770#.Wc9ErXir3BI>>

<sup>2</sup> Simon Lewis & Stephanie Nebehay, 'U.N brands Myanmar violence a 'textbook' example of ethnic cleansing,' *Reuters*, 11 September 2017, <<https://www.reuters.com/article/us-myanmar-rohingya/u-n-brands-myanmar-violence-a-textbook-example-of-ethnic-cleansing-idUSKCN1BM0QF?>

<sup>3</sup> Aljazeera News, 'Myanmar: Who are the Rohingyas?', *Aljazeera*, 29 September 2017, <<http://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-170831065142812.html?>>.

<sup>4</sup> Ibid.

<sup>5</sup> Siegfried O. Wolf, 'The Rohingya: Humanitarian Crisis or Security Threat?', *The Diplomat*, 6 October 2015, <<https://thediplomat.com/2015/10/the-rohingya-humanitarian-crisis-or-security-threat/>>

<sup>6</sup> Liam Cochrane, 'Villagers slaughtered in Myanmar 'massacre' reports of women and children among more than 100 dead', *Australian Broadcasting Corporation*, 1 September 2017, <<http://www.abc.net.au/news/2017-09-01/reports-of-women-and-children-among-dead-in-myanmar-massacre/8862164>>

<sup>7</sup> British Broadcasting Corporation, 'Myanmar: Who are the Arakan Rohingya Salvation Army?', *BBC News*, 6 September 2017, <<http://www.bbc.com/news/world-asia-41160679>

attempt to stop the Rohingyas from leaving<sup>8</sup>, and the torching of at least 10 areas of the Rakhine state.<sup>9</sup> The Myanmar government has denied such atrocities, while refusing visas to members of a UN probe investigation of the violence in Rakhine, and denying UN investigators from accessing and investigating reports of human-rights violations in the Rakhine State.<sup>10</sup>

However, while the desperate fleeing of over 500,000 Rohingyas into neighbouring states may provide short-term respite, their relocation brings additional challenges. Foremost, most states in the Southeast Asian region lack appropriate protection for refugees under international law. None of the four closest states to the Rakhine region (Thailand, Malaysia, Indonesia and Bangladesh) are signatories to the 1951 United Nations Refugee Convention and its accompanying protocols.<sup>11</sup> Consequently, even if the Rohingyas successfully arrive at these countries, they cannot be assured their status as refugees will be recognised, their human rights protected and safe sanctuary provided. As noted by Wolf, Rohingyas fleeing to other countries often live in poor environments, residing in forms of involuntary or illegal self-settlement, dealing with the unease of local communities, with insufficient access to food, clean water and safe shelter.<sup>12</sup> In some cases, such as in Thailand, their lack of official refugee status results in their being held in immigration detention centres, unable to access education or healthcare.<sup>13</sup>

Compounding the lack of international human rights protection for the Rohingyas under the Convention are the tendency of host states to ignore the humanitarian concerns of the Rohingyas, given the perceived terrorist threat they may bring with them.<sup>14</sup> Due to the often deplorable living environments and conditions they have faced in Myanmar, the Rohingya are considered vulnerable to criminal networks, including from recruitment efforts by Islamic fundamentalist groups.<sup>15</sup> This has resulted in host countries including Indonesia, Thailand and Malaysia viewing the Rohingya refugees as non-traditional security threats, resulting in the increased reluctance of states to accept Rohingya refugees into their borders.<sup>16</sup>

The sheer scale of refugee migration from Myanmar brings added complications even for states willing to accept the influx of Rohingya refugees. While the Bangladesh government has indicated their willingness to accept the approximated 500-700,000 refugees from Myanmar<sup>17</sup>,

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<sup>8</sup> Human Rights Watch, 'Burma: Landmines Deadly for Fleeing Rohingya', *Human Rights Watch*, 23 September 2017, <<https://www.hrw.org/news/2017/09/23/burma-landmines-deadly-fleeing-rohingya>>

<sup>9</sup> Special Broadcasting Service, 'Myanmar military torching Rohingya villages, Amnesty says,' *SBS News*, 15 September 2017, <<http://www.sbs.com.au/news/article/2017/09/15/myanmar-military-torching-rohingya-villages-amnesty-says>>.

<sup>10</sup> Human Rights Watch, 'Q&A: United Nations Fact-Finding Mission on Myanmar', *Human Rights Watch*, 2 August 2017, <<https://www.hrw.org/news/2017/08/02/qa-united-nations-fact-finding-mission-myanmar>>.

<sup>11</sup> Reuters, 'Malaysia ready to provide temporary shelter for Rohingya fleeing violence', *Reuters News*, 8 September 2017, <<https://in.reuters.com/article/myanmar-rohingya-malaysia/malaysia-ready-to-provide-temporary-shelter-for-rohingya-fleeing-violence-idINKCN1BJ0EQ>>

<sup>12</sup> Wolf, 'The Rohingya: Humanitarian Crisis or Security Threat'.

<sup>13</sup> FirstPost, 'Bangladesh bearing brunt of Rohingya refugee crisis as Indonesia, Malaysia and Thailand offer help', *FirstPost*, 19 September 2017, <<http://www.firstpost.com/world/bangladesh-bearing-brunt-of-rohingya-refugees-crisis-as-indonesia-malaysia-and-thailand-offer-help-4058789.html>>

<sup>14</sup> DB Subedi, 'Myanmar's 'Rohingya issue' is a regional refugee crisis - ASEAN must intervene,' *The Conversation*, 17 March 2017, <<https://theconversation.com/myanmars-rohingya-issue-is-a-regional-refugee-crisis-asean-must-intervene-70849>>

<sup>15</sup> Wolf, 'The Rohingya: Humanitarian Crisis or Security Threat'.

<sup>16</sup> Ibid.

<sup>17</sup> Michelle Nichols, 'Exclusive: Bangladesh PM says expects no help from Trump on refugee fleeing Myanmar,' *Reuters*, 19 September 2017, <<https://www.reuters.com/article/us-myanmar-rohingya-bangladesh-trump>>

reports from NGOs and international aid agencies note they are currently stretched to capacity.<sup>18</sup> Even prior to the recent influx refugees, the United Nations High Commissioner for Refugees (UNHCR) reported refugee camps in the border of the Bangladesh border were filled to capacity, with 100,000 people living in camps capable of accommodating 50,000.<sup>19</sup> The limited resources within established refugee camps has resulted in the vast majority of Rohingyas recently entering Bangladesh residing in informal camps or spontaneous settlements.<sup>20</sup> Given seasonal monsoon climates, the World Health Organisation has warned these precarious settlements with limited sanitation, food and shelter risk exacerbating the threat of disease and death from cholera and measles.<sup>21</sup>

While NGOs, host nations and international agencies have a critical role supporting the Rohingyas, the plight of the Rohingyas is unlikely to be resolved without serious and immediate steps. Amnesty International has called for the immediate ending of military violence against the Rohingyas, and the repeal of the 1982 Burma Citizenship Law<sup>22</sup>, while the European Civil Protection and Humanitarian Aid Operations promotes cross-cultural mediation, and readdress of community segregation.<sup>23</sup> Regardless of the action taken, it remains critical that the Rohingya refugee crisis is recognised by the international community as a humanitarian issue, emerging from severe, widespread failures of the Myanmar government to protect the human rights of the Rohingya minority. The failure of the international community to recognise and act against state-sponsored violence can only mean history is doomed to repeat itself, imperilling the very survival of the Rohingya people.

**'I plead and advocate that I too am a human being. Do not ask me my creed, my colour, my religion, my caste and my descent..... Ask me how am I able to speak with all my bones broken and bloodless heart..... Our mothers, sisters are being raped, maimed, killed and we can do nothing to protect them.**

**I write with all the strength that is left in me that I am that one who has survived among thousands fortunately or unfortunately. I can barely explain how our elders were locked inside our houses (tents they were), and burnt.....I carry nothing from my home while covering these distances to carry myself to a safer place. I even lost my tears and emotions in between.....**

**I am seen as an illegal immigrant, a security threat....I am being seen just as a Muslim. Am I not a human being? I was denied all basic human rights, from citizenship to health care. I am uneducated...I am a brutalised human being, unclothed, empty stomach, dried up eyes; with haunting fears of death in my mind.**

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exc/exclusive-bangladesh-pm-says-expects-no-help-from-trump-on-refugees-fleeing-myanmar-idUSKCN1BU07C>

<sup>18</sup> European Civil Protection and Humanitarian Aid Operations, 'ECHO Factsheet: The Rohingya Crisis', September 2017, <[http://ec.europa.eu/echo/files/aid/countries/factsheets/rohingya\\_en.pdf](http://ec.europa.eu/echo/files/aid/countries/factsheets/rohingya_en.pdf)>

<sup>19</sup> Lindsay Murdoch, 'Rohingya crisis 'the most desperate thing' as aid agencies plea for funds', *The Sydney Morning Herald*, 10 September 2017, <<http://www.smh.com.au/world/rohingya-crisis-the-most-desperate-thing-as-aid-agencies-plea-for-funds-20170910-gyecef.html>>

<sup>20</sup> Tim Gaynor, 'As refugee crisis grows, Rohingya struggle in roadside settlements', United Nations High Commissioner of Refugees, 24 September 2017, <<http://www.unhcr.org/en-au/news/latest/2017/9/59c7855b4/refugee-crisis-grows-rohingya-struggle-roadside-settlements.html>>

<sup>21</sup> Special Broadcasting Service, 'Rohingya shanty towns at risk of cholera outbreak warns WHO', *SBS News*, 25 September 2017, <<http://www.sbs.com.au/news/article/2017/09/25/rohingya-shanty-towns-risk-cholera-outbreak-warns-who>>.

<sup>22</sup> Amnesty International, 'Who are the Rohingyas and What is Happening in Myanmar?', *Amnesty International*, 26 September 2017, <<https://www.amnesty.org.au/who-are-the-rohingya-refugees/>>

<sup>23</sup> European Civil Protection and Humanitarian Aid Operations, 'ECHO Factsheet: The Rohingya Crisis'.

It is not a war in which I am being killed. It is an ethnic cleansing. I am being wiped off from the earth like an unwanted weed. If you ask me my creed, I will say I am an impure and filthy Rohingya.....Had I been a Muslim, I would have been saved by Arab countries. Had I been a Christian I would have been taken up by the Europe. Had I been a Hindu, India would not have moved to their supreme court for our deportation.....If you ask me my descent, I will say that the graveyards of my ancestors are in the land of Myanmar.....

We are caught in an abyss; we just need a ground on which we can patch our tethered selves and balm our wounds. We need a space where we can mourn and cry aloud for our lost ones. We just need a little space in which we can breathe without the fear of death continuously haunting us. We will go back to our burnt valley but we need shelter until the makers and shakers of world will wake from their sweet slumber and stop awarding noble prizes to the enemies of peace.....In fact we are just a creed, just a religion, just a colour, just a smell and just a name away from being human.'(Words of a Rohingya)<sup>24</sup>

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<sup>24</sup> Dr Khursheed Ahmad *I'm A Rohingya, Am I Not A Human Being?*

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<http://www.countercurrents.org/2017/10/03/am-i-not-a-human-being/>