



Forced Migration of Rohingya Refugees from Myanmar to Neighboring Countries: A Humanitarian Crisis Unresolved

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Research Article

Abstract

In this current world, the Rohingya Muslims of Myanmar are deemed to be one of the most inhumanly tortured minorities. The culture of racial persecution is indulged by the decades of a clash between the Myanmar Government and the Rohingyas regarding religious and ethnic variance. However, it is also argued that the Rohingya crisis is not confined to religion but comprises economic and political issues equally. Rohingyas have been deprived of their basic human rights and faced a security crisis. Mass killing, rape, and inhuman torture are notable in this regard. Methodical abuse of human rights of the Rohingya by the military junta of Myanmar has forced thousands of Rohingyas to flee the country. Consequently, thousands of Rohingyas now reside as refugees, mostly in Bangladesh, while others escaped to Malaysia, Singapore, and the Middle East. The Government of Myanmar has denied the citizenship of Rohingyas and labeled them as foreigners. This paper highlights the measures adopted by the global community for preventing the mass killing of Rohingyas. This research also portrays the means and methods of the Myanmar Government to suppress the Rohingyas. Furthermore, this paper looks into all sorts of violations of human rights and humanitarian disasters suffered by the Rohingyas and the subsequent humanitarian aid received from the regional and international community.

Keywords: Violation of human rights, Rohingya, Refugee, Humanitarian aid, Ethnic minority, Myanmar

1. Introduction

Myanmar, a least-developed country is located in the Southeast Asian region. It was proclaimed as Burma under the authority of the 1947 Constitution. Later on, the name was mutated to Myanmar by the then military junta. As per the 2008 Constitution, the official name of the country is “The Republic of The Union of Myanmar” (Mohajan, 2018). The population of Myanmar is about 54.5 million people which is equivalent to 0.7% of the entire global population. Among the most diverse countries of the world, Myanmar is a significant one. Throughout the history of Myanmar, settlers from numerous ethnic groups have roamed around the great horseshoe of mountains that covered the Irrawaddy river plain. The 1974 Constitution of Myanmar recognized seven ethnic minority states namely, Chin, Kachin, Karen, Kayah, Mon, Rakhine (Arakan), and Shan as well as seven divisions, which are extensively colonized by the majority Burmese population (Smith, 2002). It is estimated that these minority groups roundly comprise one-third of Myanmar’s population as well as occupy half of the landscape (Smith, 1994). The British annexed Myanmar during three wars that took place between 1824 and 1886 (Holloway & Fan, 2018). The British colonization of Myanmar was sustained for more than 60 years. Before the intervention of the British in Myanmar, inter-ethnic harmony was well observed, until the undesirable interference of British ruling in the nineteenth century. At the time of British rule, ethnic chaos occurred between various sects, hazardously flared up by the divide and rule policies of the colonial government. Such kind of division drove different ethnic groups on enormously isolated paths, resulting in much sectarian violence in their history. Nevertheless, the historians of

Myanmar have always raised their fingers towards the British for inflaming the ethnic minorities during colonial rule and had indiscriminately deranging outcomes for ethnic minority aspirations, as lands of ethnic groups were parted into individual political districts and those were not governed based on nationality (Smith, 1994).

The Rakhine state having an area of 14,200 square miles is situated at the west coast of Myanmar and is also one of the poorest regions of the country. It is estimated that among 3.8 million people living in Rakhine, 59.7% are Buddhists, 35.6% are Rohingya Muslims and the remainder are from other religious groups (Mohajan, 2018). The origin of Rohingya is rooted in various ethnic groups such as Arabs, Persians, Turks, Moghuls, and Bengalis. During the ninth century, Muslim Arab merchants came to the Arakan region, and over time, many merchants settled there. The current Rohingya community is deemed to be the pedigree of various Muslim groups (Sahana, *et. al.*, 2019). The British ruling in Arakan induced many Arakanese Buddhists in growing hatred against the Rohingyas and target them as foreigners. It is argued that the "divide and rule" strategic policy of British imperialism has played well to result from this hatred against Rohingya Muslims (Murphy, 2013). Later on, the military junta of Burma has adopted the policy. However, it is noteworthy that the Rohingyas did not settle in Arakan by chance but history reveals that they were successors of the Arabs who came 1200 years back. From the very inception of Myanmar's independence, the Rohingyas had gone through human rights abuses like mass killing, rape, torture and it is being practiced till today (Sahana *et. al.*, 2019). These have given rise to a terrible refugee crisis in neighboring country Bangladesh. As of late, a huge number of Rohingyas remain uprooted and depend on humanitarian aid to survive, while many also suffer barbarian tyranny by the border guard of Myanmar (Abdelkader, 2013).

The Citizenship Act of 1982 sanctioned the so-called legal exclusion of the Rohingya Muslims, turning the human rights and humanitarian situation of the Rohingya into worse (Abdelkader, 2013). Since then, they have been subjected to discrimination and suppression through persecution, restriction on right to movement, appropriation of land, and limitation on other vital citizen rights. The Rohingya Muslims were denied the right to higher education, public service, and other basic rights regarding health, housing as well as sanitation (Sahana *et. al.*, 2019). Apart from this, under the 1982 Citizenship Law, 135 "national races" were identified by the Myanmar Government to have the full right as citizens but the Rohingya were not considered among those 135 "national races" (Sahana *et. al.*, 2019). Thus the Rohingyas are deprived of their right to achieve property, freedom of movement, and right to marry though such rights are protected by international law (Sahana *et. al.*, 2019). Besides, the Rohingya crisis is not confined to religion but comprises economic and political issues equally. The Rohingyas were considered to be advanced in economic development by the Buddhist communities of Myanmar and they believed that their cultural standard is beneath that of the Rohingya. This is tied with the hideously deep-rooted Islam phobia in Rakhine and Myanmar, of being clasped by Islamic countries, such as Indonesia, Malaysia, and Bangladesh. It was an apprehension in the mind of the Buddhists that the Rohingya might fight against Myanmar if the country takes part in a war with any Islamic country (Mohajan, 2018). These reasons have exhorted the discrimination, exploitation, and deprivation of the Rohingyas in Myanmar (Mohajan, 2018). The communal conflict was taking place in Muslim regions which are located in the northern region state: Maungdaw, Rathaungmye, and Bathindaung Township. The earlier decades witnessed that the Rohingya ethnic groups endured huge oppression in Rakhine that resulted in genocide and ethnic cleansing (Mohajan, 2018). It is noteworthy that oppressions and persecution of Rohingya Muslims in Myanmar took place over the decades following Myanmar's independence from British ruling. Following this, the Rohingyas suffered other forms of violation of human rights such as land confiscation, forced labor, mosque destruction, and extra-judicial executions (Sahana, *et. al.*, 2019). Significant aggression of anti-Rohingya violence occurred from 1974 to 1978, in 1997 and 2001, and from 2012 to 2017. However, it was in 1962 when the Rohingyas faced their very first state-indulged persecution just after the military conquest to rule Myanmar (Hossain, 2021).

2. Literature review

Current research on the crisis of Rohingya refugees has focused mainly on the political causes and did not pay much attention to the consequences. Refugee issues and forced migration are treated as a merger of numerous major elements and the network of correspondence among different actors. This research takes into account the existing situation of the Rohingya refugee crisis such as human rights violations and forced migration because of oppression in Myanmar. The mass exodus of Rohingya refugees initiated conflicts between Myanmar and its neighboring countries. The crisis of Rohingya and internationalization of this matter are also singled out for extensive consideration as it is an issue that demonstrates itself in diverse levels of societal, governmental as well as

international. It is not restricted to humanitarian and moral issues only but it has now become a security concern and to a rising extent it is an issue of environmental and natural resources.

A study by Sahana *et. al.* (2019) attempts to outline the forced migration and consequent flee and displacement of the Rohingya Muslims in the northwestern Arakan State of Myanmar after several violent clashes and insurgencies among the Rohingya Muslims, the Buddhists, and government security forces. The research attempted a demographic assessment of Rohingya people through the historical process of their exclusions and the magnitude of the forced migration to the neighboring countries as an illegal, economic burden and stateless migrants. The article only analyzed the historical origin of the underlying situation, identity politics, ethnic crisis, and statelessness for a better understanding of the demographic decline of the Rohingya in the particular geographic region.

Parnini (2013) identified the crisis of Rohingya as a Muslim minority in Myanmar and their forced migration to Bangladesh where they took refuge causing disputes between Bangladesh and Myanmar in that regard. The study analyzed the local and international responses to manage and resolve the Rohingya problems as well. The research argued that peaceful democratization in Myanmar could pave the way for a durable solution to the Rohingya problem by launching concerted efforts of the local and international communities, which could ultimately improve the bilateral relations between Myanmar and Bangladesh.

Ullah (2011) explained the exclusionary policies of the Myanmar government, why Arakani Muslim minorities found their ways to Bangladesh where there remained no guarantee of a better environment in terms of protection, and what other dynamics of persecutions they experienced in their destination. The article tried to understand the dynamics and severity of reported humiliation by the government on the Rohingya population and how they were marginalized in their destination points.

Holloway & Fan (2018) in their working paper provided a brief history of the Rohingya in Myanmar and Bangladesh. The paper then presented the concepts of dignity from the perspective of the Rohingya and humanitarian actors working with them respectively. At last, the paper made a few recommendations for making the humanitarian response more dignified, and to ensure dignified repatriation.

3. Methodology

To design this article analytical method has been used following the qualitative approach which is based on secondary sources of information like textbooks, national and international journals and instruments, research reports, and news reports. Relevant pieces of literature were also collected from different websites. An examination of the substantial background was considered to develop a strong protection mechanism for the refugees in Myanmar and neighboring countries.

4. Concept of forced migration

In recent decades, the term “Forced Migration” has turned into a significant non-traditional security concern, typically due to the groundbreaking scale of this phenomenon. This term has been employed to narrate the moving of refugees, displaced people, and in many cases, victims of trafficking (IOM, 2019). The International Organization for Migration (IOM) has interpreted forced migration as "A migratory movement which, although the drives can be diverse, involves force, compulsion, or coercion" (IOM, 2019).

To understand the legal–institutional concept of forced migration and refugee crisis there remain four key strengths that aid to rally its supporters (Gibney, 1999). They are state commitment, reinforcement of law, strengthened states, and strengthened migrants (Parnini, 2013). Despite these positive elements, the affairs of forced migrants and refugees which are related to social, economic, and cultural ones are not feasible to resolve only by dint of legal–institutional assistance. The tasks of UNHCR formed in 1950 as well as the principal international legal instrument on UN Convention relating to Status of Refugees, 1951 are the turning points to mold the legal–institutional models in forced migration.

5. Forced migration in Myanmar

The forced migration of Rohingya from Myanmar to neighboring countries is the result of a fusion of reasons (Rango, 2014). Researchers describe that there remain about three types of forced migration existing in Myanmar (Sahana, *et. al.*, 2019). Firstly, the armed conflicts between Rakhine Buddhists and Rohingya Muslims

commencing the sequent displacement. Such conflicts and counter-insurgency operations have straightly undermined human security and created food scarcity. Secondly, the military seizure of this border state advanced to displacement. The reason given for this military operation was the "development" of the particular region by land confiscation to extract natural resources and for infrastructure construction. Thus, forced labor and other exploitations were common phenomena in this so-called military operation for development. Incidentally, such displacement in the name of "militarization for development" had a remarkable effect mostly on the Border States and towards the divisions of Myanmar. Lastly, is the vulnerability of subsistence which resulted in both internal and external migration (South & Jolliffe, 2015). In essence, the factors that trigger forced migration are inappropriate government policies and implementations, insufficient accessibility of prolific land, degraded access to necessities, shortage of food supply, lack of medical facilities, and absence of proper education. Similarly, the major reason for internal displacement in Myanmar is the coercive measures (Sahana, *et. al.*, 2019). These coercive measures by the government of Myanmar include forced labor, immoral land attachment, forceful agricultural functions, and serious human rights violations. At present, Bangladesh and other neighboring countries are faced with the challenges resulting from the forced migration of the Rohingya from Myanmar.

6. Migration of Rohingya from Myanmar to Bangladesh and neighboring countries

The Myanmar military junta by abusing the human rights of thousands of Rohingya left no other way for them but to flee the country. Following this, these Rohingya Muslims were forced to reside as a refugee, mostly in Bangladesh (Sahana, *et. al.*, 2019), while others escaped to countries like Malaysia, Singapore, and the Middle East (Parnini, 2013). It has never been expected from Bangladesh to take this large number of refugees but giving refuge to Rohingyas by Bangladesh relieved them from their agonies (Parnini, 2013). Many migrants have failed to manage shelter in refugee camps and as a result, they often lived in severe poverty in villages and slums of Cox's Bazar and Teknaf (Mizan & Saqi, 2020). They are unidentified and at times marked as economic migrants by the policymakers of Bangladesh (Holloway & Fan, 2018).

A border of 168 km is shared by Bangladesh with Myanmar but unfortunately, the bilateral relationship between these two nations is often disordered due to security and political issues. For instance, the Rohingya refugees crossing the border started to reside in camps bordering Cox's Bazar district of Bangladesh since the late 1970s (Parnini, 2013). The Myanmar Government has clearly expressed its strict standing not to legalize the citizenship of these Rohingyas and in short, they are marked as foreigners (Parnini, 2013). Besides, the Rohingya refugees are frequently denying to be returned to Myanmar as they think that they would be subject to further brutal persecution. The menace of being tortured has been expressed by the refugees and the Bangladeshi Foreign Minister raised the issue while visiting Myanmar. Although the Government of Bangladesh wants the Rohingyas to be repatriated because the domestic resources would be drained, pushing them back will be brutal in respect of the Rohingya crisis. Still, Bangladesh authority is charged with forced repatriation, though the country indicates it as voluntary repatriation. Moreover, the United Nations High Commissioner for Refugees (UNHCR) indicated that this was the direction of the Government of Bangladesh in some cases (Parnini, 2013).

The 1977 Nagamine census in Myanmar was initiated for screening out foreigners and registered citizens that produced the persecution of Rohingyas resulting flee of 200,000 people from Myanmar to Bangladesh in 1978. Only within 4 months, from December 1991 to March 1992, a massive departure of more than 300,000 Rohingyas fled who were oppressed in the Arakan State (Ullah, 2011). Negotiations took place several times between the Governments of Myanmar and Bangladesh and for over 12 years, 226,576 Rohingyas were successfully repatriated to Myanmar. Nevertheless, the oppression was not stopped and Rohingya Muslims were still suffering at the hands of the military. In 2009, around 1000 Rohingyas entered Bangladesh just in 3 days claiming the intolerable torture they had gone through in Myanmar. They were evicted from their homestead and threatened not to return. For instance, Rohingyas were forced out of their houses and the military built army barracks clearing those spaces (Ullah, 2011).

Notably, Bangladesh could not ensure proper protection as UNHCR was not able to provide sufficient assistance. For instance, the average size of a household inside the camps is within six to seven people without regard to the family size. Besides, the UNHCR standard policy of 15-20 liters of water for each person daily was a significant crisis due to an extensive number of people. The time for availability of the tap water was limited to 2 hours a day but in most cases, it was not even open for 2 hours and thus was not adequate for everyone who resided in the Kutupalong camp.

In addition, in 2001 unassuming primary education was introduced in the camp and the operation of the school started with 5532 children. The Rohingya Muslims were not, however, permitted to look for work outside the camp but only a few of them started small trade outside the camp. It is noteworthy that young female Rohingyas started prostitution as the limitation on their movement brought various detrimental issues on their life pattern (Parnini, 2013). These illegal actions have pampered an inflated rate of pregnancy and the birth rate has outnumbered the ratio of deaths and repatriation if amalgamated in the last few years (Ullah, 2011).

Since December 2020, nearly 20,000 Rohingya refugees have been shifted by the Bangladesh government to Bhasan Char, a remote silt island in the Bay of Bengal. Due to overcrowding in the Cox's Bazar refugee camps, Bhasan Char has been fixed by the government of Bangladesh as a shelter where nearly one million Rohingyas can reside. However, Bhasan Char is not considered a safe zone for Rohingya settlement as the refugees, and humanitarian workers fear that heavy storms, floods, and that remote island in the middle of the sea may be life-threatening.

7. Diverse interventions from the regional and global community

4.1 ASEAN intervention

Since the 1990s, the Association of Southeast Asian Nations (ASEAN) has been aware of the exigency of the Rohingya Muslims. Countries like Malaysia and Thailand had recognized the crisis. As a gigantic number of Rohingyas intruded into Bangladesh and both Malaysia and Thailand, their Governments manifested that this crisis is not worthy of considering as a national issue as it might give rise to a potential ground of transiency in the part of human agony. Unfortunately, after the merging of Myanmar with the ASEAN, the Rohingya issue was disregarded by ASEAN to highlight various miseries faced by Rohingya Muslims caused by other states which could be threatening to regional unity (Rahman, 2015).

In Myanmar, the Rohingyas were denied citizenship by the ruling regime obtrusively and not the segment of indigenous people, creating additional ambiguity on the method to handle the refugee crisis (Sahana, *et. al.*, 2019). For many years, Thailand has been going through the humanitarian crisis of harboring around 120,000 refugees. Besides, Thailand was encountering the crux of revolt and knew that intruding more stateless Rohingyas would add more agony. Despite the inadequate ratification of Malaysia of international human rights treaties and strict legislation on migration policy, between 20,000 and 25,000 Rohingyas were hosted by the country. However, it is noteworthy that both Thailand and Malaysia have not signed the 1951 United Nations Convention relating to the status of refugees or 1967 Protocols on the rights crisis of the Rohingya (minorities) (Parnini, 2013).

Additionally, ASEAN has faced criticism from the global community for its ineffective operation and for not taking responsibility to resolve the Rohingya crisis. In the ASEAN summit of 2010, the foreign minister of Myanmar declared that the refugees would be permitted to return to Myanmar only if they acknowledge themselves as Bengalis born in Myanmar but not as Rohingya. However, this statement was considered to be a problematic one by many. Numerous scholars have viewed such a statement as a lame excuse by the Myanmar government to evade embarrassment by bypassing the basic problem. Calls have been made by ASEAN for national reconciliation and discussion with Aung San Suu Kyi but failed to give importance to the Rohingya crisis (Parnini, 2013).

4.2 UNHCR intervention

In the Rohingya refugee catastrophe, the United Nations High Commissioner for Refugees (UNHCR) turned into a principal global actor undoubtedly. A crucial role has been played by the UNHCR in the crisis of Rohingya refugees in the 1990s representing Aung San Suu Kyi as its ambassador. At the time of commencing its campaign in Myanmar, the standing of Aung San Suu Kyi was enormously exposed by UNHCR as a "messenger of peace" in Myanmar by elevating the concept of a harmonic neighborhood among all Myanmar's prime ethnic groups including Rohingya. From the 1990s onwards, a national office was formed by UNHCR in Yangon, the Capital of Myanmar, having the patronage of Aung San Suu Kyi. In addition, UNHCR had to encounter resistance from the Military Junta following the unruly domestic political conflict between Junta and Aung San Suu Kyi's National League of Democracy (NDL) party. Such an unstable political condition has forced many UNHCR officials to return as they were denied visa extension. A meeting was organized in 1993 for discussing the probable solution for 250,000 Rohingyas who fled to Bangladesh from Myanmar where a senior staff member of UNHCR made a

statement saying "these are primitive people (referring to the Rohingya). At the end, they will go where they are told to go". Such quotation reveals the exemplary of the organization's involvement with the Rohingyas for a long period and the absence of eagerness to sustain the UNHCR safeguard mechanisms. Besides, it is pointed from the unrevealed materials by UNHCR in the 1970s and 1980s; many refugees were untimely, forcefully, and unsafely repatriated to Myanmar (Crisp, 2021).

Notwithstanding, as per the statement of Crisp, the subsequently prepared evaluation service of UNHCR was equivocal whether the repatriation of 1978 was voluntary or not (Crisp, 2021). It was also found that the repatriation which took place earlier was the prime goal of the Government of Bangladesh since the inception of the crisis. For accomplishing this goal, various tactics were used by the Bangladesh government for preventing refugees, ranging from many attacks on Rohingya refugees. On the other hand, according to UNHCR, the Rohingyas were not ready to go back to Myanmar. Nevertheless, the Bangladesh government was prepared to make all arrangements to repatriate these Rohingya migrants even by applying force, if necessary (Crisp, 2021). The UNHCR further noted that the reason behind the return of a good number of refugees is due to solemn incidents in the camp directing to the rising number of deaths by the Rohingyas (Crisp, 2021). Bangladesh government adopted another means for forcing repatriation which was to curb necessities from refugees such as food. A wise United Nations (UN) official indicated the Rohingya camps as "death traps, the worst I have ever seen" (Crisp, 2021). This caused malnutrition situation and by July 1978, the death rate reached four times higher than the rest of Bangladesh. The UNHCR staff member mentioned that the policy adopted by the Bangladesh government had turned into one which famishes refugees instigating them to leave (Crisp, 2021). The scarcity of fundamental needs gave rise to extensive malnutrition as well as mortality rates (Crisp, 2021). In 1980, at the last part of the repatriation operation, at a press conference, UNHCR stated that around 10,000 refugees died in the camps and epidemics were the key cause behind that (Crisp, 2021). The UNHCR staff, who worked in the field, however, considered that the cause behind the high death rate was the Bangladesh government's failure to ensure adequate food supply. Still, this cannot be treated as an excuse for an organization like UNHCR whole responsibility covers ensuring welfare for complying with a tactic resulting in more than 9,000 excessive deaths (Crisp, 2021).

Apart from the safeguard responsibilities of UNHCR, there was no consultation with refugees about the repatriation process and further steps. A very little effort was made by UNHCR to cease the abuses encountered by the Rohingyas while residing in the camps, although the issue was raised by two field staff who were removed from operation later on (Crisp, 2021). To deflect criticism, UNHCR has mentioned that it had a very narrow engagement in the repatriation and contended that it did not bear the authority to ascertain the nature of the decision taken by the refugees to get back to Myanmar. During this period, any sort of advocacy on the issues of human rights was grasped as a threat to the ruling power in Myanmar, predominantly those who discussed on Rohingya crisis. The shortcoming of UNHCR in this intervention risked the lives of its officer employed in the country (Crisp, 2021).

Following the crookedness of domestic mutiny, UNHCR made many camps for refugees in the nearby state borders next to Myanmar territory primarily in Bangladesh, the adjoining neighboring country (Sahana, *et. al.*, 2019). Accordingly, this wielded the initial approach by UNHCR to establish a camp beyond Myanmar to make quick rehabilitation and periodic resettlement, by ensuring temporary housing and living assistance for combat-victimized refugees. It is to be noted that to intervene in the Rohingya crisis, this was the very first strategy adopted by UNHCR. This had also led to a fund-collecting campaign for collecting prime logistic supports such as food and medical aid. In addition, UNHCR also arranged the availability of doctors to make around in the camps for emergency cases. Apart from these, numerous policies were taken by UNHCR for better strategic assistance delivery based on global implementation of the *Non-Refoulement* method in the Refugee Conventions of 1951 (Espinilla, 2010). It was claimed by the Convention that those with refugees be rehabilitated in camps whether officially registered or not or receiving willful assent from the refugees in person.

It is noteworthy that one of the significant issues of Southeast Asian nations is that most of them have refrained from signing international treaties on migrants and refugees that could probably protect the rights of Rohingya migrants. Moreover, the member nations of ASEAN are lawfully bound by a Treaty of Amity and Cooperation within the ASEAN constitutional mandate that rigidly holds down the prohibition to violate national issues of the other member-state (Parnini, 2013). Such peculiar fact indicates another deadlock situation that spoiled the mitigation of the Rohingya crisis. Due to this, neighboring countries can provide but only narrow to raising and delivering aid. As the cornerstone to safeguard the right to life of Rohingyas, the international customary norms can be initiated, and therefore, the principle of *non-refoulement* may come into action in the deficiency of legal instruments (Espinilla, 2010). In every humanitarian mission, the ground of *Non-Refoulement* has received support

from UNHCR to honor basic human rights. It is well settled that particular human rights are absolute and can never be taken from any person. Thus, both the signatory and non-signatory nations are believed to make a non-violent step in humanitarianism regarding human rights. The UNHCR, in 2007 gave an Advisory Opinion signifying the necessity of commitment by member states towards the theory of *Non-Refoulement* (Espenilla, 2010). It is required to emphasize that immigration officers of the third country are bound to ensure the security of refugees so as not to suffer the resembling abuse of human rights in the destination country. Based on this theory, UNHCR confers two options, primarily to provide willful repatriation to the Rakhine region or to establish a certain resettlement locality to make a local tribal fusion with the host native residents. This is to impede migrants from being oppressed which can introduce new casualties.

4.3 Intervention from the global community

For a very long time, the Rohingya crisis has not received much attention from the international community, resulting in several collisions and mass departure of Rohingya from Myanmar to neighboring states. The high level of persecution tolerated by the Rohingyas has not only endangered their life but also kept them unsecured in the ward of traffickers and terrorists. However, the western powers have criticized Myanmar for its sluggish record of realization of human rights. A report made by Reuters in May 1978, revealed that US\$ 500,000 was set apart by UNHCR's Paul Hartling for 200,000 Rohingya refugees who took shelter in Bangladesh (Parnini, 2013). Apart from this, in May 1978, the Organization of Islamic Cooperation (OIC) announced in Jeddah that the Rohingya Muslims were enduring ponderable brutishness which had been stated by numerous reliable sources. This was followed by a negotiation between Myanmar and Bangladesh with the assistance of OIC and the UN and resulted from the repatriation of Rohingya to Arakan in 1978. However, provisions regarding the status of the Rohingyas, properties, or security after the return were mentioned in that agreement of negotiation. Despite the agreement of return in 1978, another massive terror attack was made by the military junta on the Rohingya that triggered a further gigantic exodus of Rohingyas in 1992 (Parnini, 2013). Due to this, around 250,000 Rohingya Muslims fled to Bangladesh and they were recorded officially for mollification. But many failed to register for relief on their own in Chattogram (Holloway & Fan, 2018). Following this, to reach an agreement on repatriation, prolonged negotiation was held among UNHCR, Bangladesh, and Myanmar. Subsequently, a way for the return of Rohingyas was paved and by July 1995, from 250,877 registered refugees, a total of 192,467 Rohingyas who took shelter in Bangladesh from 1991 to June 1992 were sent back under UNHCR's supervision. Notwithstanding, returning of Rohingya refugees was to hamper as the Myanmar Army had negligence to maintain the agreement as the State Law and Order Restoration Council (SLORC) regime had determined to receive around 20,000 Rohingya refugees every month from the camps of Bangladesh (Parnini, 2013).

By the end of 1994, it was highlighted by the Amnesty International (AI) year-end report on Myanmar that there was no visible and remarkable development on human rights of Rohingya minorities had been initiated by Myanmar Government (Parnini, 2013). Despite the savage attack, no active role was played by the UN Security Council despite the agreement that the Security Council make initiative under the Responsibility to Protect (R2P) in case the Government fails to safeguard their citizens. In 2007, China and Russia rejected a draft resolution of the Security Council on the issue of violation in Myanmar, mentioning that the crisis did not seem to be a threat to global peace. The US Government did not withdraw its pressure on Myanmar and in 2010, precisely stated that they were not planning to lift sanctions on Myanmar if human rights violation goes on. Indeed, the democratic Government of Myanmar will make other ways through durable diplomacy and there will remain a win-win condition for Myanmar as well as the global community.

In 2019, intensified pressure was made on Myanmar Government to stop genocide against the Rohingya minorities. In the 2019 OIC Summit which was held in Makkah, Gambia received authority from the OIC to adopt every sort of international legal instrument to make Myanmar accountable as the perpetrator of crimes against the Rohingya Muslim minorities in Myanmar. Following this, a lawsuit was then filed by the Gambia against Myanmar at the International Court of Justice (ICJ) for committing genocide on ethnic Rohingya minorities. It is noteworthy that this is however an unusual approach by a very small West African Country, Gambia (Besheer, 2019). Gambia having the back support from all the 57 member nations of the OIC, targeted to make Myanmar accountable for its heinous action against its people, the Rohingya (Human Rights Watch, 2021). Justice Minister Mr. Abubacarr

Tambadou in a press conference in The Hague said, "It is a shame for our generation that we do nothing while genocide is unfolding right under our own eyes" (Berg, 2019). Discussing further on UNHCR approach, Mr. Tambadou mentioned "visiting Cox's Bazar in Bangladesh had reminded me of my work as a prosecutor for the tribunal set up to try those responsible for the 1994 genocide in Rwanda" (Berg, 2019). He further added, "I thought this was not right and the world cannot just stand by and watch this happen again". It was then Gambia's initiative to fetch Myanmar justice over the Rohingya issue (Berg, 2019). Gambia filed a 46-page petition to the ICJ where it was noted that Myanmar's operations were "genocide in character" that resulted in mass killing, causing grievous physical and mental violence, and giving immoral prevention on births. A prayer was made by the Gambia to the ICJ to give so-called provisional attempts for an immediate cessation of alleged atrocities by Myanmar (Berg, 2019).

Due to the crackdown by Myanmar's military, about 740,000 Rohingyas fled to the neighboring country Bangladesh in August 2017 and UN investigators said it was carried out with "genocidal intent" (Human Rights Watch, 2021). However, the accusation of genocide was always denied by the Buddhist majority of Myanmar (Besheer, 2019). Furthermore, such accusation of genocide has been severely disputed by the Government of Myanmar and a Commission of Inquiry has also been formed. Myanmar's UN Ambassador Hau Do Suan notified VOA in an Email, "This is a politically motivated international pressure tactic against Myanmar on the issue of Rakhine state". He also added "The Gambia has nothing to do with Myanmar's problem. The OIC and Gambia should try to put their backyard in order first, before trying to interfere in the affairs of a faraway country which is trying its best to find a sustainable and peaceful means to solve its problem" (Besheer, 2019). In his opinion, Myanmar is executing "in good faith" directions issued in 2017 by an international advisory commission to trace out the prime reasons of the Rohingya crisis and would not "surrender to this kind of unfair, intimidating, political and religious-based pressure" (Besheer, 2019). The orders of ICJ for taking provisional measures are lawfully binding on the member states because every member state of the UN automatically observes the ICJ Statute. Whether Myanmar will abide by the ICJ's judgment, it was asked by the Gambia for ordering Myanmar to provide the court a report on how to perform following the decision for implementing provisional measures within four months from the date of issue (Human Rights Watch, 2021). If Myanmar fails to comply, the other UN organs could adopt the necessary approach to enlarge the implementation of the ICJ's decision and by such enlargement, ascend the political expense. As per Article 94 of the UN Charter, every member nation must comply with the orders of ICJ in cases where a member nation is a party. Besides, in case of non-compliance, the UN Security Council is free to fix the measures to be initiated to implement the ICJ's order (Human Rights Watch, 2021). In addition, Article 41(2) of the ICJ Statute says that the UN Security Council is automatically informed to review the provisional measures which are to be implemented. For illustration, the UN Security Council had the authority to resolve to coerce Myanmar to remove abridgment on Rohingya Muslim's liberty of movement, repeal discriminatory legislation, remove illegal restrictions on humanitarian aid to Rakhine State, and interdict actions that bridle Rohingya's right to education, medical treatment, and livelihood. Unfortunately, no such landmark attempt has been made by the UN Security Council as Myanmar's leadership was enormously supported by China and its veto power (Human Rights Watch, 2021).

8. Findings and recommendations

This paper argues that the forced migration of the Rohingya Muslims by the government of Myanmar made a dramatic change in their demographic characteristics and subsequent socio-political status. Myanmar government's discriminatory policy, especially the 1982 Citizenship Law has made the Rohingyas stateless and subsequently resulted in inhuman persecution and forced migration. Apart from the enactment of the 1982 Citizenship Law, there were other reasons behind the existing ethnic Rohingya crisis. The structural blueprints and tactics are core causes of the present enduring humanitarian crisis of Rohingya. To overcome this grave situation and stop persecution against Rohingya, the only possible resolution is to resettle and rehabilitate them by adopting a legal strategy. In this context, the Myanmar government is required to amend the 1982 Citizenship Law so that the Rohingya can be treated as Myanmar citizens; this strategic approach would primarily lessen the forced migration of Rohingya Muslims. But the recent socio-political-cultural circumstances are not so favorable to the Rohingya that they could be registered, recognized, and declared as Myanmar citizens. The Myanmar government is not willing to give legitimacy to the ethnic belonging of Rohingya Muslims in the country. On the other hand, Bangladesh and other neighboring countries are neither willing to accept forcibly migrated Rohingya as its refugees nor to grant them nationality. Notably, the government of Bangladesh declared its argument to consider the Rohingya as Burmese

citizens since Rohingyas are the natives of Myanmar where they are living for centuries. In this context, the Myanmar government is required to adopt immediate policies to put an end to all sorts of discrimination against ethnic and other minority groups based on ancestry or origin.

The UN, ASEAN, other regional, and non-governmental organizations should maintain the processes of dialogue to make political reform, and resolve the Rohingya crisis in Myanmar. Regardless of the peace talks and discussions, adequate action should be taken to facilitate the full enjoyment of all basic human rights, including freedom from forced labor, freedom of expression and opinion, freedom of association, the right of political parties to organize, and the right of the media to function independently and free from interference.

9. Conclusion

The Rohingya can be treated as the most brutally persecuted minority group in the history of the world (Rahman, 2015). Despite humanitarian aid, not much assistance has been achieved from relief institutions. They have been deprived of basic human rights lining up from state to social authorities. Security is placed as a prime concern for everyone but in this global era, Rohingya Muslims confront the dilemma of security. With very tiny assistance from the global community, Rohingyas are a huge burden for a least-developed country like Bangladesh. It is noteworthy that Bangladesh has adopted the best possible means for Rohingya refugees. Notwithstanding, equal assistance must come from Myanmar responding to the claim of the global community. Besides, a more active role should be played by the non-government organizations to deal with the crisis in respect of the humanitarian repercussion in the Rohingya crisis. Despite the deranging situation suffered by the Rohingya, more arrangements will somehow relieve the condition for the thousands of refugees residing in feral conditions. At this point, it can also be suggested that domestic host communities sheltering Rohingyas must receive assistance as well as be made conversant with the assistance dispensed and calm the pressure. Lastly, stakeholders from both national and international must come forward to assist community involvement between refugees' communities.

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