

Crisis in Myanmar and Bangladesh: Sociocultural Underpinnings and Political Barriers to the  
2016-2018 Rohingya Ethnic Cleansing<sup>1</sup>

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On October 9, 2016, several hundred armed residents of Rakhine, a western state of the Republic of the Union of Myanmar (Myanmar), ambushed three Border Guard Police posts, leading to the death of nine police officers (Kim, 2017, p. 106). These attacks triggered a massive military backlash against Rohingya residents, a minority ethnic group of Myanmar, who were believed to have organized the attack. These “area clearance operations” have only worsened since August 25, 2017, when insurgents in a newly formed Arakan Rohingya Salvation Army (ARSA) attacked dozens of police posts and military bases, killing 12 members of Myanmar’s security forces (Freeman, 2017). Fortify Rights, a Swedish-United States human rights group with a focus in Southeast Asia, reported the first case of massive exterminations against the Rohingya in Chut Pyin, a Rakhine village where more than 200 people were murdered this past August (Ramzy, 2017b).

This current 2016-2018 Rohingya-refugee and ethnic cleansing crisis has been defined by the military’s extreme levels of violence inflicted upon Rohingya, as well as unprecedented levels of migration from the Rakhine state. The majority of Myanmar Rohingya have sought refuge in nearby Cox’s Bazar, Bangladesh, which borders Rakhine. According to latest estimates by the International Organization for Migration, the migration agency of the United Nations, more than 655,500 Rohingya have fled into Bangladesh since August 25, 2017, which excludes the number of Rohingya who exited the country prior to this date (2018).

Given the immediate attention required to respond to humanitarian crises effectively, this paper will examine the historical sociological causes of and political barriers to resolution of the 2016-2018 Rohingya-refugee and ethnic cleansing crisis to determine what measures are contextually appropriate to address the needs of the Rohingya people moving forward. Through a qualitative research analysis, this paper ultimately concludes that given the historical and

political context underlying the 2016-2018 Rohingya-refugee and ethnic cleansing crisis, repatriation efforts, while politically expedient, are only temporary solutions that do not address the Rohingya's people's history of abuse in Myanmar and their cultural claim to territory in Rakhine. Further, future relief efforts should seek local, aid-based solutions in Bangladesh and prioritize humanitarian concerns based on the political limitations to action.

### **“The Next Great Genocide”<sup>2</sup>: Context and Importance of the Rohingya Crisis**

While recent Rohingya militant aggression may have instigated the military's most intense ethnic cleansing policies against the minority group, the Rohingya people have a long history of being displaced and attacked in Southeast Asia, especially in Myanmar. Assessing the nature of the Rohingya's historical persecution in Myanmar can offer insight into the cause for ethnic cleansing policies today.

The Rohingya people trace their roots in Myanmar back to the 10th century (Iqbal, 2016, p. 18), at which point Muslim descendants of 8th century Arab, Persian, Turk, Mughal, and Bengali traders, religious figures, and warriors developed their own culture and language, with local Arakanese (Rakhine-based) influences (Kim, 2017, p. 107). In this way, the Rohingya people claim a centuries-old ethnic identity that emerged before British colonial rule from 1824 to 1948. However, ethnic Burmese and “official” records in Myanmar refute this claim and argue that the Rohingya people are Bengali ethnically, and that they first emigrated to Rakhine during the British colonial period (Iqbal, 2016, p. 18; Kim, 2017, p. 107). Through this disputed territorial claim, the Myanmar military has justified its right to perpetrate violence against the Rohingya, viewing them as illegal immigrants or terrorists. Indeed, the Myanmar government

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<sup>2</sup> Terminology based on H. Iqbal's (2017) analysis of the 2016-2018 Rohingya refugee and ethnic cleansing crisis.

refers to the ethnic cleansing as a “clearance” operation in response to a Rohingya insurgency (Haque, 2017).

The scale of violence for Rohingya during this crisis includes not only the structural violence faced within Rakhine, but also the danger in crossing over to Bangladesh and the struggle engendered by an inadequate livelihood in refugee camps. According to a flash report conducted by the United Nations Office of the High Commissioner for Human Rights (UNHCHR), Rohingya communities have faced protracted displacement, as well as restrictions on freedom of movement and access to education (2017, p. 5). In the northern part of Rakhine (nRS), Rohingya must acquire official authorization to move between and within townships (UNHCHR, 2017, p. 6). Since June 2012, a curfew has been imposed in nRS, and it was extended following the October 9, 2016 attacks. Due to this limitation on movement, the Rohingya refugees have found it easier to flee to Bangladesh, rather than to other parts of Rakhine or into another region of Myanmar. Among those Rohingya interviewed for the flash report, 65% reported killings, 56% reported disappearances, 64% reported beatings, 43% reported rape, 64% reported burning or other destruction of property, and 40% reported looting/theft of property (UNHCHR, 2017, p. 7). The flash report refers to cases of plastic burning onto the body, burning of religiously grown beards, psychological torture, stress position torture, arbitrary detention, denial of food/medical care, and common house searches (UNHCHR, 2017, pp. 25-34). Similar testimonies from victims throughout Bangladeshi refugee camps indicate the systematic and widespread nature of the army’s attacks against Rohingya civilians (UNHCHR, 2017, p. 14).

The scale and coordinated nature of these claims have only been further substantiated by interviews and practices conducted since the August 25, 2017 incident. From August 25, 2017 to

September 16, 2017, Human Rights Watch (2017a) documented the destruction of 214 Rohingya villages in Rakhine. According to satellite imagery, tens of thousands of Rohingya homes and mosques in the Maungdaw and Rathedaunt Townships were razed, while non-Rohingya homes just 100 yards away were untouched. Myanmar's military alleges that ARSA militants and Rohingya villagers purposefully burned their own homes to incite violence within Rakhine, denying accountability for the destruction. The humanitarian organization Doctors Without Borders estimated that at least 6,700 Rohingya since August 25, 2017 have been systematically eliminated by the military (Taylor, 2018). Further, Myanmar's government has continued to block the access of aid agencies to Rakhine, preventing assistance to those Rohingya still trapped (Ramzy, 2017a).

Refugees escaping Rakhine have faced injury and even death in the process of reaching Bangladeshi camps. At least 46 people believed to be Rohingya fleeing violence were found dead on the banks of the Naf River after their boat capsized on October 1, according to Bangladeshi border guard battalions (Ramzy, 2017b). In addition, Marzuki Darusman, Chairperson of the Independent International Fact-Finding Mission on Myanmar, noted that Myanmar security forces are setting up land mines along the border of Rakhine to maim or kill those Rohingya trying to escape violence (Win, 2017). ARSA has tried to block men from fleeing villages in nRS too, demanding that they stay and fight against the government for the Rohingya people (Ramzy, 2017a).

The danger for Rohingya who reach and stay in refugee camps has not been limited to Myanmar's territory, either. Initially, those Rohingya fleeing Rakhine had to evade Bangladeshi border guards to reach refugee camps, where food and accommodations were not guaranteed (McKirdy and Wright, 2017). Existing refugee camps from previous Rakhine exoduses were

subject to further overcrowding, and Bangladeshi law enforcers threatened not to provide shelter to any newcomers, as well as to evict, to fine, and to deport those Rohingya already present in the camps. Bangladesh's policy has since changed, as the Bangladeshi government has made efforts to register all Rohingya (Sullivan, 2017). On the road from the border to Cox's Bazar, the main site of relocation, 11 checkpoints now exist for refugees, where photographs are taken, finger biometrics are conducted, and identification cards are issued.

According to a 2017 situation report released by IOM, 833,584 Rohingya from previous and current crises live in Cox's Bazar (Inter Sector Coordination Group, 2017). Nearly 500,000 of those Rohingya refugees live in the Nayapara, Kutupalong, or Kutupalong-Balukhali Expansion mega camps. Nearby, six spontaneous settlements and four local Bangladeshi communities host the remaining Rohingya. However, while Bangladeshi communities and security forces along the border have extended aid to the Rohingya refugees in earnest (McKirdy and Wright, 2017), Bangladesh's refusal to recognize the Rohingya as official refugees has limited their access to education and freedom of movement (Sullivan, 2017).

Reports from officials in Bangladesh are estimating thousands of deaths due to health complications without quick intervention arising from this crisis (Freeman, 2017). Amid fears of a massive cholera outbreak due to poor sanitation conditions within the refugee camps, the U.N. launched one of its largest cholera vaccination drives in southeast Bangladesh on October 10 (Marchand and Thibaut, 2017). However, the increased rate of arrivals to the refugee camps since October 9, when 11,000 refugees arrived overnight, has impeded this effort. Additionally, after establishing pop-up clinics within several Bangladeshi refugee camps and screening thousands of patients, the U.N. International Children's Fund (UNICEF) has expressed fears that 14,000 Rohingya children may die from malnutrition due to complications resulting from the

ethnic cleansing, and that more than 4,000 children are suspected to have contracted diphtheria (Bellis, 2017; UN News Centre, 2018). The World Health Organization worries that the high concentration of people in Bangladesh's mega camps, which are now the largest in the world, may facilitate the catastrophic transmission of these diseases among Rohingya refugees (Beaubien, 2018; Sullivan, 2017).

Due to the large scale of violence and the insufficient response by the international community to this crisis, the ethnic cleansing of Rohingya in Myanmar warrants utmost attention and understanding from neighboring states, regional powers like India and China, and the international community as a whole. In many ways, the horrors that the Rohingya are facing as a religious and ethnic community resemble the situation for Bosnian Muslims during the Yugoslavia civil wars and Jewish populations under Nazi occupation. In both situations, legal and socioeconomic conditions functionally displaced Bosnian Muslim and Jewish populations within their own states, and assisted in the targeted genocide of their communities. The UNHCHR's February 3 flash report, the final report of the independent Advisory Commission on Rakhine State, and the Independent International Fact-Finding Mission on Myanmar all attest to the effective annihilation of Rohingya people in nRs.

### **Sociocultural and Historical Sources of the Crisis**

The severity of this crisis necessitates an investigation into its foundations and sources of exacerbation. This investigation starts with the territory of conflict: the Rakhine state. Arakan (present-day Rakhine) was an independent kingdom invaded by Burma in 1784. Under 40 years of Burmese rule, native Arakanese, including Rohingya, fled the country to avoid its oppressive government (Kim, 2017, p. 111). After Arakan was annexed to British India in 1826, immense numbers of immigrants traveled from Bengal to Arakan, seeking economic opportunities and

land in an area that was considered internal to British India. When returning to Arakan under British rule, the Rohingya could not prove their original land claims to colonial officials, as they lacked physical documentation of settlement and were deprived the right to rule over their former homeland. In this way, periods of political unrest in Arakan contributed to the Rohingya's unsubstantial claim to settle in and rule over Rakhine.

Hyuk Kim, contributor to the academic journal *Global Asia*, argues that different understandings of "Rohingya" and insufficient historical records with a clear reference to the term "Rohingya" have allowed the state to justify its discriminatory practices against the Rohingya people into the modern era. The Citizenship Law of 1982, which restricts citizenship to those inhabitants who can prove that their ancestors lived in the country before the first Anglo-Burmese war in 1824, which established British colonial governance over Arakan (Iqbal, 2016, p. 19), has become the centerpiece for these practices. This law distinguishes among three categories of citizenship by issuing each person a color-coded Citizenship Scrutiny Card consistent with their citizenship status – pink, blue, and green, respectively (Human Rights Watch, 2000b). Because the majority of Rohingya in Rakhine re-emigrated to Arakan during the British colonial period (i.e. post-1824), the community cannot provide "conclusive evidence" of their lineage and prove their eligibility for any class of citizenship. Additionally, Myanmar's current constitution, ratified in 2008, does not recognize the Rohingya as one of the country's national races (Human Rights Watch, 2017a), which would entitle them legally to participation in government, self-determination, and the development of their own language and culture (Ministry of Information, 2008, pp. 5, 7).

Kim also argues that the historical dispute over the Rohingya's place of origin and ethnic identity stimulated the tension between Rohingya and Buddhists/Burmese in Myanmar, which



has continued into the late 20<sup>th</sup> and 21<sup>st</sup> centuries. Mary Kate Long, contributor to the *Asian Journal of Public Affairs*, notes the beginning of this tension in 1823, when large influxes of Bengali and Indian migrants settled in Burma as a result of the British East India Company's victory in the first Anglo-Burmese war (2013, p. 82). These migrants forced out many local Burmese from their jobs, as they were prepared to accept lower wages. Based on research conducted by Moshe Yegar in 1972, Long argues that 1920s marriage laws and "broad-reaching socioeconomic distress" resulting from the worldwide economic depression contributed to anti-Muslim sentiment in Burma (2013, p. 82). Buddhists blamed the migrant groups for their economic woes, and mischaracterized the Rohingya as Indian and Bengali in origin, rather than as Arakan nationals returning to their homeland during the colonial immigration wave. After the British withdrew from Burma in 1942, communal violence between Rakhine Buddhists and Rohingya erupted amid the anarchy. Local Rakhine people viewed the Rohingya as an "immediate threat to the unity and preservation of their culture and language," fearing that Rohingya Muslims would impose Sharia Law (Kim, 2017, p. 111).

These distorted images of the Rohingya and other Muslim groups in Myanmar have continued through the late 20<sup>th</sup> and 21<sup>st</sup> centuries, with social media instigating current public outrage at the Rohingya community. Facebook is the ultimate source of information for most people in Myanmar, and the exceptional ability of misinformation to spread across the social platform has exacerbated the public image of the Rohingya people (Mozur and Specia, 2017). Ultranationalist Buddhists like Ashin Wirathu post updates about the Rohingya being "aggressive outsiders" on their Facebook pages, and civilians and government/military officials alike accept their information as true. Faked videos of Muslims attacking and killing Buddhists

are shared every day among Myanmar's 30 million Facebook users, igniting hatred in Burma against Muslim groups like the Rohingya.

The military has sought to defend Buddhists' right to hate Rohingya, as well, and the military junta government's legacy of rule has contributed to violence against the Rohingya historically and presently. Following British rule, military leaders appealed to the collective Buddhist community to reinforce a national Burmese identity, putting other ethnic groups' considerations to the wayside. After a formal military junta was established in 1962, the government banned the teaching of languages other than Burmese in order to protect the local Rakhine identity and the greater Burmese-Buddhist identity (Kim, 2017, p. 108). In cases where Rohingya militants targeted or were accused of targeting functional units of the state, like security forces or local Burmese/Buddhists in Rakhine, the Myanmar state directly participated or deliberately disregarded its duty to protect Rohingya from Buddhist extremist attacks (Iqbal, 2016, p. 19). In 1978, the government targeted hundreds of "illegal immigrant" Muslims for slaughter under its Operation King Dragon, following the insurrection of Mujahid armed groups within the Rohingya community (Human Rights Watch, 2000a; Kim, 2017, p. 109). Throughout the 1990s, the military junta dismissed Rohingya political parties, denied the Rohingya any form of citizenship, forced Rohingya into labor camps, and arbitrarily confiscated Rohingya property (Human Rights Watch, 2000b; Kim 2017, p. 109). During recent years, military language referring to and actions taken against the Rohingya people have demonstrated the military's protection of a Buddhist-Burmese identity. After three Rohingya were accused of raping and murdering a Buddhist woman in 2016, the military executed ten uninvolved Rohingya men in retaliation (Ramzy, 2017b). The military has regularly called Rohingya "foreign Bengalis," and has referred to their Rohingya victims as "terrorists" or "terrorist sympathizers" whether or not

they were involved with ARSA (Al Jazeera and News Agencies, 2018). Even when acknowledging that the military killed the 10 Rohingya found in an Inn Din mass grave last year, Commander in Chief Min Aung Hlaing referred to the victims as “10 Bengali terrorists” who had threatened and provoked “ethnic Buddhist villagers” (Taylor, 2018)

Additionally, these periods of military crackdown have largely determined the ebb and flow of Rohingya refugees to Bangladesh. During surges of military crackdown on Rohingya in 1978, 1991, and 2012, which are direct responses to Rohingya militants’ violence against the Burmese-Buddhist national identity (i.e. the state), the greatest levels of Rohingya sought refuge in Bangladesh (Human Rights Watch, 2000a; Kim, 2017, p. 108). 200,000 Rohingya between 1977 and 1978, more than 250,000 Rohingya in 1991, and tens of thousands of Rohingya in 2012 fled to Bangladesh (Al-Mahmood, 2016).

Ultimately, this analysis of historical state policy and ethnic divisions in Myanmar assists in identifying the underlying sources of conflict to the 2016-2018 Rohingya refugee and ethnic cleansing crisis, as well as defines the parameters for future resolution to the crisis. Periods of political turnover in Arakan from 1784 to 1826, historical tensions between Rohingya Muslims and Buddhists in Rakhine, and the functional defense of the Buddhist-Burmese identity by the military junta government have contributed to the intense persecution of the Rohingya people today, and incorporating an understanding of the degree of this persecution into potential solutions, rather than adopting blanket solutions in response to the crisis, can create lasting change in Myanmar and Bangladesh for the Rohingya community.

### **Political Limitations to Current Responses: Domestic and International Perspectives**

In addition to responding to the social causes of the ethnic cleansing and refugee crisis, future relief efforts must address the domestic and international political barriers to resolution of the conflict. These barriers specifically include the electoral and legal context of Daw Suu Kyi's rise to power, Bangladesh's duty to its local communities in Cox's Bazar, China and India's relationship with the Myanmar military, the organizational limitations of the United Nations, ASEAN's functioning principles, as well as the legal consequence of state intervention in cases of ethnic cleansing and genocide.

### *Myanmar*

Daw Aung San Suu Kyi's popularity is demonstrable: the Myanmar people affectionately refer to her as "Mother" or "the Lady" of Myanmar (Parker, 2017). However, the military's continued independence and involvement in state policy has greatly overridden Daw Suu Kyi's ability to lead. Myanmar's current constitution allocates 25% of seats in Parliament to military and armed forces, and allows for military-backed parties like the Union Solidarity and Development Party (USDP) to run for remaining seats (Parker, 2017). Additionally, Daw Suu Kyi's attempt to revise the constitution to assume greater authority resulted in the military's assassination of her party's legal adviser, U Ko Ni, at Yangon International Airport on January 19, 2017 (Parker, 2017). Further, the military has retained autonomous control of the armed forces and ministries of defense, home affairs, and borders through Myanmar's regime change.

As such, Daw Suu Kyi, elected in 2015 to lead Myanmar as State Counsellor, has remained largely silent and inactive in reacting to the situation in Rakhine, only speaking twice on the crisis before repatriation agreement talks began. Despite international calls to condemn the violence, Daw Suu Kyi sidestepped allegations on September 19 concerning the violence in Rakhine, and cast doubt on claims by NGOs like Human Rights Watch that the military had

destroyed villages and murdered families (Freeman, 2017; Shapiro, 2017). She noted that the Myanmar government had no intention of apportioning blame or abnegating responsibility, condemning “all human rights violations and unlawful violence” (Freeman, 2017). Her office released a statement on Facebook shortly thereafter criticizing the “huge iceberg of misinformation” related to the Rohingya people’s treatment in Myanmar (Crawford, 2017). Further, Daw Suu Kyi has pushed for a bilateral solution to “the issues facing Myanmar and Bangladesh,” denouncing outside intervention (Cameron-Moore, 2017b).

Supporters of Daw Suu Kyi argue that she is preserving her political capital in a primarily Buddhist country of 52 million that does not see Rohingya rights as a top priority, and in which many view the Rohingya as “foreign interlopers” (Crawford, 2017; Freeman, 2017). Although she was a political prisoner of the military junta government until her election in 2015, Daw Suu Kyi’s opportunity to install a sustainable democratic government in Myanmar outweighs her concern for the humanity and well-being of the Rohingya.

These conditions help to explain the state’s response to the crisis. The delegation of Myanmar disassociated itself from Human Rights Council resolution 34/22, noting that a continuation of the Independent International Fact-Finding Mission on Myanmar would not be a helpful course of action in solving the intricate Rakhine issue, and denied the potential for genocide in Rakhine (Bays, 2017; Win, 2017). In early September of 2017, Myanmar negotiated with China and Russia, both permanent veto-wielding of the U.N. Security Council, to block any investigations in the Rakhine state (Brunnstrom and Irish, 2017). Additionally, the term “Rohingya” is absent from Myanmar’s official statements, and Daw Suu Kyi has asked other foreign leaders to avoid use of the term (Holland and Mogato, 2017). Any confession to ethnic cleansing or genocide undermines Daw Suu Kyi’s popularity with military sympathizers and

anti-Rohingya Buddhists. Any action in coordination with Daw Suu Kyi against the military would have to be conducted diplomatically and through hushed communications.

### *Bangladesh*

The current refugee wave has placed Bangladesh in a unique position either to help or to worsen the situation for the Rohingya. Facing international pressure, the country has established itself as a proponent of human rights, but local community needs are a primary concern as well.

As such, Bangladesh's government has considered local concerns above those of the Rohingya in various instances. Up until September 2017, the Bangladeshi government classified the Rohingya as Myanmar nationals who had "illegally infiltrated" the country and defended authoritative action against the collective Rohingya population (AFP, 2017). In January 2017, Bangladesh planned to relocate tens of thousands of Rohingya refugees to Thengar Char, a remote island in the Bay of Bengal, to keep them from "mixing with the locals" (AFP, 2017). Since 2014, the law has forbidden registrars from officiating at unions between Bangladeshi nationals and Rohingya refugees, and the High Court of Dhaka has upheld this ban into January 2018 (BBC News, 2018).

Every year, the Bangladeshi government bans fishing in the Naf River for a brief period to allow the local hilsa fish to breed (Tan, 2017b). During the refugee crisis, this policy's success has come at the expense of the Rohingya, who have depended on local fishermen to rescue them from the other side of the river in Myanmar, where they are vulnerable to Myanmar military capture. Bangladesh, though facing criticism from the UNHCR to ensure safe passage for the Rohingya, saw the policy to its annual end on October 22, still putting its local needs first.

As mentioned previously, Bangladesh's denial of official refugee status to the Rohingya has precluded them from accessing educational opportunities and the freedom to move within the country. Bangladeshi officials further have banned refugees from taking formal jobs, fearing that the Rohingya would flood the local labor market and drive down wages (Beaubien, 2018).

Finally, even though Bangladesh has played gracious host to the Rohingya refugees, its government has been pursuing solutions that guarantee that the Rohingya will not be permanent residents (BBC 2017). While Bangladesh called for a repatriation process that is different from that of the 1990s agreement and that involves the U.N., the official 2017 repatriation agreement does not formally involve the U.N. and maintains stipulations similar to the 1990s agreement, which forced many Rohingya to return to Myanmar almost involuntarily (Cameron-Moore, 2017b). A future limitation to Bangladesh's support of the Rohingya community, then, is the country's duty to support its own local communities first.

#### *Regional Powers: China and India*

China's pull over Myanmar has become potent, even after the regime change. China is perhaps Myanmar's greatest ally and economic supporter, selling everything from weapons to food grains in the neighboring state (Pant, 2017). When the European Union and the United States initiated various embargoes and sanctions in the early 1990s, Myanmar pivoted to China (Brunnstrom and Irish, 2017). Soon enough, China invested heavily in Myanmar's mining and energy infrastructure, as well as became Myanmar's foremost supplier of fighter aircraft, armored vehicles, guns, and naval ships (Asrar, 2017; Chazan, 2017). As waves of refugees have sought shelter through Myanmar's history, and insurgency groups have challenged Myanmar's government, China has assisted Bangladesh and Myanmar with border control along its "lawless" southwestern borderlands, further strengthening ties (Lee, 2017).

China's support of Myanmar has been reflected in policies related to the refugee and ethnic cleansing crisis, as well. Following Daw Suu Kyi's lead, the Chinese foreign ministry made no mention of "Rohingya" in its official statement after delivering 150 tons of aid, including 2,000 relief tents and 3,000 blankets, to Rohingya refugees in Bangladesh (Gao, 2017). During the U.N. Security Council's first open meeting on the crisis, China's Deputy U.N. Ambassador Wu Haitao asked the international community to "view the difficulties and challenges confronting the government of Myanmar, exercise patience, and provide support," rather than substantiate claims that the military was engaged in an ethnic cleansing of the Rohingya people (Gao, 2017).

As the other great regional leader in Asia, India has been forced to toe a line on the crisis, balancing its demands as the region's (and the world's) largest democracy and its strategic interests in Myanmar. Ultimately, India has prioritized its ability to challenge China politically and economically in Myanmar over its relations with Western democracies on this issue. Throughout the military junta's rule over Myanmar, India ignored abuses against the Rohingya, rarely pushed for democracy, and built relations with military elites. This prioritization has continued through Daw Suu Kyi's administration, as Prime Minister Narendra Modi has enacted projects like the India-Myanmar-Thailand Asian Trilateral Highway, the Kaladan multimodal project, a road-river-port cargo transport project, and the Bay of Bengal Initiative to Multi-Sectoral Technical and Economic Cooperation to foster India-Myanmar economic relations (Pant, 2017). Official statements on the situation in Rakhine have only condemned ARSA's actions, without recognition of the Rohingya's plight.

Further, anti-Muslim sentiment in India has limited the government's motivation to assist the Rohingya. India maintains a large Rohingya refugee community as a byproduct of the 1998



military crackdown in Myanmar, and nearly 10,000 additional refugees have entered the country because of the current crisis (Pant, 2017). India has taken a hard line against the Rohingya, demanding their deportation, refusing to acknowledge the Myanmar military's responsibility in the crisis, and remaining opposed to sanctions on the country. In the wake of India's ultra-nationalist security policies, 40,000 Rohingya that braved long and treacherous travel to India are facing deportation to Bangladesh (Gopalan, 2017).

As U Ko Gyi, a prominent Myanmar democracy advocate who was jailed for 17 years by the military, acknowledged, as the West continues to criticize Daw Suu Kyi and her fledgling democracy, Myanmar will be pushed "into the arms of China" (Beech, 2017). The stronger Myanmar's relationship with China and India becomes, the greater international support the Myanmar military has to continue its violence against the Rohingya community.

#### *United Nations*

The U.N. as an organizational body has utilized its available mechanisms to provide and support relief efforts to the Rohingya in Bangladesh, but it has been unable to address current and anticipated abuses in the Rakhine state, especially at the Security Council level. To intervene actively in another state, the U.N. requires sovereign state or Security Council approval, which has not been granted. Security Council members, especially China, remained quiet on the issue, only suggesting soft diplomacy to rectify the violence, until the United Kingdom and France released plans for a resolution in late October 2017 (Bays, 2017; Yap 2017). Russia and China initially blocked the resolution, but after the United Kingdom and France watered down their language of condemnation and reformatted the resolution into a Presidential Statement, the Security Council unanimously called on the Myanmar government to "end excessive military force and intercommunal violence" against the Rohingya in Rakhine on November 6, 2017

(Cameron-Moore, 2017b; U.N., 2017). Although the Presidential Statement specifically names responsible parties and affected victims, as well as offers solutions to the crisis, its text is not legally enforceable. Indeed, the U.N. representative from Myanmar rejected parts of the statement immediately (U.N. Security Council, 2017).

Although the Security Council has struggled to take effective action in this situation, U.N. agencies have been able to commit attention and resources to relief efforts, especially the UNHCR. The agency's Assistant High Commissioner for Protection, Volker Türk, has called on Myanmar to immediately implement the recommendations of the Rakhine Advisory Commission report that was launched and validated by Daw Suu Kyi (Tan, 2017c).

Other high-profile members of the U.N. have expressed their grave concern over the crisis and have called on the Security Council to take effective action. After visiting Rakhine, Pramila Patten, the U.N. Special Representative of the Secretary-General on Sexual Violence in Conflict, believes that the Myanmar military has committed war crimes of rape and genocide against the Rohingya people. Patten voiced her concerns during the December 5, 2017 Human Rights Council meeting on Myanmar and during the December 12, 2017 Security Council meeting, as well as indicated that she would raise accusations against the Myanmar military with the International Criminal Court (Lone, 2017; UN News Centre, 2017b). The Assistant Secretary-General for Political Affairs Miroslav Jenča highlighted the lack of progress by the U.N. to take action during his speech to the Security Council on February 13, 2018 (S/PV/8179, 2018). U.N. Special Rapporteur on the Situation of Human Rights in Myanmar Yanghee Lee appealed to the Human Rights Council on March 12, 2018 to pressure Myanmar to accept accountability for the genocide of the Rohingya people, as well as called for the establishment of

a U.N. structure based in Cox's Bazar in Bangladesh for three years to investigate, document, collect, consolidate, map" and analyze evidence of human rights violations (UNB, 2018).

Despite these strong calls to act against Myanmar, agencies are restricted in their ability to assist governments without invitation, and these representatives can only request assistance, not provide it. Myanmar still has refused entry to a U.N. panel tasked with investigating the conditions in Rakhine, restricted NGO assistance to Rakhine, and denied U.N. Special Rapporteur Lee's access to the Rakhine state (Lone, 2017; UNB, 2018). On March 19, 2018, reports surfaced that the Myanmar government is contemplating new legislation that would restrict the work of international NGOs like the U.N. within Rakhine, as well (Tribune Desk, 2018). Additionally, neither Myanmar nor Bangladesh has approached UNHCR to discuss the process of repatriation efforts (Greene, 2017). As the U.N. lacks comprehensive measures to address potential forms of ethnic cleansing and genocide, its response mechanisms are limited to local agency action and press releases currently.

### *ASEAN*

Although it is the leading organization for cooperation among Asian countries, ASEAN has observed a non-interference policy when it comes to intra-ASEAN relations for the most part. ASEAN has worked within the framework of a "One ASEAN, One Response" policy since 2016, and without consolidated agreement between all member states, ministers have been hesitant to talk about this issue frankly (Westbrook, 2018). Indeed, the 30<sup>th</sup> ASEAN Summit, held in October 2017, neglected any mention of the Rohingya refugee and ethnic cleansing crisis in its official agenda, and the Sydney Declaration established during the Australia-ASEAN Summit in March 2018 made no specific mention of the crisis either (Lego, 2017; UNB, 2018).

Individual countries' leaders, such as Malaysian Prime Minister Najib Razak and Indonesian President Joko "Jokowi" Widodo, have expressed their desire to react to the crisis cooperatively, but these concerns fall flat in comparison to attention given to the ASEAN's routine discussion of terrorism, the Korean peninsula, and the South China Sea (Lego, 2017). Further, other leaders, like Singapore's Prime Minister Hsien Loong, have defended Myanmar's right to self-governance in this case (UNB, 2018).

Perhaps in part due to this lack of attention to the Rohingya ethnic cleansing crisis, Myanmar has entrusted the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre) as one of the only outside authorities to facilitate humanitarian assistance in Rakhine (AHA Centre, 2017). The AHA Centre has contributed at least 80 tons of relief items to humanitarian assistance in Rakhine since October 2017, but ASEAN as a larger organization has remained on the sidelines of the crisis.

### *The Legal Consequence of Intervention*

Kate Cronin-Furman, a Harvard University fellow studying mass atrocities, notes that states have privileges embedded in the international system, and that generating the will to impinge upon these privileges is difficult (Fisher, 2017). Denouncing the situation as genocide, rather than ethnic cleansing, invites legal consequences for the countries to intervene militarily, as well.

In recognition of the little strategic benefit to intervening, foreign state governments wishing to advocate for the Rohingya are limited to diplomatic channels, economic sanctions against Myanmar, and financial contributions to relief organizations, then. The European Union and its Member States have only recommended the implementation of an arms embargo to

Myanmar and the suspension of invitations to the Commander-in-chief of the Myanmar armed forces and other senior military officers to cooperate on defense strategies (Council of the European Union, 2017). Upon his return from an official trip to Myanmar, Secretary of State Rex Tillerson temporarily suspended travel for American officials to parts of the Rakhine state, and threatened sanctions against the Myanmar government, but no intervention efforts were described (Lederman and Lewis, 2017; Yap, 2017). The United Kingdom recently announced that it was cutting off £300,000 in aid to the Myanmar military, and pledging additional funding worth £12 million to Rohingya relief efforts (“Extra £12m in UK aid,” 2017; Yap, 2017). Japan has also pledged \$23 million towards assisting the repatriation process and developing infrastructure in Rakhine, but this funding has been directly channeled to the Myanmar government (Associated Press, 2018).

The likelihood of European, American, or other Asian state-sponsored intervention for the Rohingya is very slim. As Prashanth Parameswaran, a Southeast Asia security affairs specialist for *The Diplomat*, has highlighted, several European countries are looking to develop arms trade with Myanmar as soon as the existing European Union arms embargo is lifted (Yap, 2017). Intervention against Myanmar’s wishes would likely jeopardize the realization of these arms deals. Overall, efforts to assist the Rohingya community are limited to local action in Cox’s Bazar and inefficient diplomacy at the U.N. and bilaterally with Myanmar. For those in the international community that are seeking resolutions to support the Rohingya, these political barriers to action should be taken into account first.

### **Evaluating the 2017 Repatriation Agreement and Approaching Future Relief Efforts**

As part of the 2017 repatriation agreement, Myanmar intends to resettle 30,000 returning Rohingya at two reception centers and a temporary camp near its border with Bangladesh over a

two-year period (Siddiqui, 2018). Myanmar agreed to accept 300 Rohingya people each day, until three months have passed, at which point the country will accept a greater rate of Rohingya people each day. In time, returnees would be allowed to return to their “place of origin” or “nearest to their place of origin,” but no specified date has been announced (Lee, 2018). Though the resettlement operations were planned to start on January 22, 2018, Bangladesh has delayed plans because the process of compiling and verifying a list of people to send back to Myanmar is incomplete.

Bangladesh’s Foreign Minister A.H. Mahmood Ali noted that arrangements in these villages would be temporary, but temporary shelters for returning refugees established through the last Bangladesh-Myanmar repatriation agreement in 2012 still host those Rohingya (Lee 2017; “Rohingya to stay in temporary shelters,” 2017). The 2017 repatriation agreement also stipulates that “Myanmar will take all possible measures to see that...[returnees’] freedom of movement in Rakhine State will be allowed in conformity with the existing laws and regulations” (“Rohingya to stay in temporary shelters,” 2017). However, because the Rohingya are not recognized as one of Myanmar’s official ethnic groups, current laws and regulations do not grant Rohingya the right to move freely (Ministry of Information, 2008). A spokesman for the Myanmar government, Zaw Htay, noted that returning Rohingya could apply for citizenship “after they pass the verification process,” but this neglects the rights of the Rohingya stranded in Bangladeshi mega camps (Dhaka Tribune, 2018). Without clear expectations that the repatriation agreement will grant returning and remaining refugees a claim to property and a new right to freedom of movement, Rohingya are not guaranteed permanent shelter at their place of residence, nor the ability to travel beyond the camps and recruitment centers.

The repatriation agreement fails to address the history and geographical dispersion of Rohingya refugees, as well. While the agreement accounts for the total of 750,000 refugees who have fled since October 2016, it does not address the estimated 200,000 Rohingya who arrived in Bangladesh during past surges of communal violence and military operations (AFP, 2018). Additionally, an estimated 6,500 Rohingya have taken refuge in a so-called no man's land along the Bangladesh-Myanmar border, and Bangladesh's Refugee Relief and Repatriation Commissioner Mohammad Abul Kalam Azad indicated that Bangladeshi authorities are not including them as part of the official repatriation process (AFP, 2018). Repatriating 30,000 refugees, though a significant task, does not address the nearly 926,500 Rohingya refugees that would still remain in Bangladesh. Additionally, because the repatriation process is voluntary, and many Rohingya are fearful of returning to Myanmar, the 2017 repatriation agreement may not recruit full participation (AFP, 2018).

These repatriation efforts, while politically expedient, are only temporary solutions that do not address what the Rohingya people need and desire based on their history of abuse. Over time, it is necessary for long-term solutions to address sociocultural basis for the crisis comprehensively by opening Rakhine to outside aid group relief and monitoring, rehabilitating the racial and religious tension between Rohingya and Buddhist communities in Rakhine, and incorporating and fully enfranchising the Rohingya people in Myanmar through substantial independent or intergovernmental monitoring. Given the political limitations of Myanmar and Bangladesh, NGOs, other state governments, and the U.N. to address this 2016-2018 Rohingya-refugee and ethnic cleansing crisis as discussed previously, these long-term solutions are important to meeting the needs of the Rohingya people but are almost impossible to ensure currently. Rather, immediate concerns related to humanitarian relief must be prioritized first.

With attention to the current socioeconomic conditions of Rohingya refugees and Rohingya still living in Rakhine, resolutions should address the disproportionate population of fatherless families and orphaned children in Rohingya communities as a result of the crisis. Children and women constitute more than half of the total camp populations, and, according to a survey by Bangladesh's Department of Social Services, a total of 36,673 orphaned Rohingya children live in Cox's Bazar (UN News Centre, 2017a). Rohingya refugees are also facing incredible psychological repercussions from the violence endured outside and inside the camps. Of those living in Cox's Bazar, IOM case workers have identified 14,361 extremely vulnerable individuals in need of substantial psychological first aid (IOM, 2018). The approaching cyclone and monsoon seasons in Southeast Asia threaten efforts on all fronts, as the camps and their personnel are only equipped to carry out temporary relief. Edouard Beigbeder, head of UNICEF programs in Bangladesh, acknowledged the potential for standing water pools to attract malaria-carrying mosquitoes to the camps, as well as the potential of severe flooding in the camps' tents (UN News Centre, 2018)

UNHCR spokesperson William Spindler has noted that there is an urgent need for infrastructure to provide "life-saving services and aid" like water access points, latrines, bathing areas, distribution points, and safe spaces for women and girls (UNHCR, 2017). As international financial assistance continues to pour into relief agencies, NGOs should prioritize efforts to build infrastructure with the Bangladeshi government. The 2017 repatriation agreement may encourage Rohingya refugees to return to Myanmar in the next two years, but as past repatriation attempts have proven in the past, many Rohingya fear leaving refugee camps out of concern for their health and safety. Thus, creating infrastructure, such as easily accessible roads and access to water points, will serve the Rohingya refugees in Cox's Bazar best during their extended stay.



In terms of providing food, immediate medical treatment, and temporary shelter, current relief efforts have been successful. These efforts have engaged a variety of international NGOs, U.N. agencies, the Bangladeshi government, and local Bangladeshi NGOs, with the financial support of individual governments. For example, in the OO zone of the Kutupalong-Balukhali Extension, Action Against Hunger provides food, while local NGO Gonoshasthaya Kendra performs medical screenings, UNHCR distributes shelter kits, and Save the Children assists refugees in building their shelters (Tan, 2017a). This approach to relief efforts, wherein organizations provide a particular need to the affected population, is comprehensive, and can prove beneficial to current residents of Rakhine if Myanmar granted humanitarian access. Additionally, as there is no official Rohingya lobby, advocates should pursue solutions that elevate local and regional actors into “gatekeepers” whose approval is crucial for coordinating international action, according to research by political scientists Alex J. Bellamy and Paul D. Williams (Fisher, 2017). Channeling funds into organizations that are already involved in relief efforts, like Action Against Hunger or Gonoshasthaya Kendra, can make a true impact on the daily lives of Rohingya refugees.

Finally, real-time research efforts that utilize first-hand accounts from Rohingya refugees like the final report of the Advisory Commission on Rakhine State, the United Nations’ January-December 2017 Humanitarian Response Plan, and IOM external updates must be supported through their process to evaluate the changing dynamics of the crisis on the ground to develop new relief priorities.

In terms of addressing long-term strategies to resolution, Myanmar’s alliance with China and India must be broken first. U.N. Special Rapporteur Lee is making official visits to India and China as part of her preparation to report to the General Assembly later this year, and other

efforts diffuse this relationship would be worthwhile (UNB, 2018). Further, while ASEAN as a political unit is precluded from direct intervention in Myanmar, its organizational structure as a dialogue between member states behind closed doors offers an opportunity to work with Daw Suu Kyi on relief efforts privately. The procurement of relief items to Rakhine through the AHA Centre is indicative of the potential for ASEAN to become a forum through which the crisis is addressed practically. One long-term solution could be to pressure ASEAN foreign ministers' attention to the crisis, like protesters in Sydney, Australia did outside of the March Australia-ASEAN summit (Dziedzic & McDonald, 2018). As the profile of the crisis increased between this summit and the last summit, more ASEAN ministers have pushed the issue directly with Daw Suu Kyi.

Ultimately, without a proper response, the situation for Rohingya in Myanmar and Bangladesh could worsen, and the international community could witness casualty rates into the tens of thousands as a result of famine, dehydration, disease, and structural violence. Proposed action to resolve this crisis should acknowledge how periods of political turnover in Arakan from 1784 to 1826, historical tensions between Rohingya Muslims and Buddhists in Rakhine, and the functional defense of the Buddhist-Burmese identity by the military junta government have contributed to physical and social displacement of the Rohingya people from Myanmar, prioritizing these sources of conflict for specific rehabilitation. Further, proposed action should address the developing political contexts underlying Myanmar, Bangladesh, regional powers like China and India, the United Nations, and ASEAN before committing to blanket solutions like economic sanctions or embassy closures. Immediate relief efforts, such as preparing for the monsoon season, improving psychological treatment efforts, pressuring sympathetic actions of the international community to commit funding to local efforts, developing sustainable

infrastructure in Cox's Bazar, supporting on-the-ground reporting and research efforts, and expanding multi-level specialized relief efforts should be the top priorities moving forward.

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