

Refugee crisis in Bangladesh: A case study on Rohingya refugee

Submitted by

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FOREWORD

1. This research is about Rohingya a group of religious ethnic and linguistic minority people of Myanmar but now large in numbers live in Bangladesh as refugees. Currently the Rohingya belong to no state neither Bangladesh nor Myanmar. They became stateless people when Government of Myanmar constitutionally excluded them as its citizens in 1982 enacting Myanmar Citizenship law. Besides, government of Bangladesh has always been reluctant in accepting them even as refugees in its land therefore, the Rohingya now hold the identity of statelessness in Myanmar and bear the fate of refugee-hood in Bangladesh. This research presents a comprehensive picture by giving critically looking and re-looking, at the popular narratives regarding the Rohingya refugee Crisis that both Bangladesh and Myanmar have been dealing with for decades. By doing so, the research provides a counter-narrative to understand the Rohingya refugee crisis from wider, deeper and holistic perspectives.

2. This Reserch is devoted to a study of Rohingyas of Arakan by a renowned historian of sub-continent who has a unique access to rare source material. It is a comprehensive study convering the origin of the Rohingyas, their glorious history, heritage, society, traditions and cultures as well as relations between the Arakan and Bangladesh. The Burma and Rohingyas are no names like Rohang or Rohingya in Burma, and Rohingyas are not national of Burma. But the Research of the paper unearthed that the old name of Arakan is Rohang. The Rohingyas have got a long history, language, heritage, culture and tradition of their own, that they had built up in Arakan by their long and historic settlements. In fact, the Rohingyas have been setting in Arakan for more than a thousand years. Above all, the Rohingyas form a homogenous group in Arakan along Burma-Bangladesh border.

3. The origin of the research lies in an in-depth study conducted by the researcher on the Rohingya; Refugees who crossed over to Cox-bazaar from the Arakan Province of Myanmar. Once the research was completed, the need for publishing it in the form of a research paper was felt, because of the recurring nature of the Rohingya Refugee Crisis. This research deals with the historical background and the socio-economic condition of the Rohingya in Myanmar; the problems faced by them in the refugee camps, the violations of Human Rights by the government of Myanmar and constitution of Myanmar. The researchers have tried to trace the origin of the recent refugee Crisis, the 1982 Citizenship laws of Myanmar by which the Rohingyas have been made foreigners in the country of their birth, where they have been living for generations. The role played by the NGOs and the UNHCR vis-a-vis the Government of Bangladesh was also discussed with special reference to the UN Convention relating to the status of refugees. Finally, the researchers have made a few recommendations which include, amongst other things, to put international pressure on the government of Myanmar to abide by the UN Charter. In particular the Universal Declaration of Human Rights; constant monitoring of the violations of Human Rights by appropriate UN agencies and changing the offending clauses of the Citizenship Act of Myanmar so that, the Rohingya refugees can return home safely and live there as citizens with honour and dignity.

4. In tracing Refugee Crisis in Bangladesh: A Case Study on Rohingya Refugees, the research shows that the Rohingya refugee Crisis was created in the course of several historical trajectories. It has been demonstrated that the Rohingyas are both stateless and refugees. First, they became stateless in their homeland and then eventually they had to embrace the status of refugeehood under conditions of persecution, discrimination and torture. The Rohingya refugees in Bangladesh have continued to remain stateless amid their refugeehood. The causes to their refugeehood can be categorised as primary factors (as enumerated in the 1951 Convention), secondary factors (as identified in the 1969 OAU Convention) and auxiliary factors (such as economic, ecological and demographic change). The denial of citizenship rights, denial of freedom of movement, eviction campaigns, forced labour, expulsion from their lands and property, violence and physical torture contributed to the making of the Rohingyas stateless and refugees.

5. To resolve the present continuing violence requires looking towards the root cause of the Crisis, the occupation, which must be addressed not as through crisis management perspective, but as a comprehensive solution of conflict resolution. But the influence of the Military junta and autocracy of the Myanmar govt are the most important factor to be considered. To encounter the Violation of Human rights law of innocent Rohingya People and pay proper mark of respect to the citizen of Myanmar of Rohingya. Otherwise, it will be far cry for Arakan Muslim to change the fate of Arakan Rohingya, towards Rohingya Crisis. On the ground, world communities should ensure end of violence, to rebuild confidence on both parties and sit for negotiation. If world communities succeed to change the policy autocracy of the Myanmar govt then negotiation can be shifted to UN; and dismantling of Rohingya settlement in occupied territories, rights of refugees, status of Rohingya and deployment of international peace keeper to be negotiated to have a long-lasting comprehensive solution of the problem.

PREFACE

1. At the very outset I want to convey my heartiest gratitude to the Almighty Allah on whose kindness I would dare to start this research. Today's world is inflicted with many problems. Refugee crises is one of them for which the total world community need to come forward with broader and prudent approach bearing the collective responsibility to give refugee crises a proper treatment and solution.
2. There are two critical points in understanding the Rohingya refugee Crisis. First, the causes and conditions of their refugeehood are becoming almost identical. The Rohingyas who fled to Bangladesh as a remedy to their sorrows and sufferings in Myanmar have been witnessing almost the same extent of miserable conditions of their life here. The Rohingyas are living in a state of impoverishment as refugees in camp and non-camp areas of Bangladesh. Second, the dynamics of current conditions of the Rohingyas are creating new questions about their identity. The narratives of the Rohingya refugees clearly demonstrate that they dream a future where hope is the driving force. A democratic Myanmar or resettlement in a third country preferably a developed one or living in Bangladesh marrying a Bangladeshi girl capture some of their dreams, but certainly not all. This can be regarded as the greatest force in their lives. However, it does not mask their traumas they experienced in Myanmar and subsequently in the refugee camps in Bangladesh. Trauma and their traumatic memories will continue to influence their lives and shape their identity.
3. Rohingyas are an unfortunate group of people. Although, they are a part of the Burmese race and have been living in Arakan for thousand years, they have been persistently subjected to presecution by the successive Myanmar regimes. In the past, they were driven out of their homes more than once. Contrary to Burmese laws, the Burmese Constitution and international laws, these ill fated people have been discriminated because of their race religion and culture.
4. The last nail in coffin in these series of repressions and discrimination was the passing of a black law namely, the Citizenship Law 1982 by which the Rohingyas have been made aliens in the land of their ancestors. All these happened mainly because Myanmar has been ruled by dictators; where there was (and there is) no democracy and violations of Human Rights are a common phenomenon.
5. In the autumn of 1991, a new wave of violence and persecution fell upon the Rohingyas. Bare footed, they crossed over to Bangladesh. They came in Bangladesh hundreds and thousands men, women and children, able bodied and ailing. Their number rose to over 2,50,000. Despite its meager resources, Bangladesh provided food and shelter to the refugees. International agencies and NGOs later on came to their help.
6. In April 1992 following international hue and cry and pressure, a high level Government delegation came to Dhaka from Myanmar. An Agreement was signed by which the Government of Myanmar agreed to take back the refugees. Bangladesh Government involved the services of UNHCR. Myanmar government refused to take the service. Repatriation started. But it was halted in December 92, because of allegations by UNHCR that refugees were forced out of Bangladesh, which has been vehemently denied by the Bangladesh authorities.
7. It now appears that Bangladesh and UNHCR have resolved their difference. Repatriation has again started, although at a slower pace. Until the end of April '93 a total of 22,760 refugees have been repatriated. A Memorandum of Understanding (MOU) has been signed between Bangladesh and UNHCR on 12 May during UNHCR Chief Sadako Ogata's visit to Bangladesh. The MOU detailed out a formula to expedite "the safe and voluntary" repatriation of the Rohingya refugees to Myanmar.
8. The principal finding of this study is that gross violation of human rights in Myanmar coupled with the hostile attitude of the government towards the Rohingyas are the main cause of the refugee Crisis. The refugees can go home voluntarily and with dignity, if the Myanmar authorities accept all the refugees, whose

entry into Bangladesh had been recorded by the Government of Bangladesh through refugee Registration cards. The Myanmar Government should not insist upon the refugees that they should prove their citizenship by producing Myanmar citizenship card or National Registration Card. And to finally stop the recurrence of this unfortunate human problem once the refugees are back, there should be international guarantee for the protection of their lives liberty and freedom according to Myanmar Laws and the Constitution.

ACKNOWLEDGEMENTS

1. The number of refugees all over the world has increased considerably because of armed conflicts in various parts of the world. The refugees have become helpless victims but not of their own making. It is important that they are protected and treated humanely in the countries where they take refuge. The period of refuge status may be as brief as a few weeks or may prolong many years. Some refugees are resettled in new countries and some may return to their countries, which may not be to their original homes.
2. The civilian victims of the wars move from country to country as refugees. There are more than 21 million refugees (1998) in the world beside the Palestinian refugees and hundreds and thousands of internally displaced persons. The names of Kosovo, Bosnia, Sierra Leone, Sudan, Congo, Burundi, Rwanda, Angola and East Timor are too dramatic to remind us of the flow of refugees in recent times from these countries.
3. There are many international legal instruments in the field of human rights and refugee. The test lies not with the law itself but how consistency is maintained with the line of interpretation of the legal instruments by the states. The interpretation of a legal document is a dynamic process that must take into account the contemporary conditions. In other words, the interpretation must respond to the contemporary context. It is an area where situations and circumstances of the refugees continue to develop the legal regime. In many areas the refugee law remains unclear even today.
4. The legal "Bible" with regard to the refugees is the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. The core elements of the Convention are: (a) to provide protection to the refugees and (b) not to expel or return the refugees to the country where their lives or freedom will be threatened.
5. During the last 50 years or so the circumstances setting in motion the flow of refugees have changed and there appears to be a demand that the 1951 Convention should be reviewed to meet the present situation. Furthermore the Convention is silent on the responsibility of the State which causes the tragic problem.
6. The Geneva-based Office of the United Nations High Commissioner for Refugees (UNHCR) is the principal agency of the UN to supervise and assist the refugees in co-operation with the State. Its original mandate has been extended to cover the new situations of refugees and the "people of concern". According to a recent publication of UNHCR, it has helped around 50 million people to begin new lives and continues to assist another 21.5 million refugees and other people of concern during 1998. UNHCR operates in 118 countries with a staff of more than 5,500 people and its budget is around US \$ 1.3 billion.
7. The plight of refugees is not unfamiliar to anyone in Bangladesh. Bangladesh had the first-hand experience on the refugee situation. Bangladesh nationals found themselves as refugees in India during 1971 when Pakistan military dictatorship perpetrated unimaginable atrocities including genocide on the people of Bangladesh during the nine-month period of March to December 1971. Bangladesh fully realises the vulnerability of the refugees and opened its frontiers from time to time to the refugees from Myanmar (Burma) for humanitarian reasons, although Bangladesh is not a party to the 1951 Refugee Convention.
8. The research deals briefly with the basic issues of refugees under international law and the position of Bangladesh on the refugee Crisis. I trust the research will be useful to students of law and other persons who are interested in the legal regime on the refugees.
9. I was introduced into the concept by my supervisor Dr. Dil Rowshan Zinnat Ara Nazneen, Department of Political Science, University of Dhaka who drew my attention to its reference in Bangladesh. She introduced me to the wider aspect of Refugee Crisis in Bangladesh: A Case Study on Rohingya Refugee which I was unaware of. I cannot describe in words my gratitude to her for ungrudgingly providing me support to

complete my research work. It was not easy to work on this without her able guidance. Without the help of Dr. Dil Rowshan Zinnat Ara Nazneen, my work might not be completed.

10. I am extremely grateful to Dr. Dalem Ch. Barman, the founder of Peace & Conflict Department, University of Dhaka, Bangladesh for helping me through his endless encouraging comments and all round support to complete the research work. Without his support and encouragement this huge task could not have been possible.

11. I am also grateful to Hasanuzzaman Chowdhury, head of the department of Political Science, University of Dhaka, for helping me through the research work. Who has always been ungrudgingly and generous in providing me the help and guidance I needed from time to time. I needed during the preparation of my thesis. Completion of this research work was only possible due to the cooperation and work of many people. Research is always a product of collective efforts and this time is of no difference. As such, this is an outcome of collective efforts provided by many scholars, friends, colleagues, co-researchers and students who have extended their hands of cooperation in needs. As I always do, I do not mention the names of those who have lent me debt since I believe acknowledgement possesses its gravity, deepness and charms when it is kept un-named.

12. I am also thankful to the Political Science library staff of Dhaka University and different libraries situated in Dhaka & Chittagong for providing me materials from different books and journals. Without the help of the library authority, I might face extreme difficulty to complete my task.

13. My heartfelt thanks go to Dr. Nurul Amin for providing me with whole hearted support. I would like to give my thanks to field level person Commander M Akik (Military person who, for service reasons was present during the repatriation process in the Refugee camp) for his helpful hand extended towards me during my research time and shared with me valuable comments and information. I have also interviewed some excellent persons who have vast knowledge about their specific arena and provided me with information. Finally, few advices were taken from excellent person, which will enhance my horizon in greater aspect.

14. I would like to thank the field level people who were really present in time of Refugee crisis. My glorious service has given me the opportunity to talk with the military person for service reason, who was present in the Refugee Crisis. They have great experiences about the Refugee Crisis in Bangladesh. As a military officer, they got an inherent service opportunity to be deployed in almost all the conflict areas.

15. I have also interviewed Commander Akik for practical knowledge regarding his vast experience of Refugee Crisis in Bangladesh. Since, he was actually deployed during repatriation process.

16. We are greatly indebted to all the government agencies, NGOs with experiences in public and private sectors, academics, civil society and private sector representatives who lent their time and knowledge to this study. This work could not have been accomplished without the splendid support and cooperation of foreign agencies.

17. Completion of this research work required an incredible amount of word processing and other administrative assistance. I am very grateful to Md. Mahbubur Rahman for transcribing and typing many chapters of this text. Here I would admit that most of the photographs used in this research are collected from different websites and I do acknowledge hereby the respective websites.

18. I would say that, the research attempts to provide a holistic and comprehensive approach to understand the Rohingya refugee crisis in Bangladesh, which could be considered as breathing ground for the policy makers and stakeholders to generate effective ways to resolve Rohingya refugee Crisis in Bangladesh. How much it serves its purpose will be judged by the readers although readers are different in their tastes, thinking, political ideologies and socio-cultural background. That is why I always prefer to leave the duty of judgment with the time to come because time is all-time the best judge.

19. Besides, unbounded thanks are due to my family members and service that spared me while attending to their domestic chores and inspired me to finish the work in time.
20. Finally, all praise and thanks are due to Allah, without Whose Help and Guidance nothing can be accomplished.

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Mohammad Shahid Hassan

EXECUTIVE SUMMARY

1. Millions All over the world is currently Refugee as a result of various causes including forcible movements to inhospitable areas, civil wars in which villages have been destroyed and ethnic persecution through government policies. People have been uprooted by persecution, famine and conflict all round the world. This does exist an international regime to safeguard the interests of a certain category of this group- of those coming within the definition of the term 'refugee'. James Hathaway is right in stating that "refugee law serves fewer and fewer people, less and less well, as time goes on." Internally displaced persons form another category of this group which, while being in a position that is worse than that in which refugees are situated, does not come under the protocol umbrella of any international human rights regime.

2. Although refugees have received far more international attention and aid in recent years, the number of internally displaced persons far outweighs the number of those who have achieved refugee status. In fact, the numbers suggest that there are up to twice as many internally displaced persons as recognized refugees. Impossibilities and impracticability in granting assistance, organizing support, and maintaining missions are some of the reasons this large group garners insufficient attention.

3. The number of refugees and internally displaced person all over the world has increased considerably because of armed conflicts in various parts of the world. It is important that they are protected and treated humanely in the countries where they take refugee. Sometimes the refugee status can be given for temporary period. Some refugees are settled in new countries & some may return to their countries but may not be to their original homes.

4. During the last 50 years or so the circumstances setting in motion the flow of refugees have changed and there appears to be a demand that the 1951 convention should be reviewed & guiding principle of IDP should adopt to meet the present situation. Furthermore, the convention is silent on the responsibility of the state which combined tragic problem.

5. The purpose of the research is to high-light the Refugee crisis in Bangladesh and the causes of Increase is Refugee. I will try to analyse a case study on impact of Rohingya refugee in Bangladesh. I will also try to analyze that Bangladesh should adopt the 1951 convention relating to refugee crisis. If Bangladesh adopts this convention, then Bangladesh will be benefited and can exercise 1951 convention to promote and protect the refugee rights and status of the refugee. So, these two conventions must be modified & implemented in Bangladesh.

6. The study will be conducted based on primary and secondary data. Both questionnaire and interview schedule are used as a data collection technique. I shall interview people of that particular area. I shall also interview policy makers to implement the policy and give new ideas to the policy level which is obtained through, after completion of my thesis. Content analysis will also be undertaken. I will collect secondary data from different books, journal, seminars, library, newspapers and the internet.

Chapter-One Is designed to discuss about justification of study. The aim and objective of the research paper is Rohingya Crisis. During the research work area of the study side, application of the research work, methodology of the research, application of the research, limitation of the research and finally conclusion of the research work.

Chapter-Two in this chapter outline has given to discuse about choronological history of Refugees (Past History, a Brief History of Myanmar and Muslim Settlement in Arakan). This chapter also focus Rohingya crisis as per choronological year (1942-1978, 1979-2016).

Chapter-Three Is designed to highlight Rohingya Crisis during the regime of Japan and British Colony and Independence War of Rohingya among the readers.

Chapter-Four Is designed to introduce among readers overall view of the region, to get a real picture Rohingya Crisis in Bangladesh. In this chapter emphasis has given to discuss factor making the Arakan Rohingya the focal point of international politics.

Chapter-Five Is designed to introduce among readers overall view of the Mysterious silence of global community, Muslim world on killings in Burma and reason behind it. This chapter also highlights Message of Nobel Prize winner Aung Sung Suki, UN secretary General Ban Ki Moon and former UN secretary General Kafi Annan Commission.

Chapter-Six is designed to give us real picture of Current situation of Rohingya Refugee, Why are they in trouble? Livelihood activities of Rohingya, Conditions in the camps and outside the camp who are consider illegal immigrants.

Chapter-Seven is designed to focus Rohingya-Crisis Bar between Brothers. This chapter also discussed Bangladesh-Myanmar relations in point of Geo Political, Strategic and Economic issues.

Chapter-Eight is designed to give reader the security aspect of Bangladesh. It also highlight social effect of Bangladesh is facing in the present decade, due to Refugee Crisis.

Chapter-Nine is designed to focus on hosting the Guests, Why did the local society accept Rohingya? And why does the Local Society now Reject Them?

Chapter-Ten is designed to give outline among readers the legal frame work refugee protection. This Chapter also highlights Why BangladeshNeeds Refugee Law? Bangladesh still now has not adopted this refugee convention.

Chapter-Eleven is designed to focus the concept role & idea of Bangladesh govt during the Rohingya crisis (1978-1994 & 1995-2016). So far what are the bio-lateral discussions took place by the Bangladesh Govt and the Myanmar Govt to solve the Crisis.

Chapter-Twelve is designed to highlight Response of the State. So far what are the steps have taken by the Bangladesh Govt to solve the Crisis.

Chapter: Thirteen is designed to give reader The Idea of Intellectual/Awareness people: (1978-1994 & 1995-2016), The Rohingyas are Frequently Coming to Bangladesh, Violation of Rohingya's Human Right.

Chapter: Fourteen is designed to give reader durable solutions of rohingya refeugee.

Chapter- Fifteen is designed to give a case study of rohingya refugee, livelihood activities and repatriation process, Bangladesh Try to Solve the Rohingya Crisis, What are the challenges for Rohingya refugee crisis?

Chapter- Sixteen is designed to give Conclusion about the Rohingya crisis in Bangladesh. Finally some recommendations are made for this purpose.

ACRONYMS

LIST OF ABBREVIATION

BIA	-	Burma Independence Army
AFO	-	Anti-Fascist Organization
BNA	-	Burma National Army

AFPFL	-	Anti-Fascist Peoples Freedom League
BMC	-	Burma Muslim Congress
GCBMA	-	General Council of Burma Muslim Associations
BTF	-	Burma Territorial Force
RLF	-	Rohingya Libaration Front
RPF	-	Rohingya Patriotic Front
ARNO	-	Arakan Rohingya National Organization
ANLP	-	Arakan National Liberation Party
BSPP	-	Burma Socialist Programme Party
FR	-	Foreigner's Registration Certificate
GOB	-	Government of Bangladesh
GOM	-	Government of Myanmar
GCBA	-	General Council of Burmese Association
YMBA	-	Young Mens Buddhist Association
MOU	-	Memorandum of Understanding
NGO	-	Non-Governmental Organisation
NRC	-	National Registration Certificate
RRAC	-	Rohingya Repatriation Action Committee
RRRC	-	Rohingya Refugees Relief and Repatriation Cell
LORC	-	State Law and Order Restoration Council
NHCR	-	United Nations High Commissioner for Refugees
APRRN	-	Asia Pacific Refugee Rights Network
ARNO	-	Arakan Rohingya National Organisation
BDR	-	Bangladesh Defence Riffles (since 2009 officially renamed Border Guards of Bangladesh or BGB)
CiC	-	Camp in Charge
COI	-	Country of Origin Information
DC	-	District Commissioner
DIS	-	Danish Immigration Service
ECHO	-	Humanitarian Aid department of the European Commission
EU	-	European Union
GoB	-	Government of Bangladesh
IOM	-	International Organization for Migration
MFA	-	Ministry of Foreign Affairs
MRC	-	Master Registration Card
NaSaKa	-	(Nay-Sat Kut-kwey) Burma's border security forces
NFI	-	Non Food Item
NGO	-	Non Governmental Organisation
NRC	-	National Registration Card
RRRC	-	Refugee Relief and Repatriation Commissioner
RSO	-	Rohingya Solidarity Organisation
TRC	-	Temporary Registration Card
UNHCR	-	United Nations High Commission for Refugees
UNICEF	-	United Nations Children's Fund

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CHAPTER- ONE

INTRODUCTION: THE ROHINGYA CRISIS IN BANGLADESH

1. **Introduction, Justification of the Study:** This research is about 'Rohingya'; a group of people who have been the residents of Myanmar but now large in numbers live in Bangladesh as refugees. Currently, Rohingya people belong to no state; neither Bangladesh nor Myanmar. Rohingya people became stateless people when Government of Myanmar (GoM) constitutionally excluded them as its citizens in 1982 enacting 'Myanmar Citizenship Law.' Besides, Government of Bangladesh (GoB) has always been reluctant in accepting them even as refugees in its land. Therefore, Rohingya people now hold the identity of statelessness in Myanmar and bear the fate of refugee-hood in Bangladesh. Due to alleged persecution committed by GoM, Rohingyas fled to Bangladesh in different phases and started living as both registered and unregistered refugees. This research is about both categories of Rohingya people living in Bangladesh.

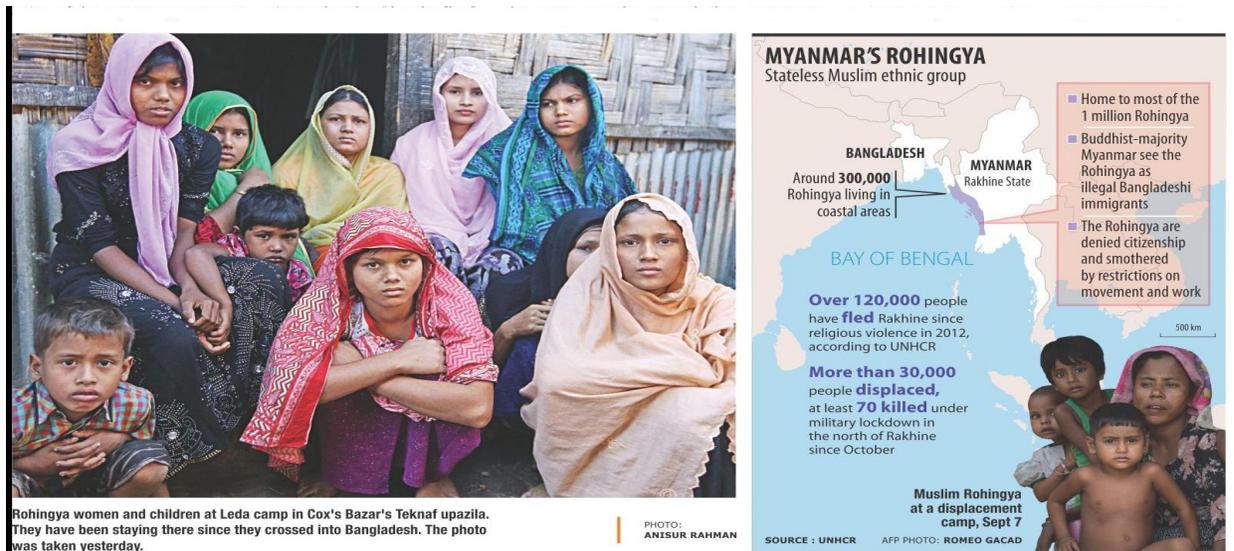


Fig: 01- Myanmar's Rohingya Stateless Muslim Ethnic Group

2. The 'Rohingya refugee' in Bangladesh has always been addressed as a problem but who regards it as a problem from whom, and which perspective, is ambiguous. However, it is imperative to understand the dynamics of problems conspicuously beforehand in order to comprehend the socio-economic, geo-political and regional implications of Rohingya refugee "Crisis". Crisis itself is a problematic concept when it is subjectively made as interest-added agenda (for example some quarter can make Rohingya Crisis for vested interest) but Crisis is used here as an object of analysis and subject of argument. So, the premise whether "Rohingya" is problem, and if so for whom, should be resolved first before any further discussion. In fact, the notion of "problem" itself is problematic since it involves multi-typed interests of multi-layered stakeholders concerned. Why is this Crisis represented as "problem"? Whose problem is this? Is this the problem of GoB or GoM? Is this the problem of local people as host society or state as host country? Is this the problem of UN organisations and other international NGOs involved? Or, is this the problem of Rohingyas themselves?



Fig: 02- Livelihood Activities of Rohingya

3. The research rather inclines to look at Rohingya Crisis from the perspectives of international jurisprudence, under the UN convention of human rights, individual rights to citizenship and others internationally acclaimed human rights charters. It alongside likes to consider the Rohingya Crisis from the perspectives of host-state, its inter-state bilateral & diplomatic relations, its internal socio-economic and political dynamics, crisis of integration in local society and its associate issues in connection with the presence of Rohingya people. Under such normative and pragmatic approach, the research is not persuaded by populist perspectives of presenting Rohingya Crisis.

4. **Aim and Objective, Contents of the Research:** Who are the Rohingya? How, why and under what context and circumstances are they called Rohingya? These are elementary queries that have been elaborately discussed in various chapters of this research and therefore it is needless to replicate in introduction even though it requires herein. Rohingyas are religious, ethnic and linguistic minorities in the state of Myanmar, as per available historical records show, for the last four centuries and perhaps before. Though insignificant numbers were sporadically found earlier, Rohingya people officially appeared in the demographic, political and strategic canvas of Bangladesh in 1978 when about 200,000 Rohingyas fled to Bangladesh due to alleged persecution committed by GoM. Within a couple of years, most of Rohingya refugees were reportedly repatriated to their country of residence, Myanmar, with the help of international intervention namely United Nations High Commission for Refugees (UNHCR). However, soon after GoM enacted 'Citizenship Law 1982' discarding their citizenship rights, Rohingya people have been treated inhumanly, dealt with as unwelcome guests in their homeland, persecuted unexplainably and imposed restrictions on their movement, right to education, freedom of choices and liberty of leading normal life as citizens of Myanmar. Sometimes, GoM behaved so inhumanly that obligated them to flee to Bangladesh as an immediate neighbouring country. Consequently, Bangladesh experienced another phase of huge influx in 1991/1992 and was indeed compelled, for the second time, to provide them with temporary shelter on humanitarian ground under serious international pressure.



Fig: 03- Citizenship Law 1982

5. Since then Rohingya refugees in fact became Crisis for international organizations, UN agencies, different GOs and NGOs, various political parties and finally for the state of Bangladesh. It is because host society started facing acute crises of Rohingya integration in local-societal dynamics in the one hand and Rohingya people on the other hand allegedly created different kinds of problems

including serious criminal offences. Having such public perception, the popular narrative regarding Rohingyas in Bangladesh reveals that Rohingya refugee is a big problem.⁴ It is indeed a problem from the perspective of host society because additional people need additional food, shelter, livelihood, and socio-economic facilities that hamper the regular course of life of local people. Therefore, it becomes problem from the perspective of state that Bangladesh is a poor country and it is really difficult to host a big number of additional people as refugees in its land. Besides, Bangladesh is already an over-populated country and not in a position to carry the burden of more than 300,000 additional people in its land.

6. Rohingya refugee Crisis is a big problem for various national and international human rights organisation including UNHCR as they claim that GoB has been committing serious human rights violation and not providing adequate facilities to lead a minimum standard of human life as they deserve as human beings under international human rights charters. Rohingya Crisis is portrayed as a problem even from the perspective of Rohingya refugees themselves since they quite often, as they claim, experience discrimination, torture and inhuman treatment committed by the law enforcing agencies and the local people in every walk of their life. This research attempts to give a critical look, and re-look, at these popular narratives regarding the Rohingya refugee problem in Bangladesh.

7. **The Purpose of the Research.** This Research is about 'Rohingya', a group of people who have been the residents of Myanmar but now large in numbers live in Bangladesh as refugees. Currently Rohingya people belong to no state; neither Bangladesh nor Myanmar. Rohingya people became stateless people when Government of Myanmar (GoM) constitutionally excluded them as its citizens in 1982 enacting 'Myanmar Citizenship Law.' Besides, Government of Bangladesh (GoB) has always been reluctant in accepting them even as refugees in its land. Therefore, Rohingya people now hold the identity of statelessness in Myanmar and bear the fate of refugee-hood in Bangladesh. Due to alleged persecution committed by Government of Myanmar (GoM), Rohingyas fled to Bangladesh in different phases and started living as both registered and unregistered refugees This Research is about both categories of Rohingya people living in Bangladesh.



Fig: 04- Restore Rohingya Citizenship & Save Rohingya

8. The purpose of the research is to high light the Refugee risis in Bangladesh. I will try to analysis a case study on Rohingya refugee in Bangladesh. I will also try to analysis Bangladesh should adopt the 1951 convention relating to refugee crisis. If Bangladesh adopts this convention then Bangladesh will be benefited and Bangladesh can be exercise 1951 convention to promote and protect the refugee right and status of the refugee. So these two convention must be modified & implement in Bangladesh.

9. **Looking Whole at a Glance, Contents of the Research:** This research consists of chapters that altogether each chapter contains, as it is incisively designed, all indispensable aspects of Rohingya Refugee Crisis in Bangladesh. Every chapter focuses on a particular aspect of Rohingya Crisis; for

example history of becoming Rohingya in Myanmar, their migration & settlement in Bangladesh, political dimension of Rohingya Crisis, crises of integration in host society, traditional & non-traditional security concerns, Rohingya Crisis within inter-state relations between Bangladesh and Myanmar, tensions between the states for Rohingya migration & repatriation Crisis, ecological aspect of Rohingya settlement and forest resources used, education, health, and human rights factors. Therefore, all chapters together constitute a clear picture that facilitates readers to have deeper understanding of the Rohingya Refugee Crisis in Bangladesh.

10. Most of the chapters have come out of a panel discussion titled "Rohingya Refugee Crisis: Legal, Political and Humanitarian Aspect". All chapters accommodated and incorporated the comments and suggestions provided by the scholarly-participants in the conference. Besides, thorough professional reviews, rigorous editorial scrutiny, reorganisation and refinement; all chapters have been contextually, thematically and analytically improved substantially to make research chapters for this volume.

11. **Origin and Development of the Rohingyas in Arakan:** The Rohingyas are the Muslims inhabitants of Arakan. Now it is a part of the Union of Myanmar. Who are the Rohingyas? This is a vital question to the intellectuals of the modern times. Why does this question arise among the scholars or intellectuals? Obviously, there are some historical and geo-political causes behind this question. As a result, to discuss the origin of the Rohingyas in Arakan, it is better for us that we gradually analyse the origin of the words 'Arakan', 'Rohang' and 'Rohingyas' as well as introduction to the land and the people of Arakan along with its early history. To realise the development of Rohingyas as an independent community in Arakan, this discussion is followed by Muslim settlement in Arakan in five distinct phases.

12. **Origin of the Words Arakan, Rohang and Rohingyas:** The origin of the words Arakan, Rohang and Rohingyas are controversial, interesting, traditional, legendary and also historical. All the three words had long enlightened historical background. Master Amanullah, an Arakanese school teacher in history wrote an article on this subject, which was attested by another modern Arakanese scholar like Muhammad Ashraf Alam. They explain that the word Arakan is definitely of Arabic or Persian origin having the same meaning in both these languages. It is the corruption of the word Arkan plural of the word Al-Rukun.

13. There exists some controversy about the origin of the name of 'Arakan' on which traditional and legendary sources differ. In fact, the name of Arakan is of much antiquity. Today the Muslims of Arakan call the country 'Rohang' or 'Arakan' and call themselves 'Rohingya' or native of Rohang. The Maghs called themselves 'Rakhine' and also call the country name 'Rakhine Pye' or country of Rakhine (Amanullah, 1997:4-5 and Alam, 1999: 21-22).

14. After summerising the unpublished Thesis of A.S. Bahar entitled "The Arakani Rohingyas in Barmese Society", at the University of Windsor, Ontario, Canada, M.A. Alam codify the origin of the Rohingyas as follows: "Rohang, the old name of Arakan, was very familiar region for the Arab seafarers even during the pre-Islamic days. Tides of people like the Arabs, Moors, Turks, Pathans, Moghuls, Central Asians and Bengalees came mostly as traders, warriors, preachers and captives overland or through the sea route. Many settled in Arakan, and mixing with the local people, developed the present stock of people known as ethnic Rohingya. Hence, the Rohingya Muslims, whose settlements in Arakan date back to 7th century AD are not an ethnic group which developed from one tribal group affiliation or single racial stock.

15. They are an ethnic group developed from different stocks of people. The ethnic Rohingya is Muslim by religion with distinct culture and civilization of their. They trace their ancestry to Arabs, Moors, Pathans, Moghuls, Central Asians, Bengalis and some Indo-Mongoloid people. Since Rohingyas are mixture of many kinds of people, their cheekbone is not so prominent and eyes are not so narrow like Rakhine Maghs and Burmans. Their noses are not flat and they are a bit taller in stature than the Rakhine Maghs but darker in complexion. They are of some bronzing coloured and not yellowish. The Rohingyas of Arakan still carried the Arab names, faith, dress, music and customs. So, the Rohingyas are nationals as well as an indigenous ethnic group of Burma. They are not new born racial group of Arakan rather they are as old an indigenous race of the country as any others (Alam, 1999: 26).

16. **Application:** The Rohingya Crisis in Bangladesh is a deep-rooted and complicated one. It is difficult to analyse such a crisis within the scope of this reasearch paper. However, firstly, an attempt will be made to narrate the genesis of the problem with emphasis on its background history. Secondly, various conflicts and peace efforts will be discussed briefly along with factors that affect the peace process. Finally, the road to solve the crisis, Rohingya repratration and its future will be discussed.

17. **Research Methodology:**

To prepare this research work two Processes/ method was adopted:

a) **Firstly (Empirical Research Method):** To take interview with some specific question and their responded to get information concern subject matter. To collect information is a part of Empirical Research Method. With the help of question, we can get information regarding entire history of Rohingya. The torture of the Govt of Myanmar, the arrival of Rohingya Refugee in Bangladesh, violation of human rights, internal situation of Myanmar, the arrival of Rohingya Refugee in Bangladesh, their socio-economic condition and also solved the Rohingya crisis permanently. What are the causes of action should be taken by international community and Bangladesh. The idea of intellectual people and advice was taken into consideration for solve the Rohingya crisis. Beside specific question, other question was also raised to solve the problem.

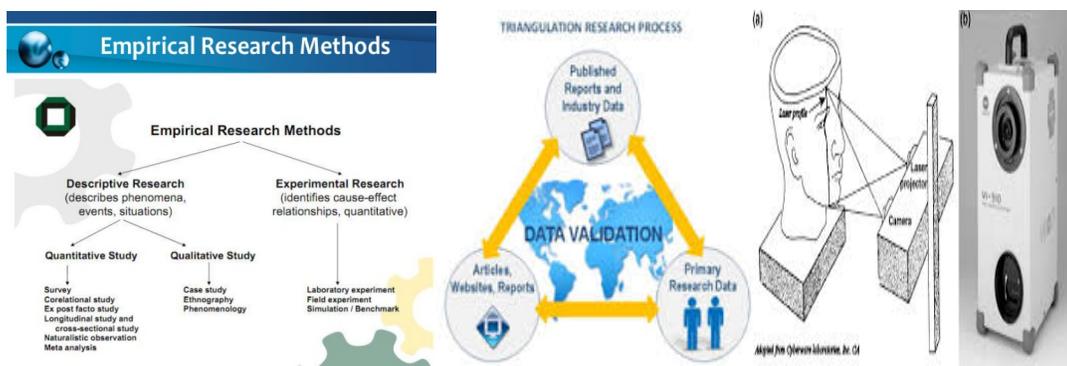


Fig: 05- Empirical & Historical Research Method

b) **Secondly (Historical Research Method):** Rohingya crisis was directly involved with Bangladesh, in this country newspaper many news materials, literatures were written as a result regarding this subject matter. The reflection of idea of Bangladesh was reflected besides UNHCR, The foreign ministry of Bangladesh and Bio-lateral relation between Bangladesh-Myanmar and tries to solve this problem amicably. The contact sign by the both country authority and documents prepared by the both side also reflect the opinion of Bangladesh. Totally center based on Rohingya crisis literature and poetry was published in Bangla, English, Urdu language from this newspapers Govt document, Natinal and international reports and

literature published from with the help of historical research method information were gathered. Afterward to explain the matter and with the help of information from published news paper Govt documents recently literature tries to give a real picture of the Rohingya crisis in Bangladesh.

Rohingya crisis is an international crisis like Kashmir, Palestine, Bosnia and Chischnia. Rohingya are the permanent residence province of Arakan of Myanmar Rohingya crisis not only the crisis of Myanmar or international. It has become the one of the major crisis of Bangladesh; Bangladesh has to face this crisis since herbirth.

18. The triangulation techniques will be applied in this study. Relevant documents, books, journals and worldwide website will be used as secondary sources for collection data. The research will be accomplished using the following methodologies:

- a. **Content Analysis:** Analyzing the contents of different books, journals, daily news papers, periodicals and other documents relating to the issue.
- b. **Interview:** By interviewing different categories of persons who are the contraction parties and specialists in this field Level.
- c. **Participant Observation:** By observing directly the situations happening in this region.

19. **Detail Description of Study Area:**

a. **Application:**

1) Gross violations of Human Rights have taken place in Myanmar. Rohingya Muslim community were tortured and discriminated because of their race and religion. Repeated expulsions of the Rohingya Muslims from their homes exposed the helplessness of this minority community in a country ruled by military junta for decades. The Myanmar Citizenship Act of 1982 is a discriminatory piece of legislation, which offends the Universal Declaration of Human Rights and even the Constitution of the Union of Myanmar. The Law made the Rohingya ethnic groups a stateless one in a country, where they have been living for generations.

2) On the part of Bangladesh, the government did its best to cater for the needs of the refugees in a resource constraint country. On one hand, the refugee crisis reflected Bangladesh government's sincere intention to deal with the issue, on the other; it exposed vulnerability of Bangladesh against outside pressure. It was observed that at some camps, the government officials used coercive methods to send the refugees home. On the other hand, the refugees appeared to be highly politicised as seen from the conditions they put for repatriation.

b. Large populations of Rohingyas also live outside the camp in the south and southeastern parts of the country. The estimates by numerous sources place the figure between 150, 000 and 200, 000 people. They are not recognized as "refugees" (as they are living outside the camp and mixed with the local community) and are seen by the UNHCR and the government of Bangladesh as illegal immigrants. As a strategy to settle down in Bangladesh, the Rohingyas, who have been encroaching in the forest, have attempted to make matrimonial alliance and kinship with local encroachers and villagers within or nearby forests. They are also engaged in illegal felling, hunting and fuel wood collection which are ultimately

destroying the TWS. To save the wildlife sanctuary and biodiversity of that area I have prime concerned to evaluate the main reasons behind it.

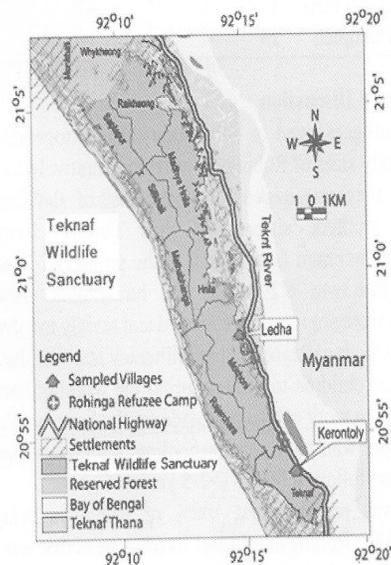
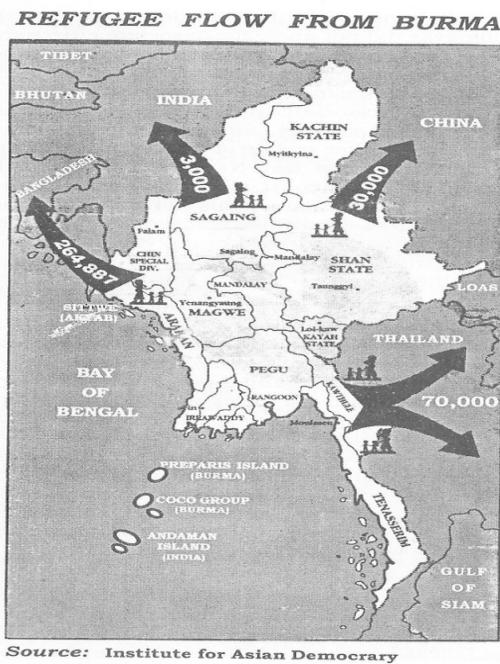


Figure 1: Map of the study area indicating the study villages (Source: Adapted from Uddin and Khan, 2007)

Fig: 06- Refugee Flow from Myanmar

c. I have visited the Kutupalong and Nayapara Refugee camp in Cox's Bazaar district to observe the current situation of Rohingya refugee and their livelihood activities current situation of Rohingya refugee inside the case and outside the camp who are consider illegal immigrants. Therefore, I have also conducted the present Research in two villages namely, Ledha and Kerontoly within the TWS in southern Bangladesh. I have tried to attempt to map out various livelihood activities of Rohingya refugees and assess their overall impacts on the wildlife sanctuary and socio-economic condition of Bangladesh.

20. At first we performed a reconnaissance survey to obtain the preliminary idea of the locality and the people. We conducted our study in two phases; firstly we developed a community profile and then completed the household interviews.

21. **Completion of Household Interviews:**

We selected two Refugee camp out of 120 namely, Kutupalong and Nayapara by multi-stage random sampling. Out of 200 Rohingya households within the two camps, we selected 50 households for interviews randomly (Table 01). Sampling intensity was 20%. From each household, age old male or female was selected for interview because they were experienced and leader of the family. We used a semi-structured questionnaire by which plenty of open ended and closed-ended questions were asked to them. This provided data on the resource collection and amounts of collection from the forest by head loads and shoulder loads. We also conducted a field observation to study the extraction patterns of forest resources.

Table 01: Description of the Sampled Refugee Camp (Kutupalong and Nayapara)

Items	Camp 1 (Kutupalong)	Camp 2 (Nayapara)
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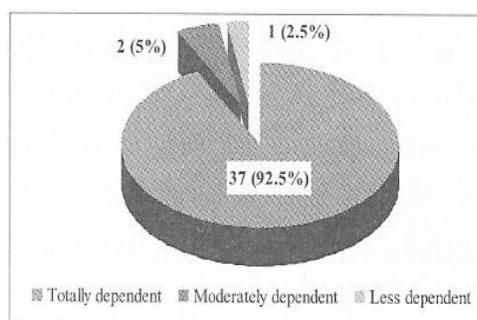
Location	Mochuni beat	Teknaf beat
No. of Rohingya	120	100
No. of Rohingya samblt	25	20

22. **Livelihood Activities of Rohingya Refugees:** We revealed that forest-related activities are an integral part of Rohingya's livelihood activities and strategies. They were engaged in various livelihoods activities such as fuel-wood collection and extraction of other forest products. Rohingya refugees engaged in 13 livelihood activities in the study area, we found that 85% of households were engaged in fuel-wood collection, 50% in grass collection, and 22.5% in illicit felling. These activities have major impacts on the wildlife sanctuary and we classified these as having high risk. We further found that 27.5% of households collected bamboo and extract cane which ranked as having medium risk. We considered collecting medicinal plant and vegetables as well as various types of green and dry leaves and hunting as having low risk. However, other 5 livelihood activities have no impact on TWS.

Table 02: Livelihood Activities of Rohingya Households in the Study Area

No.	Livelihood Activity	Frequency (n=40)	Percentae (%)
01	Fuel-wood collection	34	85
02	Sun-grass collection	20	50
03	Illicit felling	9	22.5
04	Bamboo and cane extraction	11	27.5
05	Medicinal plant & vegetables collection	10	25
06	Green and dry leaves collection	6	15
07	Hunting	2	5
08	Rickshaw pulling	2	5
09	Grocer	1	2.5
10	Fishing	7	17.5
11	Shrimp fry catching	8	20
12	Small business	5	12.5
13	Day labor	19	47.5

23. **Dependency Rate on Forest:** Rohingya refugees lived within and on the periphery of the wildlife sanctuary depending on the forest directly or indirectly for fuel-wood, house building materials, fruits, vegetables, bamboo, cane, medicinal plants, fodder and other products. We found that they depend on forest for many of their daily household needs and also rely on forest products as a source of additional income. I also classified Rohingyas according to their degree of forest dependency: totally dependent, moderately dependent and less dependent. We found 92.5% of the Rohingyas to be totally dependent, 5 % to be moderately dependent and 2.5 % to be less dependent.

**Fig: 07 – Dependency Rate on Forest**

24. **Main Causes of Forest Destruction:** We explore the main causes of forest destruction in the TWS through field survey. We identified 12 causes which included over exploitation of fuel-wood, make fire for better grass regeneration, illicit felling, bamboo and cane extraction, brickfield within the forest, grazing, betel leaf cultivation within the forest, encroachment of forest land, medicinal plant and vegetables collection, green and dry leaves collection, sand and stone collection and hunting. Among these twelve causes, Rohingyas were actively involved with eight activities. However, they were engaged as day labour in the brickfield, sand and stone collection and betel leaf cultivation. Rohingyas were not involved in grazing as they have no cattle. Among all causes over exploitation of fuel-wood ranked as one of the main reasons of TWS destruction.

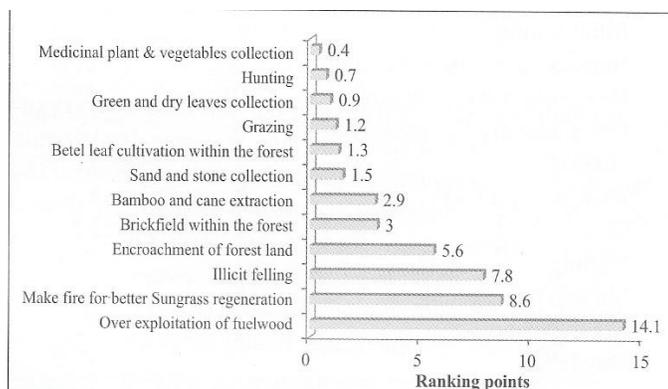


Fig: 08- Main Causes of Forest Destruction

25. **Overall Impacts on Forest Resources:** From the present study, we found that all Rohingya refugees were landless and lived in the encroached forest land. On average, every Rohingya households possess 0.15 ha forest land within which 0.09 ha/households was directly encroached and 0.06ha/households was rented from the local people. We also explored that local people encroached these lands and rented to the Rohingyas. After few years of renting, they claimed as the owners of the land and this is the fashion of land encroachment in TWS.

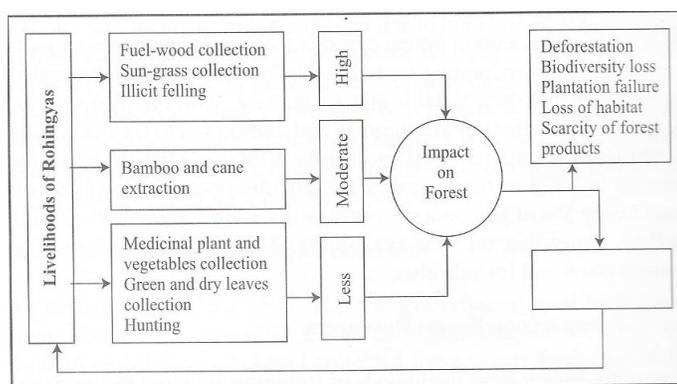


Fig: 9- Systematic Diagram of Rohingyas Livelihood Activities and Impact on Forest

26. But members of the refugee families collect fuel-wood, green and dry leaves which are considered as litter for the forest floor. Removal of litter has no immediate effect upon site quality, but in the long run it lowers the quality of the site and ultimately leads to a decrease in tree growth and makes the site quality poor in nutrients. In addition, they sometimes burn whole areas after collecting grass. These activities cause serious soil erosion during the rainy season, which removes topsoil and degrades the site quality.

27. Following responsibilities are discharged by the GoB staffs in the camps:

a) **Camp In Charge. CIC (Ministry of Food and Disaster Management)**

- i. Maintaining law and order
- ii. Voluntary Repatriation
- iii. Shelter and infrastructure
- iv. Water management
- v. Sanitation
- vi. Overall coordination

- b) **MOH (Ministry of Health and Family Welfare)**
- i. Running out Patient Department (OPD)
 - ii. Running Therapeutic Feeding Centre (TFC)
 - iii. Running Supplementary Feeding ('enter (SFC)
 - iv. Immunization, Family Planning
- c) **Police Camp (Bangladesh Police, Ministry of Home Affairs)**
- i. Assisting the CIC
 - ii. Ensuring security
 - iii. Investigating petty nature of complaints
 - iv. Communicating to police station
- d) **Ansar Camp (Bangladesh Ansar, Ministry of Home Affairs)**
- i. Assisting CIC
 - ii. Ensuring security

Source: Mr. Mahmudul Haque, Camp-in-Charge, Kutupalong Refugee Camp, Ukhiya, Cox's Bazar, 3-6 March 2016.

28. **Shelter:** GoB set up 20 camps in Cox's Bazar and Bandarban during 1991-92 influx to accommodate Rohingya refugees. At present there are only 2 camps (Nayapara and Kutupalong) which accommodate almost 28,000 documented Rohingyas refugees. The sheds for the refugees are built under the supervision of GoB and funded by UNHCR.

Table - 03: Accommodation of Rohingya Refugees in Two Camps

Type of Refugee Sheds in 2 Camps	Kutupalong	Nayapara	Total
Total no. of Refugee sheds	395	431	826
Newly constructed sheds	187	30	217
Under process new sheds	100	04	104
Total old sheds	208	401	609

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit from 3-6 March, 2016.

29. **Educational Facilities:** It was not until mid-1996 that the GoB allowed formal schooling in camps. But in Nayapara, it was not until January 2000 when the children could start school. There are different types of basic education for different age group like Play ground 4+, Pre primary 5+, Primary 6+, Non formal 12+ and adult literacy programme. Education programmes are funded by UNICEF and implemented by Program for Helpless and Lagged Society (PHALS).

Table - 04: Basic Education Facilities at Two Refugee Camps

Name of Organization	Kutupalong	Nayapara	Total
No. of schools	09	08	17
No. of students	3343	3968	7311

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit from 3-6 March, 2016.

30. There is also school snacks programme, which was launched in May 2002. Its positive impact is evident in increased net enrolment rates (92 percent in 2005 compared 88 percent in 2002) and attendance rates (currently 88 percent compared to 76 percent in 2002), which led to an expansion of the programme in 2004.

31. **Security Inside the Camps:** The 1993 Memorandum of Understanding (MoU) between the UNHCR and GoB stipulated that the government was primarily responsible for "safety and security of the Myanmar/Rohingya refugees in the camps and outside and the UNHCR is here to assist the GoB for these purposes and for discharging its international protection mandate" The Camp-in-Charge (CIC) is primarily responsible to ensure security in the camps and they are assisted by the police and Ansar.

Table - 05: Status of Security in Two Camps

Name of Organization	Kutupalong	Nayapara	Total
Cox's Bazar district police	25	15	40
Ansar	44	98	142

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit from 3-6 March, 2016.

32. Moreover there are camp-management committees, Block committees and security volunteers involving the refugees living inside who work for maintaining law and order under the supervision of the CICs.

33. **Limitation:**

a. **Permission:** As my research work will cover a vast area. To collect information from different sources and corner I have to face several limitations. To acquire data form different field level, permission is not obtainable from higher authority and some cases; it is not possible for me to enter that restricted area.

b. **Free Movement:** As a research student I had some obstruction. Freedom of movement was not possible for me to collect information. Even though I have tried my level best to enriched my research work to gave reader a real picture.

c. **Time Frame:** Time frame is given by the authority. Within this short span of time, I had to cover a vast area. Within this time limitation, my reasearch work will not be as enriched as I desire but my whole hearted effort was continued to enrich this research work.

d. **Chapterization:** To complete my research work, I have discussed fifteen chapters in chronological sequence one by one to convey my message to readers and the higher authority. Finally, I gave some recommendation and suggestions in my research paper.

CHAPTER- TWO

ROHINGYA'S IN MYANMAR

CHORONOLOGICAL HISTORY OF REFUGEES

1. **Past History:** Holy Prophet Muhammad (SM) had to leave Mecca for Medina during July and August 622 Together with about seventy followers as his life was in danger. The people of Medina assured that the Prophet would be safe in Medina. The faithful followers who had forsaken their birthplace received the name of Muhajirin (emigrants of exiles) in Medina. Furthermore, it has been an Arabian custom to provide refuge for three days to any person including the enemy if that person took shelter in another person's house.¹

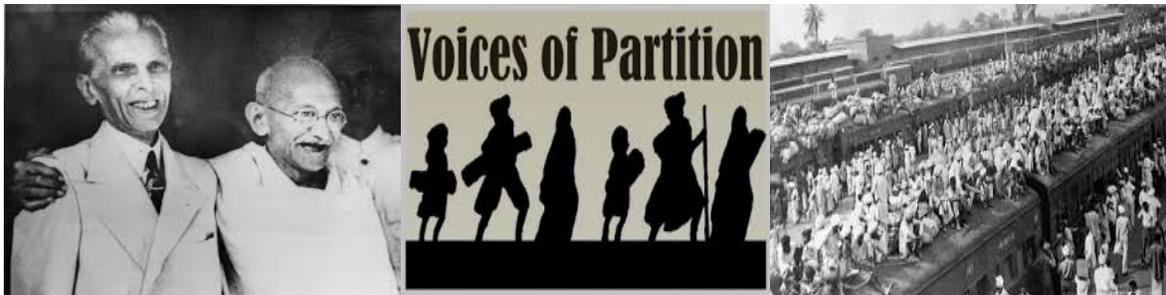


Fig: 10- Voices of Partition

2. The Indian sub-continent saw the forced mass movement of people because of the changed political circumstances. In 1947 after the partition of British India, hundreds of thousands of Hindus and Muslims left their homes either to settle in India or Pakistan for fear of their lives because of communal violence.² Hindus went to India and Muslims came Pakistan, The movement was a tragic tale of events following the partition.

3. Other massive exodus which took place in 1971 is yet another dimension of the same psyche, when the people of Bangladesh were denied right to make a secular choice to form the government for their own, mandated by a legitimate election, In order to deny the right of the elected people to form the constitution and form a government of their own choice they were subjected to the worst genocide known in the history of this region. In order to avoid death and violence and to escape from the rampage in form of i. e. loot, arson, rape and annihilation more than ten million people sought refuge in India. Similar numbers of people as a result were further displaced within the country moving from one village to another and many living as boat people on the reveries of Bangladesh.³



Fig: 11- Liberation War 1971

4. **Recent History** (Rohingya influx Bangladesh period). The third flow of refugees from Arakan to Bangladesh took place in 1978 under General Ne Win. The Burmese immigration and military authorities conducted what they called Operation Dragon King in which citizens were registered and foreigners were screened out in a process prior to a national census. Ne Win promulgated in 1982 .a

new nationality law under which all Rohingyas, who had entered the country after 1983, were declared as floating nationals without a right to acquire property, political, privileges and the right of free movement in the country. This set in motion a regime of serious repression on the Rohingyas afresh. These events provoked the flight of more than 200,000 Rohingya to Bangladesh. The refugees reported that the Burmese army had forcibly evicted them and clamped down on people with brutality, rape and murder. The fourth and most comprehensive flow of Rohingya refugees to Bangladesh took place during 1991 and 1992. The State Law and Order Restoration Council (SLORC) increased its military presence in northern Rakhine State. Mosques were destroyed, religious activities were banned and Muslim leaders were harassed. And the latest started from June 2012.⁴



Fig: 12- Operation Dragon King

5. How many Rohingya infiltrated. Due to lack of proper vigilance on Bangladesh-Myanmar border, a good number of Rohingyas flee into Bangladesh regularly. At present, some 29,000 Muslim refugees from Northern Rakhine State in Burma, known as Rohingya, reside in two camps in the south-eastern district of Cox's Bazar in Bangladesh. They represent the residual population of the 250,000 refugees who arrived in 1991, most of whom subsequently repatriated. In addition, the Government of Bangladesh has estimated that another 300,000 unregistered persons from Burma live in Bangladesh.⁵

6. **A Brief History of Myanmar:** The historical election was held on 08 November 2015 in the Myanmar. The country has fallen into a long colonial regime followed by autocracy Govt. The special incidents of the country are given below:

1885: The last empire of Myanmar was defeated by British and sentenced to the solitary confinement place. Finishing of Buddhist Kingdom and long time colonial regime was established.⁶

1941-45: Japan occupied Myanmar during the tenure of Second World War. During war national leader Aung San fought on behalf of Japanese. But at the end of war for achieve independent of Myanmar he took position against Japanese.

1948: Myanmar got independence from the British on 04 January 1948. National leader Aung San was not visually seen it by his own eyes. He was killed by miscreant few months ago of independent.⁷

1962: Political clash was continued between political leaders. General Ne Win took over the power with the help of military coups. Autocracy Government started the journey in Myanmar.

1988: Start possession due to mismanagement of Economic and suppression of politic. Military Govt kill more than 3,000 people. During that tenure Aung Sung SuKi introduced herself as an opposition leader.

1989: Military junta changed the name of the country from Burma to new name Myanmar.

1990: NLD the party of Aung Sung SuKi won the election by mandate of majority of Myanmar people. But military Junta rejects the result of election and took serious step against the mandate. Aung Sung SuKi was arrested by military junta.

1991: Aung Sung SuKi won the Nobel Prize in arrested condition.

1992: Thain Sain was appointed the new Chief of Army Staff.⁸

2007: Big possession was done with the leadership of Buddhist Vikuk. Military jaunta killed many of Buddhist Vikuk.

2010: Military junta once again gave election in the month of November. In that election USDP support of military junta demanded that USDP won the election. But NLD rejected the election. Aung Sung SuKi was free from arrested condition within one week.

2012: In the election NLD won 43 seats among 45 seats. Aung Sung SuKi was elected the Member of Parliament. Western blockade was removed from Myanmar. National riot started against Muslim Rohingya.

2015: The historical election was held on 08 November 2015. On that election Aung Sung SuKi was elected the President of Myanmar.⁹

7. **Historical Background of Rohingya in Myanmar:**

a. Arakan is one of the states of the Union of Myanmar having 171 mile-long common border with Bangladesh. It is a strip along the eastern coast of the Bay of Bengal from the Naaf River on the border of Chittagong to cape Negaris. It lies between the Arakan Yoma range and the Bay of Bengal.¹⁰ Total area is 14,914 sq miles and population is according to 1987 estimate, 5 million.

b. In antiquity, Arakan was known as Rakhaine and its people were known as Rakhaine-pre (the Rakhaine people). In Chittagong dialect, Rakhaine came to be pronounced as Rohong or Rohang and the people from this land is called 'Rohingya'. The Rohingyas are one of the seven groups-Chins, Kachins, Karens, Kayahs, Mons, Rohingyas and Shans-who, together with the Burmese make up the population of Myanmar estimated at, according to the last Census in 1987, 38 million.¹¹

c. The Rohingyas are the descendants of the Arab seafarers who settled in the coasts of Arakan. The Arabs frequented the Arakan coast since pre-Islamic days. Islam made its appearance in Arakan within fifty years of its advent in Arabia. In the subsequent period, Islam was the linking bond of the people of other races who settled in Arakan.¹² The Turks, Pathans, Persians and Bengalee Muslims are the other peoples of Islamic linkage who settled in Arakan. They intermingled with each other and with the people of other religion and races. The history of Arakan till the Burmese usurpation of political power of Arakan in 1784 was the history of peace, racial tranquility and harmony.

8. **Muslim Settlement in Arakan:**

a. **The First Phase of the Coming of the Muslims in Arakan:** The Arab Muslim traders had good contacts with Arakan and coast of Bay of Bengal for trade and preaching of Islam in these regions. There is a most interesting legend in the society of Arakan regarding the coming of Muhammad bin Hanifa, son of Hazrat Ali (R), the 4th Caliph of Islam to Arakan. On the basis of this legend Shah Barid Khan wrote a (puthi) book in 16th century named Hanifa-o-Kaiyapari. The summary of this legend as narrated by some writers that "In 680 A.D. after the war of Karbala Muhammad Hanafiya with his army arrived Arab-Shah Para near Maungdaw in the Northern Arakan, while Kaiyapari, the queen of cannibals ruled this hilly deep forest attacking and looting the people of Arakan. Muhammad Hanif attacked the cannibals and captured the queen.¹³ She was converted to Islam and married to him. Her followers embraced Islam en masse. Muhammad Hanif and the queen Kaiyapari lived in Mayu range. The peaks where they lived were still known as Hanifa Tonki and Kaiyapari Tonki. The wild cannibals were tamed and became civilised. Arakan was no more in danger of them and peace and tranquility prevailed. The followers of Muhammad Hanif and Kaiyapari were mixed up and lived peacefully" (Taher Ba Tha 1963: 6-7; Lwin, 1960:72-73 and Habibullah 1995: 32-33). How far this legend is historical? No doubt, after the death of Hazrat Fatima (R), Hazrat Ali (R) married a woman of Hanafia tribe.¹⁴ Muhammad was her son. He was known as Muhammad bin Hanafia in stead of Muhammad bin Ali (R). But the later events are very difficult to prove on one hand and the existence of Hanifa Tonki and Kaiyapari Tonki still today is also mysterious on the other. If the legend is true, then we may conclude that the descendants of these mixed people for the first time formed the nucleus of the Muslims in Arakan.

b. **The Second Phase of the Coming of the Muslims in Arakan** is historical events narrated in the Arakanese traditional history. It was stated in the all local histories of Arakan that during the reign of Mahataing Sandya (788-810 A.D.)¹⁵ several Arab ships wrecked off the Coast of Rambree Island, the Muslim sailors and crews fortunately somehow escaped and swam into the shore. They were taken by the people of administration and produced before the king. The king observed the capability and developed cultural life of the sailors. He allotted a piece of land for them and they were allowed to settle there.

c. **The Third Phase of the Coming of the Muslims in Arakan** was held in the beginning of the fifteenth century. The Arakanese king Naramekhla alias Min Sowa Mun was the grandson or great grandson of Minhti. According to Arakanese chronicles, when Min Sown Mun took minister Ananda Them's sister Saw Pu Nyo by force, the minister called upon Ava Min Swe Min Khaung to attack Min Sowa Mun. The Ava king sent his son Min Ye Kyaw Swa to lead the attack. Min Ye Kyaw Swa won the battle and Min Sowa Mun expelled from his kingdom in 1406 A.D., took shelter in Gaur which was the capital of Bengal.¹⁶

1) At that time, Sultan Giasuddin Azam Shah Son of Sultan Sikendar Shah was the reigning Sultan of Bengal. But he could not help the Arakanese King immediately. Because he was busy with more important political and administrative matters. Actually, the political condition of Bengal towards the first quarter of the 15th century was internal chaos and confusion, palace revolution, supplanting of the family of Giasuddin Azam Shah and the usurpation of the throne by Raja Ganesh, a Zamindar and high officer of the time.¹⁷

2) According to Riaz-us-Salateen, Sultan Giasuddin Azam Shah patron of Min Sowa Mun was killed with the complicity of his minister Raja Ganesh in 1410 A.D. who played later on the role of a kingmaker. After Azam Shah, his son Saif-Uddin Hamza Shah (1410-12 AD) was put to the throne. He was removed by the conspiracy of Raja Ganesh. After Hamza Shah, Ganesh placed a slave on the throne in the name of

Shihabuddin Baiyzid Shah (1414-15 A.D.). "A few months after, he was replaced by Ganesh, who now placed on the throne Bayzid Shah's son Alauddin Firuz Shah.¹⁸ When Raja Gonesh found all of his opposition wiped out, and then he himself occupied the throne.

3) Very soon Raja Ganesh died. After his death Jadu occupied in throne under the title Sultan Jalaluddin Muhammad Shah. This Sultan of Bengal restored the Arakanese king Min Saw Mun to his throne after 24 years. About the return of Arakanese, King Abdul Karim observed that- "The Arakanese King returned to his kingdom with all these experiences. Arakan had no proper coinage, they became now acquainted with minted coins, Arakan used Burmese script, literature was not developed, but in Bengal they found Bengali, Arabic and Persian language and literature. So the Arakanese returned to their century with much commitment to a civilized life and a better living" (Karim, 1997: 177-215).¹⁹

4) The process of restoration of Arakanese king was not so easy. The sultan of Bengal sent an army of 20,000 soldiers under the leadership of General Wali Khan in 1430 A.D. On reaching Arakan, Wali Khan betrayed his trust when he saw the situation favorable for him to establish independent authority. He took one of chiefs of Arakan named Tseuka into confidence. Wali Khan established an authority over Arakan with his help and co-operation and imprisoned Min Sowa Mun. The unfortunate king of Arakan escaped and took shelter again to his patron, the sultan of Bengal. Sultan Jalaluddin Muhammad Shah sent second time an army of 30,000 soldiers, under the leadership of General Sandi Khan with an order not only to restore Min Sowa Mun (Narameikhla) on his throne, but also to punish the betrayer Wali Khan. Sandi Khan was a capable general who was able to establish Min Sowa Mun (Narameikhala) to his throne and killed Wali Khan in 1430 A.D. (Chowdhury, 2004: 34).²⁰

5) Arrival of large Muslim population in Arakan by the two expeditions is a remarkable and most important event in the history of Arakan. Abdul Karim explain the matter in the following words: "In both the expedition, many people belonging to the auxiliary force, like carriers, tent bearers, cooks and butlers, washer-men etc. accompanied the actual fighting force, or in other words combatant non-combatant people taken together, several thousand Muslims entered into Arakan in 1430 A.D. while reinstating the ousted king Min-Saw-Mun. It is almost certain that the first expeditionary force did not return to Bengal because they rebelled and they knew what could be their fate if they returned to Bengal. So it is very probable that they remained in Arakan hiding, and settled in villages and out of the way places.²¹ It is also doubtful if all soldiers of the second expeditionary force returned home, because their services were needed by the reinstated king. So these soldiers also helped in swelling the Muslim population as found in later times" (Karim, 1997: 19).²² To sum up the above comments and explanation of an eminent historian we may easily conclude those fifty thousand soldiers and several thousand auxiliary forces who settled in Arakan was the predecessor of the present Rohingyas.²³

6) Shihabuddin Talish, a famous contemporary Mughal historian gives or picture of slave trade of the Magh and Portuguese pirates. He wrote: "They (Portuguese) sold their captives to the Dutch, English and French merchant at the ports of the Deccan. Sometimes they bought their captives to Tamluk and Balasore for sale at high prices. Only the Feringis sold their prisoners but the Maghs employed all whom they carried

off in agriculture and other occupations or as domestic servants and concubines" (Sarker, 1948: 397).²⁴

7) On the basis of the evidence given by the contemporary great historian Shihabuddin Talish, Portugusese priest Fray Sebastian Monique and modern historian G.E. Harvey, Abdul Karim drew an analogy regarding the enhancement of Muslim population in Arakan. He says: "But the Maghs generally did not sell their captives, they employed them in Arakan in low works particularly agriculture, cutting of wood, feeding the animals and felling the trees etc. Their number was not small and an idea of their member may be made from the fact that when the Chittagong port fell into the hands of the Mughals, ten thousand Bengali (both Muslim and Hindu) captives got liberty and they went to their homes. Actually they were not slaves but free men; they were made to slavery. The Kaladan River was origenates from the Chin Hills and falls into the Bay of Bengal. 'Kala' means place occupied by the foreigners. Actually the captives of Magh pirated were made to settle there and they were employed in tilling the soil and developing agriculture. So, these captives also helped in increasing the Muslim population of Arakan" (Karim, 1997: 38-39).²⁵

d. **The Last, But Not Least, The Fourth Phase of the Coming of the Muslims in Arakan:** evants of migration of the Muslims from Bengal to Arakan took place during the time of Mughal Emperor Shah Jahan (1627-1658A.D). He had four sons, Dara Shikoh, Shah Shuja, Aurangib and Murad. They were trained in the art of war, government and administration. Emperor Shah Jahan was able to guess that his four sons would eventually fight amongst themselves to occupy the throne of Delhi after his death. He, therefore, tried his level best to keep them separate giving each of them a shere of governing the empire. Prince Dara Shikoh, the eldest son was kept in the capital by his side; Shah Shuja, the second son was given the viceroy of Bengal and Orrissa; Aurangib, the third son was appointed viceroy of the Daccan, and Murad, the forth son was the viceroy of Gujarat. Under such situation, Shah Jahan actually fell ill in 1658 and for sometime everybody give up all hope of his recovery. Prince Dara Shikoh cut off all communications between the capital and the provinces.²⁶ When the princes leaving in the other provinces did not received any information of emperor's health for sometime, they thought that the emperor was dead and Dara had kept it secret to enthrone himself at the imperial seat of power. The result was the war of succession.

9. In the contest Aurangzib (1658-1707) come out successful and occupied the throne of Delhi. Dara and Murad had been killed. Prince Shah Slinja was defeated and forced to seek shelter to the king of Arakan. With the consent of the Arakanese king Sonda Thudamma (1652-84 A.D.) he arrived with his family and followers in Mrauk-U, the capital of Arakan on 26th August 1660 A.D. and was favorably received by the king who assigned him a residence near the city" (Khan, 1966: 198). In this regards modern historian G.E. Harvey says:

"Shah Shuja came to Arakan as the King promised to provide him with some of his famous ships to take him on the way to Macca; he wished to die in retirement at the holy spot. But when arrived in Arakan with beautiful daughters and half a dozen camel loads of gold and jewels, the temptation was too great for King Sanda Thudamma. Such wealth had never been seen in Arakan before. The king in order to seize all Shah Shuja's treasure had to find out a lame excuse. So, King Sanda Thudamma asked the hand of Shah Shuja's daughter Ameena, though he knew very well that Sultan Shah Shuja would never consent. As Shah Shuja refused the suit, the king ordered him to leave his country within three days. So on 7th February. 1661 AD. Shah Shuja fled to forest with some of his followers. The Maghs chesed them like famishing wild wolves. Ultimately the Maghs caught Sultan Shah Shuja and chopped him into prices.²⁷ The

king seized all his treasure, took his daughters into harrem, and imprisoned the rest of the family. Everyday the gold and silver, which the Arakanese have taken, are brought into the king's treasury to be melted down. A year later he executed them all for so called plotting, including the unhappy princess. (1947: 95-96)"

10. Actually nobody can say how many Muslims were in the retinue of Shah Shuja. On the basis of the available sources and the experience on the history of Bengal and Arakan, Abdul Karim estimated that about one thousand Muslim entered into Arakan during this time (Karim, 1995: 363)²⁸

11. **Conclusion:** The Muslims entered into Arakan from 7th century to 17th century i.e. near one thousand year. The coming of Muhammad bin Hanafila with his good number of followers in Arakan is the first phase of the coming of the Muslims in Arakan which we may called legendary period. Excluding this phase, Abdul Karim sums up the matter in the following words:

12. So by the seventeenth century, the Muslims entered into Arakan in a big way on four different occasions; the Arabs in course of their trading activities including the ship-wrecked ones; the Muslim army, actually two big contingents, in course of restoring the king Min Saw Mun to the Arakanese throne; the captive Muslims carried by the pirates in the 16th-17th centuries; and the family and retinue of Shah Shuja in 1660 A.D. of them, the army contingents who entered into Arakan were numerically very great. They also influenced the Arakanese society and culture in a great manner. In the 17th century, the Muslims thronged the capital Mrohaung and they were present in the miniature courts of ministers and other great Muslim officers of the Kingdom. (Karim, 1995: 40-41)

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CHAPTER- THREE

INDEPENDENCE WAR OF ROHINGYA & CRISIS DURING THE REGIME OF JAPAN AND BRITISH COLONY: 1942-1978

1. Rohingyas were getting all sorts of facilities and opportunity ever religious independence since 1942 except two or more big incident. The relationship between the local Mog and the Rohingya community are so deep, the local Mog considers Bodhist, those who were living in the top of the hilly (named Yecoma) another side of the hill, more close to the neighbors Rohingya.¹ But at the end of First World War whole sub continent started fight against British regime for the Independence. The independent revolution was started with the leadership of Thakin Party. They establish relation with the local Mog leader and create barrier among Muslim and Mog Community and they made master plan before independent to made Arakan United with Myanmar. They establish their dishonest aim against Rohongya Muslim regarding cultural and historical aspect. They spread hate Idea among Mog.² Burma is separated from the British- India in the year of 1937. The administration of British enforced home rule (Local self Government of 1937) and increase power the leadership of Burma with the help of approval of interim local Govt. As a result they gave inspiration of riot against Muslim Community in the year of 1938. They killed more then 30,000 Muslim in the area of Rangoon including lower Burma.³ Following this theory brought blame against Muslims Community the spiritual leader of Goutom Budho in the year of 1940. Thakin party known as National Insurgency Party created riot against Muslim Community as a result massive killing was occured in the year of 1942.⁴ Rohingya crisis mainly spread out in the year of 1942 and still remain that crisis. For discover of Rohingya crisis in this chapter in the year of 1942-1978 for better discussion.

2. **Burma and Rohingya During the Regime of Japan:** Second World War started in the year of 1939, the leader of Thakin Party urged public before independent please don't provide support in the favour of British regime. This discution made British regime angry and British Govt arrested many national leader. During this period thirty members with the leader of (Aung San) fled away to the Japan Govt provide those military training and provide money & their own caretaker they build Burma Independent Army (BIR).⁵ BIA entered into Burma together with Japaness force and 23 December in the year of 1941 in Rangoon (Capital of Burma). British force was surrendering against Japaness force as a result BIA increase their strength. Japaness Air Force carried out heavy Bombard against Akyab on 23 March in the year of 1942, as a result huge casualty occur British Gurkha Rajput and carriers soldiers.⁶ With the increase of Japaness attack British regime has compelled to fied away from Arakan. As a result administrative gap occurred in the Arakn. During this period member of BIA along with Japaness force came as an advance party. Local Mog with the help of BIA took over all the arms and ammunition of millitary in their own hand and carried out massive operation in the area of Akyab, Rasid, Kakak, Mabra, Minbig, Punajue, Baharpore, Mohumuss Paktuli etc in the whole area of Arakn against Muslim Community which is known as renounce "massacre 1942".⁷ They carried out all types of barbarism like killing of women, Child, Old men, Extortion, Rape, Burning of villages with fire. They have aranged a party with the help of dancing party to celebrate their victory day. They kept the head of dead body in the Archary.⁸ To safe from the Attack of Mog Soldiers Millions of Muslim Arakan people try to escape them through "apak" giri road in the northern Arakan. During that time Mudu Budhi Chang area thousands of people were dead. Naff river was abanded with dead body of Muslim Rohingya.⁹ During this period five lac Rohinga's were wiped out from their home and One Lac Rohingya were killed. Many of them take shelter in the Saudi Arab, Pakistan, India, Iran, Irak, UAE and neighbors state of Bangladesh.¹⁰ British Govt establish camp in the city of Subir in the distract of Rangpur. But few of Arakan Rohingya can reached into the camp of subir because the distance of relief camp was far away from the north Arakan.¹¹ The local administration of Cox's Bazar settled refugee in an area near the sea coast which is

known as "Refugee Ghona". After independent of Burma, their Govt was not agreed upon to return back their own land.¹²

3. Japanese fully occupied the Burma and their fascist character was gradually exposed in front of the Burmese people. As a result nationalist's leader felt to wipe out Japanese force from the Burmese land and they realised to need for antifascist reevaluation. They organized Anti-Fascist Organisation (AFO) in the year of 1944.¹³ For that reason they arranged combined military parade with Japanese military force in Rangoon. During the combined military parade 16 March 1945 Burma National Army merges with civil people came out from Rangoon and they took shelter in the different area of Myanmar.¹⁴ BNA started revolution against Japanese force whole over the country on 27 March 1945. Mean-while British force was also advanced with the leadership of William Slim. General Aung San¹⁵ the Chief of Burma National Army met with their British Prime Minister Atuly. Prime minister proposed BNA to give honor as a combined military force with British force. He also proposed British Commander to take part combined military operation against Japanese force, with their combined military operation whole Burma once again came under the British regime on 15 June in the year of 1945 and on that victory day parade in the Rangoon Burma National Army also took part on that parade.¹⁶

4. **Burma and Rohingya During the Regime of British:** All kinds of social and political activities are stopped due to Burma was occupied by Fascist Japanese. After ward again occupied by the British and their activities were getting momentum and British Govt felt that they should announce future plan of Burma with the help of white paper on May in the year of 1945 and this plan should be executed immediately. With that announcement it was said that if Burma totally real by the rule established by the British and introduce a new constitution that was accepted by all of the people. Then dominion status was given to the republic of Burma. But the community adjacent to the border and hilly area like Shan, Carren, Kya, Mon, Chin and Kachin etc were not agreed upon to join with Burma as a result these are were not attached to the Dominion status.¹⁷ Mean-while Burma was once again occupied by the British, The leaders of Nationalist especially Aung Song try to formed political reevaluation all over the Burma. For that reason he retired from the BNA and directly involved with the politics. He gave priority to AFO for all over Burma and established Anti Fascist Peoples Freedom League (AFPFL) on August in the year of 1945. During this tenure General Aung Sang under the Rangoon British Govt was appointed Prime Minister for interim Govt.¹⁸ All Muslim organisations were united with the aim of bring all Muslims were in the flow of Nationalist reevaluation. After four month establishment of AFPFL on 24-26 December in the year of 1945.¹⁹ Siyazi u Abdur Razzak in the Pynmana place arranged all over Muslim conference Muslim association (GCBMA)²⁰ and establishes Burma Muslim Congress (BMC) and he was elected its president. After ward announcement was given it is a part of AFPFL. Keep independent right in the constitution of Burma was illogical and with this announcement Muslims were permanently separated from the main flow of politics. He also advised GCBMA should advice BMC follow the path of AFPFL and join AFPFL.²¹

5. General Aung Sang started visiting programme all over the country due to full fill the master plan imposed upon him. At the initial stage community adjacent to the Border and hilly area were disagreed to get independent together with Burma Community but at last General Aung sang Could make them understand for the sake of independent of Burma they should be united. Community and state base independence should consider Later on. On the other hand arrival of Arakan he could realize the leader of Mog, during this moment it is better option to remain under central Govt instead of decentralize state. As a result whole interest will remain intake. He also promised when Rohingyas were become weak and strengthless then handed over decentralize state to you.²²

6. Be United all the community of Burma and after independent decided the future National Plan discussed regarding this as aspect General Aung San Arranged National Summit in the state of San, name of hilly city Panal. The invitation was given to community of border and hilly area instead of Muslim Community of Arakan. (U Aung Zan Wai) Mog was the representative of Arakan Community

invited in the summit on behalf of the Arakan Community. Decision was taken in the panel Summit. The whole community independent will get momentum after achieving independence from union of Burma. Federal Govt of union of Burma consists of all the representatives of the Nation. Sun and Kiya nation can achieve their full independence after ten years. Federal Govt will liable for ensure all the nation rights, tradition, Language, Religion. But once upon a time traditionally reth Arakan, Mog representative of Arakan were not raising any question or prepare of independent or decentralization of Arakan. Rohingya leader considered was the secret plan of Aung Sang and Mog as a result of political tactics.²³

7. Asper panel summit decision U Chartun was appointed as a caretaker and formed a constitution implementation committee with an aim to "construct a new constitution of independent (union of Burma)" mean-while 19 July 1947 an important meeting was underway at that moment seven top leader General Aung San, U Abdur Razzak were killed by Miscreant. Then U Nue become the prime minister of interim Govt.²⁴

8. In the process of getting independent union of Burma and to get rights of Muslim a separate demand was placed in the memorandum 14 Jan in the year of 1946 the leader of GCBMA in front of British Govt. But their proposal was rejected. Once again 04 August 1947 proposed constitute proposal was given recognized Muslim Community as a minor community and sent a letter to newly appointed interim Prime Minister U, Nur. On 02 October implement constitution committee caretaker U Chen Tun in respond to the letter of the president GCBMA. "As per the Constitution of Burma the Muslim who were born and brought up in Burma took education from Burma and whom parents or any of them (either father or mother) was the citizen of Burma they were considered citizen of Burma".²⁵ But the leader of GCBMA was not satisfied with this answer. In their opinion they thought that as Muslims are minority community in Burma. The representative of Muslim will not able to elected as a member of Law. So in the favour of organisation, it is specified in the constitution article no 87, as per rule to keep in take seat in the parliament for minority community for Muslim Community request was sent to the Govt of Burma. But the request was rejected by the Myanmar Govt.²⁶

9. **After Independent Burma: Arakan and Rohingya:** Burma achieved independent from British regime on 04 January in the year of 1948. Afterward 19 November demand was placed on behalf of GCBMA for safety and security of Muslims as a minor community and resignation of the constitution, Memorandum was placed in different places.²⁷ Shan, Kachin, Kya, Karin and Chin small kingdom get honour of state independence. Like that kingdom Arakan also a separate kingdom and community even though could not achieved a single inch occupied territory by Bodpaya. To get independence with that hope and premise Rohingya gave support to independent revolution leader general Aung Sang. Discrimination behavior of the ruler, created force for living religion of Islam and the name of Unified Culture, the aim was destroy independent community and massive way turn into Burmes procedure their hope took form in to deep frustration.²⁸

10. After independence Burma was ruled over through the democratic process representatives of mass people, and liable to mass people for this activities even though they failed to ensure human rights of Rohingya rather they faced massive killing and destruction fellt into community riot.²⁹ Their democratic process also came in to the end and by military coup. General Ne Win took over power in 1962.

11. The authority of Burma in 1947 with aim in the electoral process establishes new executive Parishod in the voter list, In the name of "Doubtful Citizenship" Law their authority omitted Muslim Community based area from the voter list. The strong personality the first prime minister of U Nur can't gave pay attention to the innocent people of Rohingya rather he failed to ensure minimum requirement of human rights. During the regime of U Nur after independent in 1948 they created

Burma Territorial Force (BTF) with the leader of Mog Deputy Commissioner Kyawu from Arakan. The aim of the BTF was created fear and wiped out Muslim from Arakan. BTF Force Consisted of 99% Mog and under the Law of immigration act. BTF force killed thousands of general people, North Arakan intellectual people, Leader of Village, Ullama and they burnt their home of villages.³⁰ The language of Mohammed Yunus "The BTF Under the direction of the Deputy Commissioner of Akyab district, Kyaw U, a Magh, unleashed a reign of terror in the whole north Arakan. Muslim men women and children were moved down by machingun fire. Hundreds of intellectuals, vellage elders and Ulema were killed like dogs and rats. Almost all-Muslim villages were razed to the ground. The BTF massacre triggered refugee exodus in to the then East Pakistan numbering more than 50,000 people."³¹

12. The Community discrimination was started mainly from the British Authority. Though Rohingya were fighting on behalf of the British and compelled Japanese to leave the land of Burma even though they broadcast "Burma for the Budhist Burmans and Burmese Muslims are Foreign Immigrants or kalas".³² Mog Community for the sake of their own interest they gave priority of this broadcast against the natural identity of Arakan and Govt of Myanmar made a master plan to wipe out Rohingya. On the other hand long path of independent revolution Rohingya's can't create a new leadership as a result there media campain (false Broadcast) proceeded in to the true broadcast. Rohingya are the real citizen of Burma in nature by birth event though they failed to ensure their right into the constitution.³³

13. The leader of Rohingya broadcast a memorandum based on "42 massive killing" to the Burmes Govt and applied for resettlement of Rohingya. But AFPFL Govt rejected all the proposal and withdraw Rohingya from all sorts of the Govt service, reappointed Mogs in their appointment. As a result Rohingya gradually become fighters.³⁴

14. At first, young man named Muhammed Jafar Hoossain Koayal³⁵ or Jaffar Koayal from Akyab introduced free from Escaped Rohingya Muliti revolution. He sang song cowally and known as cowally.³⁶ He introduced song sorrow and sadness of Rohingya, with the help of song brought awareness among mass people and the language of the song was the torture of the Govt among innocent Rohingya and he encouraged young Rohingya to Jain in the revaluation and revolution is the only way point for surveyed of the Rohingya.³⁷ Whenever he went in that places thousand of people listen his revelation song automatically join in the "Mujahid Revaluation".³⁸ He was killed by the miscreant 11 October in the year of 1950. Then Muhammad Abbas³⁹ took over the leadership and he gave inspiration of this revoulation. Revoulation reached into the highest level, on behalf of the Govt tactics was adapted to escape from this revoulation. Besides carnen nation also raised a voice for establishment of own land and betrayed against Govt of Barma. Mog community also establishes a party for the sake of the independent of Arakan and they formed Arakan National liberation party. After independent not crossing ten years independent and established panal summit policy San and Kya nation applicable were taking preparation separated from the central Govt. Rohingya's "Muzahid Revoulation" progress with great success. Mean while some fighter were living from Abbas leadership force and formed Rohingya Liveration Front (RLF) with the leader of Muhammad Kasim⁴⁰ and started revoulation for independent of Arakan. Rohingya Armed force could capable 80% area of north Arakan escaped form Burma ruler. The name of the area was murong, Budhita and Rodinso. The central Govt become worried about it and stop the Muslim revoulation (Muzahid). They adopted political tactics 25 September at night 8 pm Prime Minister U Nue with the help of radio announced rohingya indigenou Ethnic Comunity in the year of 1954. Besides Rohingya would be appointed different important Govt post and appointed them in the different Job. Twice time Rohingya language programme broadcast from Burma radio station. Representatives of Rohingya were also recognized by parliament and other organization. Rohingya's were for the first time getting vote right in the election in the year of 1957 and they won seven seat in the election become member of the parliament.⁴¹

15. To took over the control of Muzahid Govt gave different premise in one side on the other hand they gave immunes military pressure to them and they created torture by combined immigration and Army operation, Union Military police operation etc. With that unstable condition of the country in 1958 Prime Minister U Nue to establish peace and stability of the country handed over power Army Chief of Staff General Ne Une as a caretaker Govt.⁴² After took over power General Ne Une start massive operation against Rohingya as a result more then twenty thousand Rohingya crossed border and took shelter in the Cox's Bazar. The then East Pakistan Governor Zakir Hussain with his leadership discussion was took placed Pakistan-Burma refugee crisis and Est Pakistan created tremendous pressure to the Burmes as result Authority of Burmes Govt considered it was a community tactics by the Aukiyab Mog Community and compelled to return back all refugee into their county.⁴³

16. During this wiped out operation immigration police of Burma arrested thousand of Rohingya from Mudung Mohakuma and they complained against them and their complain specified, they are not the citizen of Burma, they were failed to show any evidence in favour of them, Immigration police filled up their name in the specified form and represented in front of the Administrative Authority and advice them to wiped out Rohingya from Mudung Mohakuma administration. Mohakuma administration signed in the specified form and passed order. They passed order to forced out arrested Rohingya and send them Rangoon.⁴⁴

17. Among the arrested Rohingya named Hassem Ali and Musa of two person appealed in the Burmes supreme count, they are the citizen of Burma and Burmese police arrested them without gave any chance of self defence. Honorable Supreme Count gave released order to the arrested person 04 November in the year of 1959. Among 76 other person again appealed in the Supreme Count. Honorable Count gave released order also to them. Again in the similar fashion 23 arrested people apply to the Supreme Count to give them opportunity for self defence. Afterward the honorable Supreme Count Justice gave order to realize them and passed order and specified those Burmese immigration police has failed to follow two order of the supreme count:⁴⁵

Firstly: The order was released two arrested person name by Hassan Ali and Musa Ali. So it was valid reason for immigration police to release all arrested people in the same process but in reality it was not done by them.⁴⁶

Secondly. Honorable Justice again gave realized order for other 76 arrested person but immigration police once again failed to follow realized order and honorable Supreme Count once again gave released order for more 23 arrested person but every one arrested person was not given released order for same applied complain.⁴⁷

18. In that order it was also specified mohakuma administration with out Justified any reason they singed their specific published form that means few citizen of the country were wiped out from their own homeland unlawful way and disagreed to say them the citizen of Burma. This is a great offence for any one similar to death penelaty for wiped out a person for his/her own homeland.⁴⁸

19. Honorable Court also observed that immigration authority represented some reson to their applied complained these are arrested person does not know how to speck in Burmess language and they also failed to any preveness in favour of citizenship, the specified these reason.⁴⁹ Learned justice in his opinion regarding this aspect, many inhabitants they were different in region, race and community lived in union of Burma. They were many communities in the union of Burma. They do not know how to speck in Burma, so to know the language of Burma is not essential policy for Burma citizenship. Burma's constitution in the article 4(2) it is specified in the order that these who were born and brought up in the

Burma and whose fore father got inhabitant in Burma they are consider the citizen of Burma. That's why all the activities of Mudung Mohakuma Administration and the immigration authority were unlawful. So Honorable Court gave order to release all arrested person as soon as passable.⁵⁰

20. U Nue took over the power from the caretaker Govt Ne Une in the year of 1960 and try to solved the minority community crisis too positive effort under Federation of Burma. With this aim he formed Meyu Frontier Administration given priority of north Arakn. He brought this area directly under the central Govt and announced Rohingya is a renounced community in the different media.⁵¹ To safe Rohingya from the torture of Arakan Mog Community mainly taken this step. Rohingya's were welcomed this effort but on the other hand Mog community considered divide and rule principle by the Burmes Govt and to sate foreigners (kala) in the Arakan they announced it smile step but on the other hand Rohingyas were specified for the survivor of the torture community.⁵² Prime Minister U Nue urged as Rohingya is a peace loving nation their freedom fighter should surrender. All Rohingya Muzahid Surrender their arms respond to the Prime Minister U Nue 04 July in the year of 1961.⁵³ Surrendered Arms on that occasion Vice Chief of Staff Brigadier Aung Gee gave a history speech and that seech was given on behalf of the Burmese Govt.⁵⁴ Brigadier Aung Gee in his Speech specified Rohingya's are the peace loving Nation of Burma, Rohingya's were facing tremendous torture due to mistake made by the Govt of Burma. Today is the day to finish the misunderstanding between two communities and solved all the problem of community.⁵⁵ He also specified that some community may inhabitants in the two side of the border. But for that reason no nation should face the challenged of nationality.⁵⁶

21. It was observed by the non Burmese community after crossing one decade independence of Burma. Most of the Govt ruler behaved with them indiscriminate grievous neglect and mistrust behavior. Revoulation was born between community due to grievous neglet and dominating attitude of ruler. Tht then Prime Minister U Nue regarding existing political crisis to removed discrimination among community he invited a Federal Summit. But Chief of Army Staff General Ne Une was not agreed to leage operation against community opinion. He felt that "during this moment it is urgency to give acceptance of right for different community". So before the moment of finishing summit he took over the power from U Nue without blood shed and made Burma a isolated democracy country and banded all the constitutional right of Rohingya and other minority community.⁵⁷

22. The languages of Mohammed Yunus- in March 2, 1962 Gen. Ne win, the thenBurma's Army Chief, seized power in a bloodless military coup, abolished the constitution and dissolved the Parliament. All power of the states- ligeslative, judiciary and executive had fallen automatically under the control of the Revolutionary Council' (RC) headed by him.⁵⁸

23. General Ne Win came on power at first he announced and banded all the political party and formed Burma Socialist Programme Party (BSPP) consists of 95% military officer and few numbers of Burmese civilian members and established its branch each and every corner of the country. Rohingya's were not agreeing to join in the BSPP on the other hand Mogs were interested to join in the BSPP and mass people of Mog join in the BSPP.⁵⁹

24. Rohingya's are mainly depend on Agriculture even though different area of Arakan including Aakyal many of them were business man. Few of them were leading their live small trade business. The business man of Rohingya becomes economically deprived due to centralization of bank and business industry by Ne Win on the month of February in the year of 1963. Especially exortion and torture were created by the Mog in different issue as a result of fear business mans were taking different style to lead their life. General Ne Une took the pragramme Burmese way to socialism mainly bodhist religion. Nationalism of Burmese and also introduced surprise mixed system of marksbad turn the economic

condition of a country in to severe disaster position.⁶⁰ The total income of Burmese people in the year of 1960 was 670 US. Afterwards introduced a new system the total income of Burmese people reduced into 200 U\$.⁶¹

25. General Ne Une after took over the power he gave inspiration to Arakans Mog to destroy or wiped out Rohingya. He banded United Rohingya organization,⁶² The Rohingya Youth Organisation,⁶³ Rangoon University Rohingya Students Association,⁶⁴ Rohingya Jamiatul Ulama,⁶⁵ Arakan National Muslim Organisation,⁶⁶ Arakanese Muslim Youth Organisation⁶⁷ and Rohingya Student Association⁶⁸ etc. social and cultural organization in the year of 1964 and he also stopped broadcasting⁶⁹ of Rohingya programmed in Bangla language Burma Broadcasting Service (BBS) on October in the year of 1965.⁷⁰ Afterwards he banded all private newspapers of burma in the year of 1966.⁷¹

26. While he performed the president of Muslim congress during that time he successfully conducted mission and very famous and high risking Muslims made visit programme on that time. But after took over power General Ne Une never appoint any Muslim minister or ambassador. Rather he made Arakan administration in Bodihism and sends Muslims police man transfer to the remote area of Burma and many of the policemen were sanded for forced retirement. High official of police went for forced retirement or trenfer from north Arakn to another place. On the other hand Mog were petronaised by the Govt and provide all sorts of facilities regarding job and business aspect. To surviyed Muslim for saved their job or getting promotion and urgent in Arakan option was open and argent for Muslim to leave their religion and take Budhist religion.⁷²

27. During the regime of Ne Une several time announcement was given for the band of coin was created a havoc condition. Arakaness Rohingya's were fallen into the trap of massive loss due to the band of coin 50 TK & 100 Tk on 17 may in the year of 1964. Arakaness Mogs were return back their equivalent deposit money due to highest level of official and local member of BSPP was in favor among them. On the other hand Rohingya's were not getting their deposit money.⁷³ Bedides Muslims back bone were breken due to all business and trade and distribution of retion were handled by the Mogs.⁷⁴ Mean-while food crisis was occurred in Rangoon in 1967, rice was imported from Arakn and send to the Rangoon. Deposit foods and craps of Rohingya by force taken off by the Govt and extortion took place by the military and semi military forces as a result they deposit foods and craps stock becomes zero level. One side banded there absent, extortion of food gain, stopped of Business and announcement of band coin, felt into dying condition due to shortage of food coin, low level of economic condition. On the other hand stopped all the activities of their organization they took off their land occupied against them with the help of the Govt. The torture was petronised by the Govt. In this stage there was no alternative way to save Rohingya from falling into dying condition.⁷⁵ The language of Mohammad Yumis- After the nationalization of the shops, demonelisation and imposition of restriction on movement, the backbone of economy of the Rohingyas crumbled. The military quelled the riots with iron hand killing many persons. During 1967 crisis many Muslims died of starvation.⁷⁶

28. One stage of their torture after one year once again Rohingya Muzahids started a fight against Govt. The name of the revoulution was Rohingya patriotic front, that was started in 1952 and it was continued up to 1982.⁷⁷

29. The Burmese military Govt. became more aggressive against Arakan Muslims. The military officers started operation named Showe Kyi and Kyi Gan without no notice at the late night with their own desire, they carried out operation willingly in the Muslim area with havy arms and they raped innocent Muslim women is not a guilty act.⁷⁸ Renounced Muslim family were taken off with heavy arms and carried out torture in different style also gave threat of their life left them so that Muslim can't raised against them.⁷⁹ Low enforcing Agency gave direct order to the Mog for wiped out

Rohingya. As a result Mog got inspiration and disparate at any time carry out attack against Muslims took off their permanent asset and raped against innocent women. Rohingya people for removed all types of sad and sorrow and get read justice they went to the police station. They were not getting justice instead of them got injustice.⁸⁰ They killed Rohingya by physical torture and raped innocent women extortion of asset and without any cause sent them to the jail etc. without sustained of those torture at last Kyawktow, pautow, Minbya etc area many of Rohingya left their home, all permanent-temporary assets kept, Left the affection of home land take shelter the then East Pakistan.⁸¹ Torture created by the Burmes force massive number Rohingyas arrived their country just after independent of Bangladesh in the year of 1973 and 1974. The then Bangladeshi Govt. gave warning letter to the Govt of Burma due to the reason of stopped torture upon Rohingya and return back Rohingya. They made bound to the Govt of Burma gave shelter to the return back Rohingya and resettled them.⁸² Getting warning letter Govt of Bangladesh after three years in the year of 1978. The military Govt of Yangoon again carried out a severe operation, the name of the operation was king Dragon or Naga Min operation.⁸³ In the year of 1978, 6 Feb, 250 person outside officer with the brave military leader of Min Gong with military arms was coming from Rangoon to Akyab to cheek the nationality of local citizen named national registration card (NRC)⁸⁴ started different types of tortures.⁸⁵ Between this moments more military officer also attended with them 17 Feb near about 400 people Rohingya women were caught by them and carried out inhuman torture.

30. The created resistance against them for this violation of human right and tried to be united Rohingya they become more aggressive.⁸⁶ The hero of operation Colonel Min Gong addressing his speech in the Arakan state hill on 20 Feb and raised alarm if any Rohingya showing negative attitude in the Dragoon operation the result would be devastating and Rohingyas would be wiped out.⁸⁷ After announcement of this they become more aggressive along with local Mog. They started killing, rape, arrest, extortion etc.⁸⁸ 500 Rohingya were arrested in the city of Myebon in the district of Kyauktaw. The name of Dragoon operation 1st March.⁸⁹ 200 Rohingyas were arrested and carried out different style torture from Kyauktaw on 03 March.⁹⁰ On 16 March in the morning they carried out operation in Buchidong, they arrested 300 Rohingya and 100 women were arrested for sexual exploitation. Later on they were taken off from Buchidong to Mudung but unfortunately they were not return back.⁹¹ The Burmese force 26 March burned the villages of Buchidong, Dawinsara, Zadibrung, Kadirpara, Kadibruag, Gonioarpara, Nakindauk, Morissabil, Nguria chaurg, Kynokthi, Hokkapara, Kagyapa, Karbrean, Monirbil.⁹² Unbearable torture created by the Burmes force innocent women were fear of excaped rape Rohingya left all the assets of their homeland, thousands of women, man, old young and baby for the survive of their life. They crossed the Nalf river and take shelter in Bangladesh. More then ten thousand Rohingyas were killed, near about two million Rohingya took shelter in Bangladesh and on their journey between the camp near about forty thousand women, baby and old person were died.⁹³ Huge influxes of Refugees in Bangladesh knocked the whole world including United Nation as a result United Nation High Commission for Refugee (UNHCR) Relief activities of different organization caretaker of Bangladesh Govt. arrangement of different Camps created shelter in the southern side of the country. The then Govt of Bangladesh diplomatic effort, created pressure by the UN and international organization Burmes Govt was bonded to return back these Refugees.

31. **Torture of Rohingya: Present Statistics:** Rate of torture of Rohingya mainly increased in the year of 1942 afterward continued and it increased reached in to the devastating level till up to 1992. The statistic of important for true history in (1942 up to 1978) is representing here. After 1992 the torture of Rohingya history state in the separate chapter.

32. 14 big operations were carried out by the Govt of Burma with the basis of their master plan (since 1948 up to 1978). They confidently violated human rights and created massacre/havoc and

destroy the life of Rohingya.⁹⁴ The operation carried out against Rohingya (since 1948 up to 1978) among description of main eleven operations is shown in the table.⁹⁵

Table-06: Military Operation Against Rohingyas in Arakan

S. No	Name of Operation	Area of Operation	Year
1.	Burma Territoria Force Operation	North Arakan	1948
2.	Combined Immigration & Army	North Arakan	1955
3.	Unoin Military Police Operation	North Arakan	1955-59
4.	Captain Htin Kyaw Operation	Bangladesh Border Area	1959
5.	Shwe Kyi Operation	Whole Arakan	1966
6.	Kyi Gan Operation	Whole Arakan	1966
7.	Nagazin Ka Operation	Whole Arakan	1967-68
8.	Myat Mon Operation	Whole Arakan	1969-71
9.	Major Aung Than Operation	North Arakan	1973
10.	Sabe Operation	Whole Arakan	1974
11.	Nagamin (Dragon Operation)	Whole Arakan	1978

Source: Offiec of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

33. Operations are started in the table basically conducted mainly maintain peace and security of the country but unfortunately it was the master blue print plan of (wiped out) Rohingya. The most dangerous operation was BTF, Shew Kyi, Kyi Gus, Major Aung Than, sabe and dragon operation among eleven operation on the basis of the master plan of Govt conducted these operation, killed thousand of Rohingya and millions of Rohingyas were wiped out from the country. After Nagamin operation more severe operation carried out in the year of 1979 and 1992 millions of Rohingyas were wiped out. Many of them return back thousand of Rohingyas took shelter Refugee camp of Bangladesh or out side of the camp different places they remain in Bangladesh.⁹⁶

34. Burmese Govt. announced implement of new constitution BSPP in 1974. The name of the constitution was first people's congress (Pyethu Hlutn Taw). They declared Burma as a "Bodhist state" with the help of autocracy Govt. They became more disparate and as per their plan they created riot different place of Arakan continuously. The aim of the riot was to vanish Muslims.⁹⁷ The description of the riot against Rohingya's in few area are represented under table:

Table-07: Riot Against Innocent Rohingya in Arakan⁹⁸

S. No	Effected Area	Year
1.	Akyab	1967, 1976, 1985
2.	Kyaukpya	March 1976
3.	Sandoway	1978, 1984
4.	Taungup	May 1984
5.	Gwa	May 1984
6.	Rahanri	March 1976
7.	Buthidaung	1976, 1978, 1984, 1985
8.	Maungdaw	1967, 1976, 1978, 1985
9.	Cheduba	May 1984

Source: Office of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

35. Rohingya miximum inhabitant area in the Arakan besides riot was conducted against Rohingya by the total local Mog community mainly the name of Muslim area given on the table. Regarding this aspect list of riot occurred during the year of 1942 to 2000 was not possible. But during the year of 1967-1985 year riot conducted in the nine city area summary was specified. It is mention that among 11 areas the most riots were conducted in the area of Akyab, Buhidong, Mudung and Sarduet the reason behind it most of the communities are Rohingya. Mainly Rohingya's were whiped out from the inhabitants of Rohingya and try to resettle Mog. The riot was conducted by the Govt in order to made Rohingya community into minority community.

36. Not only operation or make riot besides the authority of Burmese were taken more stops to vanish Rohingya. The authority imposed high tax only product of agriculture and imposed tax was not paid by the Rohingya. Their house was blocade by the Mog and took off deposit food gain by force. Different way different time many of temporary assests were banded. At the same time Govt of Burma land and assests of Rohingya took off in unlawful way. The mass movement of people turned Rohingya community into minor community. They established new Mog inhabitants in their banded land.⁹⁹

37. Strick restriction imposed upon for the internal movements of Rohigya. They can't moved from one place to another place without the permission of Govt.¹⁰⁰ Everyday thousand of Rohingya women, man and young man were taken of from the home and compelled them to wark hard in the Govt job and security forces by force without paying wages. If Rohingas demanded their wages or not agreed to do hard work they have to face inhuman torture and even death also. To provide regular food and other necessary materials for military and discipline organization was mandatory for Rohingya.¹⁰¹

38. They were not destroying only life and assest of Rohingya, even religious organization was not saved from the hand of Burmese Govt. They were destroy and whiped out huge number of Mosque and Madrasa like Budhidong city area market Mesque, Rahambi and Gowar main Masque, Ambori, Akyab, Kywuk, Nimy Mosque and the city of Budhicang Tong Bazar Darul Ulum Madrassa include other Madrassa. At the same time the city of kyuk Piu Madressa was destroyed.¹⁰² The land of walf preperity like Akyab Zame Mosque, Piyaktali in Akyab other walf property, the Graveyard of mudung, the Graveyard of the village of Gakura and the city of Kayuk Piyuk Graveyard and many Graveyard turn into the field of crops and made toilet for mass people.¹⁰³ The Holy Quran and religious books were destroyed by them and used them as packing materials.¹⁰⁴ The restricted imposed upon regarding sloughtering cow in the Kuirbani. Regarding these aspect more than five thousand inhabitans lived in a village. Only one cow and two goats were allotted for them for the sacrifice of the Kurbani.¹⁰⁵ No Muslims were allowed for performing their Holy Hazz singce 1962 to 1980. There was no scope for lessons learn regarding religious aspect in the school and college.¹⁰⁶ The statics of Rohingya torture derived from different sources since 1942 to 1976 were marked in the table.

Table-08: The Statistics of the Torture of Rohingya (1942-1976)¹⁰⁷

S. No	Offences	Numer Appx	Remarks
1.	Destroy of Houses	692	Whole Arakan
2.	Explosion	5,00,000	Whole Arakan
3.	massacre	1,00,000	Only year of 1942
4.	Wounded	5,000	Whole Arakan
5.	Rope	1,500	Whole Arakan
6.	Murder	5,000	
7.	Confinement	3,000	

8.	Destroy Mosque, Madrassa	600	Arakan
9.	Destroying off Religious book	2,00,000	Arakan
10.	Band of walf land and trest	2,000 Acor	Arakan
11.	band of land assestete		Arakan
12.	Removed from Govt service (17)	10,000	Arakan
13.	Asper Govt state they left the country	20,000	As per the statement of the Govt. they left the country.

39. Specially, statistics given in the table after massacre occurred after 1942 then subsequently up to 1976, happening without any major operation. Rohingya patriotic front was given state 1955 up to 1978 with in 23 years. They killed more then 30,000 (Thirty Thousand) Rohingyas and near about five million Rohingyas were fled away and bond to take shelter in Bamgladesh escaped from Burmes.¹⁰⁸ Rohingyas took shelter in Bangladesh king dragon operation in the year of 1978 statics in specified in the following table:

Table-09: Rohingya Refugee Takes Shelter in Bangladesh up to 12 July 1978.¹⁰⁹

S. No	Name of the Camp	Name of the Refugee		Number of Birth-Death	
		Registerd	Waiting List	Birth	Death
1.	Dhechue Palang (1)	23,202	-	53	-
2.	Dhechue Palang (2)	27,199	-	87	-
3.	Dhue Palang	20,753	-	48	77
4.	Kutu Palang (1)	10,030	16	57	162
5.	Kutu Palang (2)	15,150	-	20	124
6.	Tasjuman Para	13,011	63	37	102
7.	Whykong	14,516	-	47	84
8.	Nila	26,236	-	118	205
9.	Ledha	20,189	-	117	553
10.	Gum Dum	7,312	-	45	71
11.	Nykhong Chori	21,690	-	62	114
12.	Dhunya Palang	-	3,811	2	2
13.	Morecha Palang	-	2,064	2	-
Total		1,99,288	5,875	695	1,494

Source: Offiec of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

40. It is specified in the statistic more then two mollion people took shelter in Bangladesh mainly the number was more then that. The statistic of Red Cross Society in Bangladesh stated that the number of Rohingya was 2,22,535 took shelter in Bangladesh.¹¹⁰ But beside listed Rohingyas more then Rohingya among many of them scattered way lead their life and subsequently. They remain here to lead their life. [Total number of Rohingya more then three million] in the year of 1948-1978.¹¹¹ The picture of Burmese ruler described by Abdul Mabud Khan in his opinion says- The ruling Govt. of Burmese of this country was not taken any necessary steps development and progress of Arakan kingdom in the year of 1948-1978. Arakan still remain as a middle age condition regarding Education, Social and Economic surprise thing is that near about 40 million people inhabitant in Arakan only seventeen high schools and only intermediate college. The communication of Arakan still remains middle stage life. Only 45 mile bricked road remain in Arakan (The brick road from Rathidong to Budhidong). No rail road is established in the Arakan since early age to modern age. Paddy is main resource of Burma for earning foreign currency. Arakan is the main contributor to supply paddy even

though there was no development work occur in that place. No small industry was build up even today. Three hospitals were established with 260 beds for the treatment of more then forty million people in the Arakan. With this present circumstance the rule of Burmese seems to be colonial rule. It becomes regular phenomena for murder, extortion, rape, inhuman torture and uncontrolled situation.¹¹²

41. **Independence War of Rohingya:** Barbarous torture of military forces and Mogs the life of Rohingya turned in to a critical stage. Among them few intellectual person, graduate from university and general educated person formed Rohingya independence front (RIF). The aim of this plan was in the year of 1970 with strick secret plan against autocracy Govt. of Burma. With in a short span of time few branches of RIF established in the city and rural area of North Arakan. With this organization they communicated with other countries and achieved support from them for their new fight against Burmese Govt. They also tried to be united some scattered Mujahedis group. The leaders of RIF Muhammad Sultan on behalf of Rohingya raised voice against continuous murder, rape, torture, exertion and get out from their own house. But RIF's leader also faced different types of inhuman torture at last he took shelter in east Pakistan.¹¹³

42. Initial stage in the year of 1973 Rohingya formed a Rohingya patriotic frost (RPF) political organization for fight of independent war. Their activities remained in the area of North West Arakan. Due to the clash of leadership, as a result in the year of 1978 that organization was divided and formed a new organization named Rohingya Liberation Front (RLF).¹¹⁴

43. It was specified earlier, since forty years (Mujahid Movement), Rohingya Liberation Front (RLF) and Rohingya patriotic Front (RPF) with in the Arms fighting up to introduction of 80 century fight for independent leadership and weakness of organization. Thought without reality, need of mass communication etc because they can't bring glory. Rohingyas become main Refugee due to Dragon operation in the year of 1978. Later on they got opportunity for deep communication and establish relation. Lesson learnt from past weakness and realized modern reality and escaped Muslim community from injustice, torture, extortion with that aim Rohingya solidarity organization (RSO) was establish in the year of 1982.¹¹⁵ Demand of education for young students and aim to establish Islamic inspiration, as a result they established a separate organization. On 08 September in the year of 1988 different way the name of the organization was "Ittehadud Tullabil Muslim".¹¹⁶

44. Rohingyas were getting privileged to lead their life of basic right and birth land their own home. At the end of last British regime, they can't create any leader in case of leadership. As a result at the end of British regime the leader of Thakin party can fulfill the demand of their desire. On the other hand Rohingya in this aspect fully failed to fulfill their demand. For hope of getting independent they supported the National leader General Aung Sun but at the end they can't brought any success. Rather after getting independent since from then the rate of torture were increased a lot. Rohingyas were performed the duty of administrative and different organization as a result they have influenced in the nationalism. Later on Rohingya were suspended all sorts of rank. Jafar Kowal tries his best level for defend of Rohingya but after his death internal clash and different causes created discrimination and after ward new groups were raised different process due to evaluation of crisis.

45. But no groups were successful. Regarding their aspect the leader of Rohingyas interest and disqualification was the main cause for this failure. Besides U Nur Govt. gave hope for fulfill the demand of Rohingya as a result evolutions was stop. The bands of political, civil and cultural organization were done during the regime of Ne Une. The tactics of Govt was for band of coin in order to create economic crisis. For self defesce forced educated rich Rohingya to left the country and also remained behind in education and culture made Rohingya revolution in to failed state. Rohingya

become most deprived violation of human right nation in the world. So to solve this problem amicably international community requires taking more positive step.

46. **Recent History (Rohingya Influx Bangladesh Period):** The third flow of refugees from Arakan to Bangladesh took place in 1978 under General Ne Win. The Burmese immigration and military authorities conducted what they called Operation Dragon King in which citizens were registered and foreigners were screened out in a process prior to a national census. Ne Win promulgated in 1982. A new nationality law under which all Rohingyas, who had entered the country after 1983 were declared as floating nationals without a right to acquire property, political: privileges and the right of free movement in the country. This set in motion a regime of serious repression on the Rohingyas afresh. These events provoked the flight of more than 200,000 Rohingya to Bangladesh. The refugees reported that the Burmese army had forcibly evicted them and. clamped down on people with brutality, rape and murder. The fourth and most comprehensive flow of Rohingya refugees to Bangladesh took place during 1991 and 1992. The State Law and Order Restoration 'Council (SLORC) was increased its military presence in order to ensure security in northern Rakhine State. Mosques were destroyed, religious activities were banned, and Muslim leaders were harassed. And the latest started from June 2012.

47. **How Many Rohingya Infiltrated:** Due to lack of proper vigilance on Bangladesh-Myanmar border, a good number of Rohingyas flee into Bangladesh regularly. At present, some 29,000 Muslim refugees from -Northern Rakhine State in Burma, known as Rohingya, reside in two camps in the south-eastern district of Cox's Bazar in Bangladesh. They represent the residual population of the 250,000 refugees who arrived in 1991, most of whom subsequently repatriated. In addition, the Government of Bangladesh has estimated that another 300,000 unregistered persons from Burma live in Bangladesh.

48. **Conclusion:** The Muslims entered into Arakan from 7th century to 17th century i.e. near one thousand year. The coming of Muhammad bin Hanafia with his good number of followers in Arakan is the first phase of the coming of the Muslims in Arakan which we may call legendary period. Excluding this phase, Abdul Karim sums up the matter in the following words:

“So by the seventeenth century, the Muslims entered into Arakan in a big way on four different occasions; the Arabs in course of their trading activities including the ship-wrecked ones; the Muslim army, actually two big contingents, in course of restoring the king Min Saw Mun to the Arakanese throne; the captive Muslims carried by the pirates in the 16th-17th centuries; and the family and retinue of Shah Shuja in 1660 A.D. of them, the army contingents who entered into Arakan were numerically very great. They also influenced the Arakanese society and culture in a great manner. In the 17th century, the Muslims thronged the capital Mrohaung and they were present in the miniature courts of ministers and other great Muslim officers of the Kingdom. (Karim, 1995: 40-41)”

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CHAPTER- FOUR

THE ROHINGYA'S: THE FOCAL POINT OF INTERNATIONAL POLITICS

1. **Introduction:** Arakan is now a part of the Union of Burma (renamed Myanmar) but in the past she was independent. In ancient times, Arakan was divided into two kingdoms, south Arakan or Sandoway and north Arakan or Arakan proper. The two parts were united into one in the last part of the 13th century and this position of Arakan lasted till 1785 A. D. when the kingdom was merged with Burma (Myanmar).¹
2. **The Name of the Country:** Arakan is a modern name, in ancient times the country was known as Rakhaing. A. P. Phayre says that Rakhaing was the name of a tribe in old Arakan and he could actually trace the existence of the Rakhaing tribe at Pegu.² Muslim writers called it Rakhang or Arkhang, in a few coins of Sultan Shams-ud-din Ghazi bearing the date 962 A. H. (1555 A. D.), the name of the mint is read as Arakan. If the reading proves correct, it may be assumed that even in the 16th century, Arakan was known by this name.³ The Rohingyas of Arakan believe that Arakan is derived from the Arabic word all-Rekan or al-Rukn,⁴ the Turkish Admiral Sidi Al-Reis called the place Rakanj⁵ and in the Bangali Punthi literature both Roshang and Rokam are used, but the used of Roshang is more popular. In the 16th century when the Europeans came, they wrote the name of the place Arakan and their maps also the country is known as Arakan. So by evolution the old name Rakhaing was turned into Rakhang or Arkhang of Muslim writers and later it becomes Arakan. It is stated above that the last capital of the kingdom of Arakan was at Mrohaung (Mrauk-U). The story of the transfer of the capital to this place will be told at a later stage in this essay. Mrohaung was called by the Bengali poets Roshang which in the mouth of the local people of both Arakan and Chittagong became Rohang, 'sha' being turned into 'ha' and thus the people came to be known as Rohangi or Rohingya.
3. The Rohingyas are the Muslim inhabitants of Arakan, and now they form a little less than half of the total population. The story of how the Muslims came to Arakan, how their number gradually increased and how did they fuse themselves into the political, social and cultural life of the country of Arakan, is the subject matter of this essay. They came to Arakan in several phases, some came as traders from as far places as Arabia and Persia, others came as conquerors and in the train of the invading army, some came as victims of pirates and still others came in peaceful pursuits. In the 17th century Arakan reached its pinnacle of glory through the contribution of Muslim poets, Muslim learned men, saints and administrators.
4. **Geopolitical Issues and Neighbourhood:** Geopolitics is the art and practice of using political power over a given territory. Term coined by Rudolf Kjellén, Swedish political scientist, at the beginning of the 20th century. Our foreign policy advocates for friendship to all and malice to none, which also dictates our strategic and security outlook. So, one should not be surprised that Bangladesh is very reluctant to view her neighbors as a source of security threats despite the fact that she is having some bio-lateral issues with her neighbors, particularly India, and Myanmar due to their aggressive policy, in the shape of land/maritime border demarcation, illegal migration, refugee influx, illegal drugs and small arms trade, and human trafficking. There are several conflicting geopolitical issues between Bangladesh and its neighbourhood India and Myanmar.
5. **Rohinga Crisis:** More serious is the crisis of the Rohingyas. The Rohingyas are Muslims who inhabit the Arakan region facing Bangladesh. For their looking like Bangladeshis or ethnicity and their religion, they have been always under harassment by the predominant Burmese people of Myanmar who mainly run that country and form its elites especially among the ruling armed forces. Myanmar has a poor human rights record for suppressing and depriving its minority communities of basic rights

and privileges and as a result of these thousands of Muslim Rohingya refugees cross into Bangladesh territory to escape the atrocities committed by the military junta.

6. The Rohingyas have been always persecuted in their homeland for their distinctiveness. In 1991, following some incidents, the Burmese border security forces and the army drove out over 250,000 Rohingyas from Arakan and they had to be sheltered by Bangladesh since that time. After some years, talks between the two countries led to the return of a large number of the Rohingyas. But many still remain as the repatriation programme was suspended in 2007. Instead of resuming it, Myanmar authorities seem to be planning to push in afresh on a large scale the Rohingyas into Bangladesh. Press reports quoting different sources indicate that there is the possibility that the Myanmar authorities are plotting to start fresh troubles to create the ground for pushing into Bangladesh some 2 million Rohingyas. In other words, they have plans to push out their entire Rohingya population from Arakan into neighbouring Bangladesh.

7. Thus, Bangladesh government should be extremely wary from now on to watch these developments to be able to frustrate and defeat them. The Bangladesh-Myanmar borders could soon turn out to be a hotbed of serious troubles. For precluding such an outcome, Bangladesh needs to much increase its vigil in the Bangladesh-Myanmar borders and deploy security forces in adequate number. More important would be launching immediate wide ranging diplomatic activities to be able to prevail on Myanmar authorities to see reason and be restrained from pushing Rohingyas into Bangladesh. Among Myanmar's neighbors, China has the greatest influence on that country. Therefore, it should be the lookout of Bangladesh to use their Chinese friends to put pressure on Myanmar to hold back from their various adventuristic designs against Bangladesh including the pushing in of the Rohingyas. In sum, Bangladesh has no choice but to be proactive in relation to Myanmar to be able to offset another large scale pouring in of Rohingya refugees from across the borders into its territories.

8. The numbers of Rohingyas, who have remained in Bangladesh for the last two decades, have created serious problems for this country. They have to be sheltered, fed, clothed and taken care of in different ways mainly by Bangladesh notwithstanding that foreign aid or UN assistance also came for their upkeep. But the main responsibility for the looking after of the refugees from Myanmar has been one of Bangladesh and its government. For a long time and before the repatriation of these refugees started, Bangladesh authorities were found too stressed in caring for these uprooted people. Another big wave of Rohingyas coming from across the borders would mean resurrection of huge problems which seemed about to end.

9. Media reports from various sources indicate that a mass forced migration of the Rohingyas into Bangladesh would be imminent. Already, some thousands of Rohingyas have crossed over into Bangladesh territories during the last couple of weeks. From what they had to say, the authorities here could form an impression that the Myanmar military and para military are once again letting loose a rein of terror on these helpless people so that they get frightened and tortured enough into fleeing their homes leaving their everything behind. So, it is more than high time for Bangladesh government, to wake up from its slumber or to shake off its low key response and to counteract the growing problem while it remains controllable or reasonable. Any delay in this matter could mean a situation where it would have to face up to a sudden flood of refugees which would be much more difficult to control or even try such a thing in view of its purely humanitarian aspects.

10. **Factors Making the Region Focal Point of International Politics:** The important factors that made the Myanmar most crucial region in the greater realm of international politics and economics may be summed up under the following heads:

a. **Geo-Strategic Location of the Region:** Strategically Myanmar is very important which can provide a lot of weight to the country controlling it in the broader system of the balance of power, because,

1) **First:** It is located at the intersection of three countries India, Bangladesh and China and. So, the hegemonic presence of a super power and regional power in the region means its advantageous position in the border system of the balance of power.

2) **Second:** The communication channels of the region are more favorable from where one can move throughout the world easily by any means of communication-road, air, navy etc. The sea communication by the Bay of Bangle and Indian Ocean are famous for international communication, trade and commerce.

3) **Third:** The former super power soviet Union and the rising super power China and regional power India are adjacent to the region. The region therefore is considered most crucial area in the international politics and relations.⁶

b. **Chinese Factors in the Rohingya Crisis:** With the emergence of China as a global power, the Bangladesh-Myanmar Geographical position is slowly gaining a different momentum. If China meets its military potential, the India will feel its presence, as will the Bangladesh-Myanmar Geographical position. Access to the energy resources of the Bangladesh also plays a keen interest of Chinese. During the recent standoff between Bangladesh and Myanmar, China played a significant role in defusing tension between the countries. Notably, both countries depend heavily on China for security and economic development. The safety of security and the smooth flow of traffic through Bangladesh-Myanmar Geographical position are important to China. China can play a vital role to solve the Rohingya Crisis if China with the help of diplomatic effort influences the Myanmar the Rohingya crisis can be solve amicable.

c. **Golden Triangle and Golden Crescent:** Arms smuggling is very profitable business in the region. The narcotic drug trafficking is passes through the Golden Crescent involving Pakistan, Iran and Afghanistan and the Golden Triangle including Myanmar, Thailand and Laos. A number of extremist groups have become active in drug trafficking, gun-running here. As a result, Bangladesh-Myanmar Geographical position have become a nest of terrorists involved in the shipment of drugs and arms. Arms are brought from Laos, Cambodia and Thailand and transported to Northwest of India and Bhutan. The route from Bhutan passes through the northern Bengal, Assam and Meghalaya. The BOB and its contiguous waters have always had a major share of global pirate's attacks and armed robbery in territorial waters due to dense shipping trail, maritime policing and favorable hide to vanish environs.

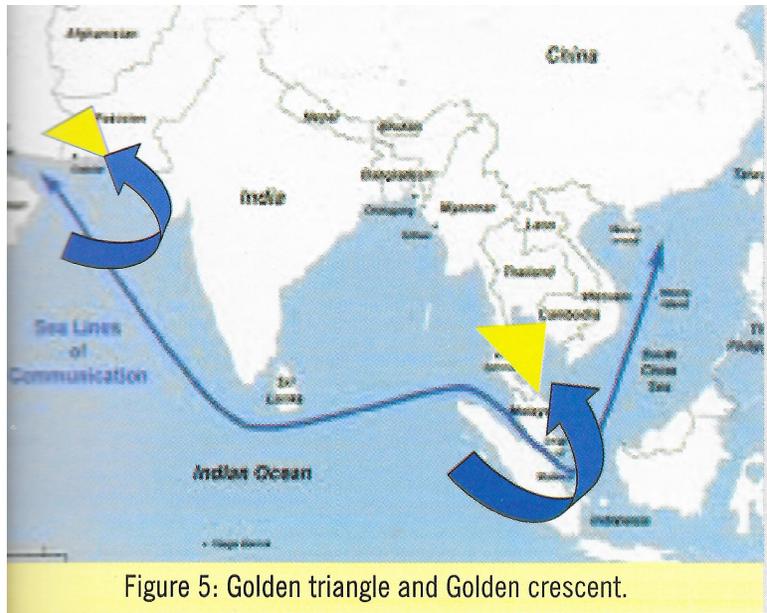


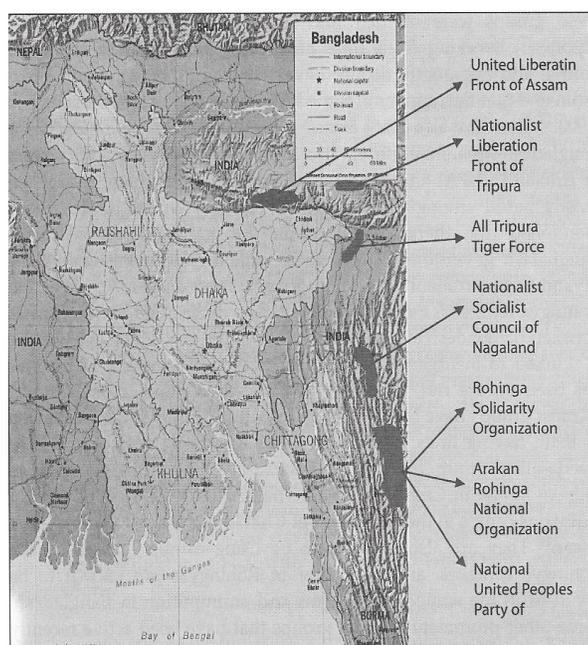
Figure 5: Golden triangle and Golden crescent.

Map- 01 : **Golden Triangle and Golden Crescent**

d. **Insurgency and Islamic Militancy:**

1) Insurgency is increasingly becoming a critical security issue involving the Rohingya refugees, Bangladesh and Myanmar. Historically, two major operations by the military government in Myanmar have contributed to the exodus of the Rohingyas and related problems of insurgency and terrorism. The first major operation took place in 1978 when the Ne Win regime in Myanmar launched the "Nagomin Programme" which has been described as "a census operation,"⁷ "a campaign against illegal immigrants,"⁸ and "an attempt at national consolidation through forced eviction of the Muslims from Myanmar."⁹ By May 1978, an estimated 200,000 Rohingya had to escape across the border to Bangladesh. The second major influx had resulted from military operation in 1991-92 when a new wave of over a quarter of a million Rohingyas escaped to Bangladesh because of widespread forced labour, summary executions, torture, and rape. Many other human rights violations took place in the context of forced labour of Rohingya civilians by the security forces.¹⁰ In addition, several others, albeit in small scale, exodus has taken place over the time.¹¹

Map- 02: Presence of Insurgent Groups in Bangladesh and India



Source: ATM Amin, 2008¹²

Table – 10: The Rohingya Refugees and Sources of Insecurity

Security for	Sources of Insecurity	Social	Economic	Environmental
Whom?	Politico-Military National security/Interstate security		Unemployment Rising prices of lands	Deforestation Water pollution Soil erosion
States	Counter-terrorism, counterinsurgency		Essentials	
Societies	Local Policing	Rape	Smuggling	Deforestation
Groups, and	Civil war	Violence	Money	Water pollution
Individuals	Ethnic conflict, Genocide, Terrorism Proliferation of small arms	Drug Abuse Survival of societies, groups and individuals	Laundering Unemployment Price hike	Medical conditions Waste

e. **Drugs and Arms Smuggling:**

1) The drug trade poses another security threat for Bangladesh. Smuggling rings operate in Maungdaw and Sittwe in Arakan State and Teknaf, Cox's Bazaar and Chittagong in Bangladesh.¹³ As Myanmar is a member of 'Golden Triangle', and is also located in the close proximity of another major narco-producing region, the 'Golden Crescent', drug trafficking becomes a common practice. In recent times, Yaba (madness medicine), a synthetic drug manufactured mostly in Myanmar-Thai border, constitutes a significant component of drug smuggling on the border. Bangladeshi authorities, the BDR, the police and other concerned authorities have already seized large quantities of Yaba. They have been trying to stop the inflow of Yaba to Bangladesh from Myanmar. It may be

mentioned that Yaba from Arakan State are smuggled to Bangladesh through land and waterways.¹⁴ In June 2009 it was reported that over 2,000 Yaba tablets worth one million Taka were seized by Bangladesh Rifles (BDR) on the Myanmar-Bangladesh border from a bus plying to Cox's Bazaar from Teknaf.¹⁵ For smuggling heroin from Myanmar beyond the region and the continent, both India and Bangladesh are used as transit points.¹⁶ This further aggravates problems related to narco-terrorism in the region. In fact, one critical problem arising out of the convergence of two major narco-producing and trading regions is the cementing of a diabolic relationship between insurgent groups, arms dealers and narco-terrorism. Such a relationship is quite common in and around Thai-Myanmar, Indo-Myanmar and Bangladesh-Myanmar borders. Not that all the insurgent groups engage in narco-production or narco-trafficking, but it has been found that almost all of them have regularly taxed and exorted money from the traffickers while providing protection to the latter for conducting trafficking in drugs.¹⁷ So, this nexus among the terrorist, drug dealers and insurgent groups operating within the region is creating a severe military threat for the security of Bangladesh.¹⁸

f. **Smuggling/Illegal Trade:** It is a fact that many of the Rohingyas are engaged in smuggling. The Chinese consumer products are commonly smuggled through the Bangladesh-Myanmar border in which the Rohingya refugees are allegedly involved (see, Box). Such involvement of the Rohingyas in this smuggling

Box 1:- Report on Smuggling
On June 16, 2008 the Bangladesh Rifles (BDR), arrested a smuggler with 350-litre of soyabean oil while he was attempting to smuggle the same to Burma. At least 100,000 litres of diesel is smuggled to Burma from Teknaf and Ukhiya points per month. In Burma, a litre of diesel is sold at Taka 70, while in Bangladesh it is sold for Taka 45. People of Maungdaw and Buthidaung Townships depend on Bangladeshi diesel and in return contraband drugs and fishing nets are smuggled to Bangladesh, a trader in Teknaf Town said.
Source: http://www.kaladanpress.org 19 June 2008. ¹⁹

Activity is well known in the region. Another practice is observed among the Rohingyas that they sell part of their rations received from the UNHCR in the local market although the government of Bangladesh has restricted the rights to trade for the refugees. Box 2 shows how much ration a Rohingya refuge normally receives from the UNHCR. It has been revealed that the Rohingya refugees believe that if they have a large family, then they would get a larger quantity of rations.²⁰ Part of this ration can be sold in the informal market. However, the MOU between Bangladesh and UNHCR clearly notes that the refugees cannot take part in any sort of trade activities.

Box 2: General Food Distribution, Kutupalong Refugee Camps in Cox's Bazar Area, Bangladesh	
Food Items (bi-weekly)	Non-food Items
6.3 kg of rice	Laundry soap
560 grams of pulse	Bath soap
280 grams of soya bean oil	Kerosene
140 grams of sugar	Compressed Rice Husk
140 grams of salt	Cloths (Yearly)

700 grams blended food	Semai (Eid Festivals)
Source: Field survey, 3-6 March , 2016	

g. **Experiences of Trauma in Myanmar:** The Rohingya people have vivid experiences of trauma in their lives in Myanmar. In Myanmar, the situation of Arakani Rohingya Muslims was just similar to the other war and civil conflict.²¹ While living in Myanmar they had been subject to rape, forced labour and displacement, physical torture and statelessness. Rape as a weapon of terror was systematically used against the Rohingyas. In 1992, government troops rounded up the men for forced labour and raped the women.²² Rape was a part of a campaign to drive the Rohingyas out of the country. It has been revealed from the field study in camp and non-camp areas in Teknaf that women and children had been victims of rape at the hands of NaSaKa. A story from the field,

"Amena Khatun was a 17-year old girl. She lived there with her mother and brother Aminullah. When the NaSaKa took her brother for forced labour, she begged them to save her brother. They released Aminullah but took her away. She was raped by 3 NaSaKa soldiers. She is now living in Kutupalong camp in Bangladesh as a refugee. Still she does not want to remember this painful confrontation. Sometimes she wakes up with her nightmare. She became pregnant, because when they took her, she was wearing a red Thami."²³

Interviews with the documented and undocumented Rohingya refugees demonstrate how terribly Rohingya women were treated in their homeland by the security forces. Psychologically the effects of rape on children are different from women. "Sexual assault of children can lead them to the life-long depression, self injury, self-mutilation, borderline personality disorder, antisocial personality disorder, Post Traumatic Stress Disorder (which often leads to a reduced corpus callosum), flashbacks, psychotic breaks with reality, alcoholism, substance abuse, promiscuity, celibacy, prostitution, an inability to form intimate relationships, self-hate, guilt, anger (which is often directed inwards as well as outwards), emotional hypersensitivity, defensiveness, a lifelong inability to trust others, emotional numbness an attraction to partners who are dominant and/or abusive, and general mental deterioration including loss of IQ."²⁴

h. **Forced Labour and Displacement:** Forced labour means work without any kind of wages or making somebody bound to do the job which he or she does not want to do. International Labour Organisation (ILO) is against the forced labour and always endeavours to stop such labour.²⁵ Forced labour in Arakan state is often accompanied by physical abuse by the military or NaSaKa guards who oversee the work. Arakan is an undeveloped region in Burma. The government of Myanmar thinks that as the Rohingyas are not citizens of the country, they must work as forced labour. In case of refusal to work they were subjected to torture and suppression by the NaSaKa. For instance, Manirullah was the victim of the physical torture of the NaSaKa. He was supposed to give labour without any wages. He carried goods from truck to truck. One day he was so sick that he could not carry goods. For this reason, they cut down his hand. He cried out but the security forces did nothing for him. In the twinkling of an eye, he lost his hand. After a while the screams stopped, the crying stopped and there was silence. That was his punishment. Although, subsequently he left Burma, he could not forget the torture.²⁶

i. **Armed Violence and Physical Torture:** Armed violence can be defined as the use of armed force (usually with weapons) to achieve specific political, social and economic goals.²⁷ Torture is a particularly dreadful type of trauma because it is designed to destroy the will,

personality and autonomy of the victim. Not only people may be tortured but they may be forced to witness their loved ones being tortured. In Burma, the Rohingya people faced both armed and physical violence by the government and NaSaKa. The government troops and the NaSaKa carried out several operations on Arakani Muslims and most of them were armed. There have been no less than 20 major operations of eviction campaigns directed against the Rohingyas that were carried out by successive governments of Burma. The major operations of such kind took place in 1942, 1949, 1978 and 1992 respectively in pursuance of the 20-year Rohingya Extermination Plan, the Arakan State Council under direct supervision of State Council of Burma carried out a Rohingya drive operation code named Naga Min or King Dragon Operation. It was the largest, the most notorious and probably the best-documented operation of 1978.²⁸ The operation started on 6 February 1978 from the largest Muslim village of Sakkipara in Akyab, which sent shock waves over the whole region within a short time. News of mass arrest of Muslims, male and female, young and old, torture, rape and killing in Akyab panicked Muslims in other towns of North Arakan. In March 1978 the operation reached Buthidaung and Maungdaw.²⁹ Hundreds of Muslim men and women were thrown into the jail and many of them were tortured and killed. Muslim women were raped freely in the detention centres. As revealed from the field visit, Md. Kashem was a school teacher in Maungdaw. In 1992 he was taken to jail. He was tortured by the Army. After many years of that incident he is still afraid of sound of any kind of vehicles. The reason is that when they took him his eyes were covered tightly and he could just hear the sound of the Jeep.

j. **Stateless ness:** Under the military regime of General Ne Win, beginning in 1962, the Muslim residents of Arakan were labelled illegal immigrants who had settled in Burma during the British rule. The 1974 Emergency Immigration Act took away Burmese nationality from the Rohingyas, making them foreigners in their own country. Then came the Burma Citizenship Law of 1982 violating several fundamental principles of the international law and effectively reduced them to the status of Stateless. Although their ancestor lived in Burma, but after the Citizenship Law of 1982 the Rohingyas became stateless.³⁰ In Myanmar, the Rohingyas have been denied their citizenship, uprooted from their ancestral homes and forced to live as refugees and illegal immigrants in Bangladesh, Pakistan, Saudi Arabia, U.A.E., Malaysia and Thailand. A country that does not recognise the Rohingyas as a citizen despite the fact that their forefathers lived there for centuries, is enough for generating trauma in their minds. It was a big trauma to experience that half of their people have been forced to take asylum or refuge outside, and they may be the next in line to seek a way out of this living hell.

11. **Social Dimension of Security:** Several issues and concerns constitute the gamut of social dimension of security with regard to the Rohingya refugees. These include use of drugs, drug trafficking, violence against women and children, riots, decaying social values and gender discrimination. The drug trade is creating another security threat for Bangladesh. It may be mentioned that China, India and Bangladesh face the highest drug addiction in their areas bordering Myanmar. In China's Yunnan province, heroin use seems completely out of control and the UN estimates that up to 80% of the city's intravenous drug users are HIV positive.³¹ Bangladesh has been facing an increased drug influx by land and sea since September 2002. Smuggling rings operate in Maungdaw and Sittwe in Arakan State and Teknaf, Cox's Bazaar and Chittagong in Bangladesh. The Bangladeshi press has been reporting that the political pressure upon the law enforcement agencies prevent them from taking any actions. Local drug traffickers are often extremely powerful, making government agencies helpless.³²

12. Marty women have been compelled to engage in prostitution to save their family from hunger. Besides, a few hundred Rohingyas, most of them inhabiting illegally are currently in custody. Some were arrested for petty criminal offences, but often on false charges made by Mahjees³³ or local

police. Particularly, the undocumented Rohingyas in imprisonment do not receive any legal aid, and remain detained although they should have already been released. Moreover, there is a concern with regard to the state of the undocumented refugees living in the Teknaf 'makeshift camp'. More than 4,000 refugees live there under stressful situation with almost no access to food, drinking water, sanitation and medical aid.³⁴

13. In many cases Rohingya women are victims of rape and domestic violence both within the camp and outside. As revealed in a local newspaper, "a woman from Taal camp was raped by a local, while she went to fetch water from the mountain stream (Cholera)."³⁵ It has been disclosed by the Rohingya refugees during the field study that rape has been commonly used as an instrument of violence against them. The members of security forces, the Rohingya men, and local villagers are the main perpetrators. Women who had to go for the collection of firewood and drinking water in areas surrounding the camps, female heads of household or young girls whose fathers/husbands are in jail are particularly at risk of rape and kidnapping. Rape and sexual abuse is also used as a measure to compel women into marriages against their will or as a means of taking revenge on male family members.

14. **Camp-Related Security Issues:** As the Rohingya refugee camps are characterised by limited resources such as food, water and fuel, competition over these resources may therefore give rise to people resorting to violence as a survival means. In the absence of effective rule of law, petty and violent crime flourishes and can lead to camps becoming zones of drug smuggling, human trafficking, organised crime, illegal logging, and gun running, with the attendant problems of violence. When deprived of the assurance of protection, people do not have the confidence to approach the few police available and instead increasingly opt for self-help. Bad policing can also contribute to the breakdown of law and order in refugee camps. Excuses for not stopping impunity are many and varied in refugee camps. The presence of suspected criminals in the camps led to problems of both internal and external security. The enforcement of law and order in the camps became increasingly problematic as intimidators within the camps exercised greater control over the refugee population. Security in the areas surrounding the camps was also jeopardised. There were numerous reports of banditry and attacks on the Rohingyas as well as neighbouring people.³⁶

15. **Policing in the Camps and Counter-Terrorism Measures:** As part of law and order protection in the camp areas and counter-terrorism initiative, the government of Bangladesh maintains wider presence of police, Bangladesh Rifles (BDR), National Security Intelligence (NSI) and the Directorate General of Forces Intelligence (DGFI) in Teknaf region of Chittagong where the Rohingyas are concentrated as documented and undocumented refugees. Both state and non-state actors are involved in the maintenance of the overall environment in the camps. Mainly, the Bangladesh government ensures safety and security of the refugees both inside and outside the camps. The GOB has appointed the Police and Ansar for the security of the Rohingya refugees. Every camp has a Camp-in-Charge (CIC) to maintain law and order in the camps. Apart from government security forces, camp management committee, block committee and security volunteers assist in managing the camps. These committees are playing a positive role for conflict management in the camps. However, despite increasing role of local and informal institutions, the police as the state agency have an aggressive presence in the camps. It generates fear among the Rohingya refugees in the camps.

16. It has been observed that there is a feeling of insecurity in the camps, about half of the refugees felt insecure, mainly because of fear of harassment by camp authorities or villagers.³⁷ As reported in a local newspaper, "an unidentified Rohingya was killed in a shootout with BDR. While trafficking illegal Burmese goods to Bangladesh, BDR had an exchange of gunfire with the

traffickers. Two men died in the shootout, among them one was identified as a Rohingya by the BDR men."³⁸ According to UNHCR, camp authorities ceased using corporal punishment, fines, and the systematic withholding of food as punishment. In January 2008, however, camp police tortured a young Rohingya refugee to death after another refugee involved in a personal dispute with him claimed he was a terrorist.³⁹ It has also been revealed that authorities often falsely accuse many camp-based refugees of crimes and jail many refugees for a longer period than the actual term. For example, a person found guilty is punished over a year for charges with maximum sentences of three months. On the other hand, local authorities are also concerned over the firearms in the hands of refugees. Thus, the Rohingyas remain vulnerable amid law and order protection activity and counter-terrorism initiatives of government security forces such as BDR, the Police and Ansars.

17. **Employment Issues:** Understandably, this has an impact on employment opportunities of the local people for which they have already expressed their resentment. While the Rohingyas do not get enough job opportunities to survive in a decent way, sadly so, these limited opportunities are creating hindrance for the local people particularly the marginalised community. As one analyst states, "Only a few thousand Rohingyas are living in refugee camps while a sizeable number of them are living outside the camps affecting the local environment and destroying the balance in the labour market of Chittagong."⁴⁰ The local people allege that the Rohingyas are the cheapest of labours and hence the local labour market is being spoiled by their inclusion. Unsurprisingly, the employers are seeking for cheaper labour for which local people are losing their job opportunities as well as bargaining capacity.

18. **Living Condition:** The living conditions of camps raise the questions about medical and environmental aspects to which the Rohingyas are vulnerable. The refugee camps are very clumsy and dirty. They do not have adequate sanitation and water supply facilities. On September 5, 2008, the Kaladan Press Network ran a report saying that twenty nine unregistered Rohingya refugees died in the Leda camp in Teknaf Upazilla under Cox's Bazar district due to lack of proper treatment in two previous months (July and August 2008). There were 11 women and 18 men among the dead.⁴¹ Box 3 shows water and sanitation condition in Kutupalong camp. It reveals the poor living conditions that the Rohingyas are facing.

Table-11: Information About Water and Sanitation in Kutupalong Camp

Information about Water and Sanitation in Kutupalong Camp		
Total refugee population	14,777	
	Total Units	Population Ratio
Hand pumps tube wells	73	1:27
Units of latrines	545	1:20
Bath House (Units)	140	1:77
Garbage	57	1:189
Incinerators	05	1:2155
Medical incinerators	01	-
Source: Field visits, Kutupalong Camp, 3-6 March 2016. ⁴²		

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CHAPTER- FIVE

MYSTERIOUS SILENCE OF GLOBAL COMMUNITY, MUSLIM WORLD ON KILLINGS IN BURMA

(Message of Nobel Prize winner Aung Sung Suki,
UN secretary General Ban Ki Moon and former
UN secretary General Kafi Annan Commission)

1. **General Remarks on Refugees:** From time immemorial people have moved from their country of origin to another country for variety of reasons. Sometimes it is voluntary, and other times it isn't. In case of voluntary movement, it is described as migration. This means that the individual is not compelled to move from the country of origin or nationality but moves of his own choice to another country to improve his/her quality of life. Furthermore, the migrant enjoys the protection of his/her State.
2. There is another situation where an individual does not enjoy the protection of the state and is forced to move from the country of origin or nationality because of perceived danger or insecurity of his/her life. In such forced circumstances, the individual takes refuge in another country and becomes a refugee.
3. **Causes for the Increase of Refugees:** There are more refugees today than ever before and possibly an even larger number of internally displaced persons in refugee-like conditions. The refugee crisis is a crisis of the institutions of the State in the countries where sectarian factions or tribes are engaged in armed conflicts.
 - a. **Armed Conflicts.** Africa provides an illustration how the armed conflicts have spread over many countries since 90s. In Somalia there is no central administration since 1991. Sudan is involved in a civil war between the north (Muslims) and the South (Christians). Angola is in turmoil with the UNITA forces. Sierra Leone has been a scene of ghastly murders and chopping of limbs of people by the rebels. Ethiopia and Eritrea were engaged in border wars. The Democratic Republic of Congo is going through a civil war in which outside countries are involved. For instance, Zimbabwe Namibia and Angola support the Government and the rebels are being assisted by Uganda and Burundi. In our country refugee increase due to ethnic divides Kaptai hydro electricity project and shanty bhahini.



Fig: 13- Armed Conflicts

- b. The question that arises is: why did the ethnic conflicts occur in the last two decades? There could be several reasons.

- 1) Colonial yoke.
- 2) Aware of their civic and political rights.
- 3) Boundaries drawn by the colonial masters.
- 4) Dictatorial regime with the minority ethnic people.
- 5) Race of Arms and Ammunition.
- (6) Excessive Flood
- (7) Excessive Cyclone.
- (8) River bank Erosion.
- (9) Sea level rise.
- (10) Earthquake.



Fig-14: Ethnic Conflicts Occur

4. **Historical Background in the Context of Myanmar:** The Muslim population from the Northern Rakhine State in Burma is known as Rohingya. In Burma, there are approximately 750,000 stateless Rohingya in Northern Rakhine State. Approximately 28,000 Burmese Rohingya are registered as living in two official refugee camps in Bangladesh, and more than 200,000 unregistered Rohingya live in surrounding towns and villages outside of the two camps. Malaysia hosts more than 90,000 refugees and asylum seekers, primarily in urban areas, 91% of whom are from Burma. China and Rohingya comprise the largest groups of this population.¹

5. **Influx of Refugees From Arakan/NRS to Bangladesh (up to 1992):** Several sources state that the Rohingya is a Muslim minority that has been living in Arakan (today named Northern Rakhine State (NRS)) in Burma for a period of centuries. During these centuries the Rohingya have migrated in and out of Rakhine State. During the 15th Century the link between the rulers of the then Arakan and the Bengal was solidified by military cooperation, trade and religion.² during the 15th and 16th Centuries the infiltration of Muslims from Bengal to Arakan took place. According to Professor Ahmed this constituted the beginning of the history of Arakan with two people – the Burmese Rakhines and the Muslim Rohingya.³ Since that period the sources are referring to four main flows of refugees from Arakan/NRS: In 1784 the Burmese King Bodawpaya invaded and annexed Arakan to the then Kingdom of Ava (central Burma).

6. As a consequence refugees from Arakan began to flee to the area of Cox's Bazar.⁴ Many of these refugees never returned to Burma but settled and became integrated with the local community. The British colonized Burma in 1824 and allowed for a relative degree of local autonomy. Until the

Second World War there were few recorded incidents of uprising. During the British reign migration from Bangladesh to Burma was considered internal movement, however, the migration that took place during that period is considered illegal by the Burmese government and it is one of the reasons why they refuse citizenship to the Rohingya.

7. When the Japanese forces invaded Burma in 1942 it caused the retreat of the British and the flight of approx. 22,000 Rohingya to the Cox's Bazar area.⁵ The British tried to seek support from the Muslims in Arakan and promised them an independent state. In 1948 when Burma became independent a group of Muslims from Arakan began an armed rebellion demanding an independent state.⁶ The rebellion did not succeed, at the contrary it entrenched the distrust of the Burmese Government that still exists today.⁷ The third flow of refugees from Arakan to Bangladesh took place in 1978 under General Ne Win. The Burmese immigration and military authorities conducted what they called.

8. Operation Dragon King in which citizens were registered and foreigners were screened out in a process prior to a national census. These events provoked the flight of more than 200,000 Rohingya⁸ to Bangladesh. The refugees reported that the Burmese army had forcibly evicted them and clamped down on people with brutality, rape and murder.⁹ Immediately after the arrival of the refugees in Bangladesh GoB and the UN urged the Burmese government to allow repatriation of the Rohingya refugees to which the Burmese government finally consented.¹⁰

9. The fourth and most comprehensive flow of Rohingya refugees to Bangladesh took place during 1991 and 1992. The State Law and Order Restoration Council (SLORC) increased its military presence in northern Rakhine State. The junta justified the exercise as a fortification against Rohingya Muslim extremist insurgents. Construction of military establishments and roads sprawled throughout northern Rakhine and the border with Bangladesh. The build-up was accompanied by compulsory labour, land and property confiscation, and forced relocation, as well as rape, summary executions, and physical torture. Mosques were destroyed, religious activities were banned, and Muslim leaders were harassed.¹¹

10. **Major Developments in the Situation for the Rohingya in Bangladesh Since 1992:** At present, some 29,000 Muslim refugees from Northern Rakhine State in Burma, known as Rohingya, reside in two camps in the south-eastern district of Cox's Bazar in Bangladesh. They represent the residual population of the 250,000 refugees who arrived in 1991, most of whom subsequently repatriated. In addition, the Government of Bangladesh has estimated that another 200,000 unregistered persons from Burma live in Bangladesh without any legal status, mostly in the villages outside the camps. Their quality of life remains very poor.¹² Moreover poverty levels and high illiteracy and unemployment rates in the district, are contributing to a growth of hostility towards the refugees, affecting the unregistered population in particular. This has resulted in more than 28,000 unregistered persons settling spontaneously outside the Kutupalong camp.¹³ during 2010 there was a wave of intensifying violence and discrimination against Rohingya refugees in Bangladesh, and the refugees were driven out of communities and into makeshift camps. According to Human Rights Watch¹⁴ Bangladeshi authorities did little to prevent this situation.

11. **Current Situation in North Rakhine State in Burma:** According to the UN Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, the Muslim community in Northern Rakhine State, known as the Rohingya, are faced with systematic and endemic discrimination.¹⁵ This discrimination, which is framed as an immigration problem, leads to basic and fundamental human rights being denied to this population. Measures taken against this population include the restriction of movement, limitations on permission to marry, and forced labour.¹⁶ The Special Rapporteur notes that it is important to understand that discrimination against the Rohingya leads to increased forced

labour, exacerbated by their location along the border where there is a strong military presence including NaSaKa, the Myanmar border security force. Discrimination also leads to forced deportation and restriction of movement owing to the enduring condition of statelessness which is the result of the Rohingya's historic difficulty in obtaining citizenship, particularly following the enactment of the 1982 Citizenship Act. Acts of land confiscation, forced relocation and eviction through violent means are also widespread and systematic.¹⁷

Mysterious Silence of Global Community, Muslim World on killings in Burma

12. In the year 2000 I came across a youth from Myanmar in Teknaf. The story he told me can chill the blood of even a cruel person. He was a Rohingya Muslim from the state of Arakan in Myanmar. Escaping from the police for fear of being caught, he was sleeping here and there and in the day he would make rounds of UN office to get refugee status in Teknaf Nayapara Refugee camp.

13. The youth said most of his family members had been either killed or caught by the army. Some were lucky who escaped to Bangladesh only to save their life. After getting in Teknaf he was room around here and there near the Refugee camp. Unfortunately one night police raided and caught him. After spending one year in jail he was out to get a UN refugee status. He didn't know how many members of his family were alive, or if alive at all, and had no trace of them or their whereabouts.

14. His story has flashed back in my mind now once the images of the mass killings of Muslims in Myanmar started emerging on internet and social networking site Facebook in last few weeks. No need to go into the details of what calamity has befallen in the form of ethnic cleansing. The images are enough to tell what is happening in the country of Noble Peace Prize winner Ms Aung San Suu Kyi, who is on a world tour these days. She has reportedly refused to even acknowledge that any violence took place in her country. She has even questioned if the Rohingyas minority indeed belongs to Burma.

15. According to reports, more than 20,000 Muslims have been killed only this month in Myanmar by police, army and Buddhist extremists. Fearing persecution whenever they try to cross the border of neighbouring Bangladesh they are forced and pushed back by Bangladesh Rifle. Now a large number of Rohingya refugees are living in inhuman condition on the boats in river or at no man's land, near Bangladesh. They want to get shelter but Bangladesh does not allow them to enter their country. Dhaka fears if it opens the doors to new arrivals, the intolerant mobs in Burma will force the entire minority community out, multiplying its problems. This is hardly an unjustified concern considering this is precisely what the Burmese junta has repeatedly tried over the years. In fact the military junta of Burma had only two options in their mind, either eliminate all Muslim population from Burma or drive them away to the neighbouring countries like Bangladesh. Bangladesh with a large population and poor economy has not the capacity to handle the flood of refugees of this size. The Rohingya refugees already in Bangladesh are having a tough time while Bangladesh is trying hard to get rid of those few thousands Rohingyas who are staying for a long time.

16. This week, a Burmese military chopper destroyed three boats full of refugees fleeing the reign of terror, killing everyone onboard. "The military has (of late) become more actively involved in committing acts of violence and other abuses against the Rohingya including killings and mass arrests," says the London-based Equal Rights Trust in its latest report on Myanmar.

17. In his latest article describing the current scenario, Gulf based writer and columnist Aijaz Zaka Syed writes: "Amnesty International and the Human Rights Watch have protested that instead of stopping the violence by the Rakhine gangs, the military has joined them in killing, setting thousands of homes on fire and conducting mass arrests of Muslims. President Thein Sein, lately being lionized by the West as a reformer, has a simple solution to the problem: Expel all the Rohingya or turn them over to the UN as refugees!"

18. He further says: "All this, however, hardly tops the news agenda of the world media, perpetually obsessing over the minutest ups and downs of international markets and the widening economic mess in Europe. Who cares for the little, colored people on the far side of the world anyway!"

For all they care, this mass extermination of a helpless, long persecuted people may be taking place on another planet. Western defenders of freedom and democracy, salivating over the plump economic pie that is Myanmar, have been deafeningly silent on the genocide unfolding before their eyes. So are China and my country India, the greatest democracy on the planet. Both Asian giants have massive economic interests in the country sitting on rich mineral and natural resources. Only recently India inked a clutch of economic pacts with Myanmar, including a huge oil import deal.”

19. Aijaz writes that “the gold rush for Burma has begun, as Alex Spillius argues in the Guardian: "One of the last unexploited markets in Asia, a country blessed by ample resources of hydro-carbons, minerals, gems and timber, not to mention a cheap labor force, which thanks to years of isolation and sanctions is near virgin territory for foreign investors" is up for grabs. So this is hardly the time to talk about the rights of a persecuted, dispossessed minority.

20. “And Myanmar's rulers are emboldened by the international community's silence and inaction. Even Aung San Suu Kyi, adored around the world for her heroic struggle, has remained enigmatically silent on the issue even when confronted during her recent European visit. The Arab and Islamic world preoccupied with Syria and other assorted issues too has done little other than issue perfunctory appeals and statements. As for the UN, OIC and ASEAN, the less said the better. Is it any wonder then the Rohingya are seen as easy meat?” A Rwanda is unfolding in Myanmar. An early and effective intervention by the world community can save the Rohingya from certain holocaust.

21. The Buddhist leader and Nobel Peace prize winner Dalai Lama who always cries over the atrocities on Tibetan people by China is also silent on mass killings of Muslims in Buddhist Myanmar. The Indian Muslim leadership and Muslim organizations who justifiably cry for killings in far away Palestine are mysteriously silent on ethnic cleansing of Muslims in the neighbourhood of India. Isn't it a criminal silence of Muslim world?¹⁸

22. The whole world is silence the following reasons:

- a) **Absence of Democracy in Myanmar:** Prolong time Democracy is absence in Myanmar. Country is ruled over by British colonial followed by autocracy ruler.
- b) **Myanmar Ruled by Autocracy Government:** Democracy is ruled over by the autocracy government. Prolong period by ruled over by autocracy government.
- c) **Absence of Influence of Super Power:** Myanmar is influenced by China. Buying trend of Chinese technology made Myanmar to more incline to China. To super power USA and Russia influence is absence in Myanmar.
- d) **Absence of Charismatic Leader of Rohingya:** From the beginning, Arakan Rohingyas are facing absence of charismatic leader. As a result their rights and privilege was not ensured from Myanmar Govt.
- e) **OIC, ASEAN and Other Muslim Community is Silence:** Silence of Muslim Community is the root cause, make the Rohingya crisis silence in the world.
- f) **Less Priority Given in the International Media:** Media level Rohingya crisis gets less priority.

- g) **Absence of Potential Market for Arms Business:** Super power gets less interest due to Absence of potential market for Arms business.
- h) **Myanmar Consider Herself Isolated Country:** USA imposed blocked against Myanmar and their autocracy Govt also loves to remain isolated country from the whole world.
- j) **Religious and Ideological Concern:** Religious and Ideological aspect Rohingya are the Muslim minority community in Myanmar. So, their rights and privilege get less priority.
- k. **Absence of UN Security Council Pressure on Myanmar:** Super power pressure is absence on Myanmar. As a result no restriction imposed upon autocracy Govt of Myanmar.

23. **Message of Nobel Prize Winner Aung Sang Suki "Discussion gets Underway to Stop National Community Violence in the Myanmar":** Newly elected Govt and President Aung Sang Suki started discussion between minority communities of the Myanmar with the presence of UN Secretary General Banki Mon. If the discussion is successfully completed, the continued riot will be terminated with few decides.



Fig: 15- Inauguration of Peace Samit Ceremony Nobel Prize winner Aung Sang Suki, President Thin Qui along with the Minority Leaders of Myanmar.

24. This five days discussion is started Nupidoy in the capital city of Myanmar. Total 17 ethnic community and their representatives join in the meeting. Still few communities were not joining in the meeting. Democrat leader Aung Sang Sukey before election gave promise to solve the Ethnic clash with this promise the discussion was took place 31 October Wednesday 2016. The Secretary General of United Nation Ban ki Moon in his statement said "This historic summit will end the long time civil war as a result casualty of civil people will reduce a lot. Nobel Price winner Aung Sunk Suki said "We will not able to build our Nation, If we are not United then it is possible to bring peace and lead a peaceful life in the country. When we are united then it is possible to keep peace with the whole world. The Summit is welcome by the Foreign Minister of European Union. United State is also welcome this Summit and this Summit will play a vital role to return back peace in the Myanmar.¹⁹

25. **The Message of UN Secretary General Ban Ki Moon: Please Give the Citizenship to Rohingya Muslim Community:** Un Secretary General Ban Ki Moon meets with the Myanmar President and

Nobel Prize winner Aung Sung Suki in a Summit on 31 August Wednesday 2016. During his visit programmed he said "Please give the Please Give the Citizenship to Rohingya minority of Muslim Community. More than Ten Lac Muslim Rohingya people live in Myanmar. Most of them don't have any citizenship; As a result, they don't have the right of vote and also don't have any right to get job opportunity. Ban Ki Moon said, "Rohingya Citizenship is not only the Question of identity of their community. Rohingya's are living in this country for a long period of time. The Citizen of other minority community gets all sorts of rights, The Rohingya community should also preserve like rights and law of the other community. Severe riot was occurred in the Rakhayan state in the year of 2012, As a result more than one Lac Twenty Thousand Rohingya become Refugee. Many of them are taken shelter in the Refugee camp. Thousand of Rohingya to lead their improve life they take the risk the life and try to cross the Bay of Bengal. Many of them die at the sea for struggle of their life.



Fig: 16- UN Secretary General Ban Ki Moon

26. Myanmar's government has set up an advisory panel headed by former U.N. Secretary General Ban Ki Moon to find "lasting solutions" to the conflict in Rakhine state, where human rights groups have documented widespread abuses against the minority Rohingya Muslims. A statement Tuesday by the office of State Counselor Aung San Suu Kyi said an agreement will be signed between her office and the Kofi Annan Foundation to set up a nine-member advisory commission to resolve "protracted issues in the region."²⁰

27. **Former U.N. Chief kofi Annan Commission:** A statement issued through the Kofi Annan Foundation in Geneva quoted the former U.N. chief as saying he is "pleased to support the national efforts to promote peace, reconciliation and development in Rakhine." Annan said, "I look forward to listening to the leaders and people of Rakhine and to working with the State and central authorities to ensure a more secure and prosperous future for all"

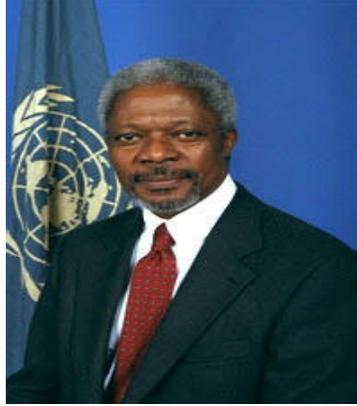


Fig: 17- Former U.N. Chief kofi Annan

28. The foundation will assist the commission, according to the statement. The foundation's website describes its mission as providing leadership to mobilize "political will to overcome threats to peace, development and human rights." The foundation's statement also said the commission will convene its first meeting on Sept. 5 in Yangon, Myanmar's biggest city, and submit its final report and recommendations to the Myanmar government in the second half of 2017. The commission will comprise three international and six national experts.

29. Officials in Myanmar said this week that the current U.N. secretary-general, Ban Ki-moon, will attend a peace conference next week that seeks to end decades of armed conflict with ethnic minority groups. The U.N. is expected to soon confirm Ban's attendance at the conference, which begins Aug. 31 in the capital, Naypyitaw.

30. Rohingya Muslims have lived in the northwestern state of Rakhine for generations but are denied citizenship because they are considered outsiders. More than 100 people, mostly Rohingya, were killed in clashes with members of Myanmar's Buddhist majority in 2012. Tens of thousands of Rohingya have fled in rickety boats to seek refuge in other Southeast Asian countries, and many have perished in the perilous journeys or fallen victim to human traffickers. Many displaced Rohingya are now sheltering in refugee camps within the country in squalid conditions with little medical care.

31. In a reflection of how sensitive the Rohingya issue is, the Myanmar government's announcement did not name the community in the entire text, only describing it as "the complex and delicate issues in the Rakhine state." The closest it came to acknowledging the Rohingya was by saying that the commission will "examine international aspects of the situation, including the background of those seeking refugee status abroad."

32. Kofi Annan vows to lead impartial Myanmar mission 08 SEPTEMBER 2016, Annan to meet government officials and Rakhine leaders as part of bid to bring together Buddhists and Muslim Rohingya. Kofi Annan, the former UN chief, will meet members of Myanmar's federal government in Yangon to try to mend ties between Buddhists and the minority Rohingya. Annan has been appointed to lead a commission to investigate a communal conflict pitting the ethnic Rakhine Buddhists against Myanmar's Rohingya Muslim minority.

33. He has pledged to stay impartial as he leads the advisory commission. "To build the future, the two major communities have to move beyond decades of mistrust and find ways to embrace shared values of justice, fairness and equity," Annan said as he arrived in Sittwe, capital of Rakhine.²¹

34. **According to the Authority of Myanmar Language:** At least following factors may be attributed to the Myanmar policy which includes

- (i) **Ancient Inhabitants:** Rohingya's are the ancient inhabitants of Bangladesh.
- (ii) **Rohingya's are Considers Foreigners:** Rohingya's are considers foreigners because they arrive ancient period in the Myanmar for trade attraction of resource and good government. These factors made Rohingya settled in Myanmar, but actually they are outsiders.
- (iii) **Return Back Their Origin Home Land:** Now it is the times for Rohingya, they should return back their origin home land Chittagong, Bangladesh.
- (iv) **Failed to Show the Citizenship Documents before 1823:** They are failed to show the citizenship documents before 1823. Those who can show the documents in the year of 1823 they are considering the citizen of Myanmar.
- (v) **Enacted the 1982 Citizenship Law:** They enacted the 1982 citizenship Law, which is directly deny to the Rohingya's are not the citizen of Myanmar, they are consider outsider.
- (vi) **Myanmar Govt Denied Ancient History and Four Phase of Settlement:** Myanmar should respect the ancient history and four phase of settlement of Muslim in Arakan. Presently Myanmar Govt denied ancient history and four phase of settlement.
- (vii) **Encourages Arakan Muslim to Take the Religion of Buddhist:** The Myanmar authority encourages Arakan Muslim to take the religion of Buddhist. But the pious Arakan Muslim denied taking the religion of Buddhist.
- (viii) **Not Showing the Proper Respect of UN Convention & International Refugee Law:** The Myanmar authority ratifies the UN Convention 1951, 1967 protocol & international Law of Refugee.
- (ix) **Bangladesh Authority too Much Rigid to Accept the Rohingya:** The Myanmar authority believed that Bangladesh authority is rigid to accept their citizen of Rohingya. They are not receiving their ancient citizen rather Bangladesh Govt love to keep the Rohingya in the soil of Myanmar.
- (x) **Security Protection:** The security protection of Myanmar provided by its giant neighbor China.
- (xi) **Country Affected by the Refugee Crisis:** The country affected by the refugee Crisis is Bangladesh which is weak politically and militarily and which is not protected by any big power or neighbor like China.
- (xii) **Myanmar's Military Dictatorial/autocratic Regime:** Last but not least Myanmar's military dictatorial/autocratic regime does not care for any rationalism either for its domestic or international issues.

Two countries are standing in the two different attitude of Rohingya Crisis.

35. **Mysterious Silence of Nobel Prize Winner Aung Sang Suki & U.N. Secretary General Ban Ki**

Moon: According to researcher following reason may consider Mysterious silence of Nobel prize winner Aung Sang Suki & U.N. Secretary General Ban Ki Moon.

(a) The political conditions in Myanmar and Bangladesh are to be considered to put the issue of Rohingya in perspectives. While Bangladesh is more or less historically inclined more to a democratic political system, Myanmar has been most of the time since its independence from the British remained not only under crude military rule, but also under a ruthless dictatorial regime as we briefly stated earlier of this chapter. There is little respect for human rights, lack of tolerance to the people of cultural difference and freedom of speech that feature the state's nature of Myanmar as a country in this region. Myanmar was subjugated by the British and ultimately integrating it with the British empire of India that began in 1824 and ending in 1948 when it was granted independence. Almost since the attainment of independence from the British rule in 1948, the country had fallen in victim to military rule first under General Ne Win (from 1962 to 1988) and then when he was deposed by another military coup under another regime. However, in 1990 although the main opposition political party, the National League for Democracy (NLD) under the leadership of Aung Suu Kyi won the national election, it was denied power and put under repression by the military junta. Even the leader of the party (NLD) Aung Suu Kyi was arrested, imprisoned, and kept under house arrest before ultimately releasing her in 2010.

(b) The political developments in both the countries have contributed to such a situation now which is not good for both the countries. Notwithstanding, as far as the Rohingya refugee problem is concerned, Bangladesh has continuously pursued a policy of resolving the problem with Myanmar through diplomatic initiatives but has failed to achieve a durable solution till now although some of the Rohingya refugees, with the help of UNHCR, went back to their country most not only still remain in Bangladesh but many more are intruding into its territory time and again. Now why has Myanmar been able to continue a policy of ethnic cleansing with regard to the Rohingyas in it? At least three factors may be attributed to the Myanmar policy which includes: (1) the security protection of Myanmar provided by its giant neighbor China, (2) the country affected by the refugee problem is Bangladesh which is weak politically and militarily and which is not protected by any big power or neighbor like China, and (3) last but not least Myanmar's military dictatorial/autocratic regime does not care for any rationalism either for its domestic or international issues.

(c) One of the famous Buddhist extremist, the name of Buddhist is Virathu. With the leadership of Virathu, Genocide is frequently done against Rohingya Muslim Community. As per the statement of times, he announced himself Osama Bin Laden for example; Bin Laden was declared war against America but Virathu declared war against Minority Community of Rohingya Muslim of his native country. The name of his party was 969. His party name is changed and new name is Ma Ba Tha. Whatever the name of his party, the main aim of his party was to destroy Rohingya Community and wiped out Rohingya from their country. It was not surprising thing that national powerful Community with the leadership of Virathu take part with this operation. Even many Leader of Aung Sung Suki from her party National League for Democracy is directly involve with Ma Ba Tha. Former autocracy president Thein Sein also called this revaluation "The symbol of peace".

(d) Myanmar Buddhist extremist leader Virathu tried to unite the Buddhist religious people and regarding this aspect he becomes successful leader. In his speech he called upon the Buddhist to come forward and destroy the Rohingya's Community. He believes in the philosophy that Rohingya Muslim is patronizing terrorist activities. Rohingya Muslim encourages the terrorist group to carry out all the terrorist activities in the Myanmar. He

believes that, if they can destroy the Rohingya Community then all the territories activities will be stopped in the Myanmar. So in the name of the operation to stop the terrorist activities actually they carried out Ethnic Cleansing operation. Virathu was also famous of the Buddhist extremist group and he is patronized by the Myanmar Govt. The Military Govt. of Myanmar awarded him as a National hero for this Ethnic Cleansing activity. He becomes National hero.

(e) Former UN Secretary General Kofi Annan and his commission try their best level to carry out recognizance and investigation activities in the Arakan regime. But he and his Commission member faced lot of difficulties to carry out their activities. Buddhist extremist group raise voice against the commission and said they will not allow carrying out no more activities in the soil of Myanmar. Kofi Annan and his commission should stop their activities. During the investigation activities they are protest by the Buddhist extremist group.

(f) Present UN Secretary General Ban Ki Moon, Rohingya should get the citizen of Myanmar and all sorts of privilege. There is no way to deny their citizenship because Rohingya are the inhabitants of Myanmar more than hundred years ago. His statement was criticized in the Myanmar Buddhist people. They raised long possession and petition against the statement of UN Secretary General Ban Ki Moon.

(g) The Govt formed an investigation group to find out actually what is happening in the Arakan. Lot of evidence and proof of documents were submitted to the investigation group president Ne Wine. Specially, rape was carried out by the military Janata against Rohingya innocent women and all proof of the documents submitted to the president. But his respond was very pathetic. He says their military was very discipline military force. He is not taking any action against them; rather he says the women of Rohingya's are dirty. Above mention reason are the main root causes to implement and establish the peace in the Arakan regime.

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CHAPTER- SIX

CURRENT SITUATION OF ROHINGYA REFUGEE

1. **Introduction:** The Rohingyas are one of the most persecuted communities in the world. Although, they have been living in the state of Arakan since the 8th century (which is now part of Burma), the Rohingyas have been under extreme scrutiny by the Burmese government. They haven't been recognised as citizens of The Union of Burma since the 1962 coup d'etat by General Ne Win. After decades of oppression and marginalisation, the passing of the 1982 Citizenship Law deemed them officially stateless.

2. The Rohingya refugee situation in Bangladesh is one of the most protracted in the world, with almost twenty years of continuous camp settlements in some areas in the most recent period. There are significant cultural and socio-economic differences between the Rohingya and local populations and there are many challenges to finding 'durable solutions'.

Table-12: Stateless Rohingya

<u>Source</u>	<u>Description</u>
Country of origin	Burma, Arakan
Countries of residence	Bangladesh, India, Thailand, Malaysia, China, UAE, Saudi Arabia
Total population	approx 1.5 million in Burma, approx 200,00 in Bangladesh
Language	Rohingyan, Bangali, Arakanese
Religion	Islam

Table-13: Short Timeline of Events

<u>Year</u>	<u>Description</u>
8th century	Dated Rohingya ancestry in Arakan
1799 :	A Comparative Vocabulary of Some of the Languages Spoken in Burma Empire published by Francis Buchanan the first historical document mentioning the Rooinga or today's Rohingya
1947:	Constitution of the union of Burma is proclaimed with some of Burma's first citizenship laws. The Rohingyas vote in the 1 st Constituent Assembly Elections
1948:	Independent Union of Burma is created.
1959:	Rohingyas were recognized as race with equal rights, by Prime Minister U Be Sue.
1962:	General Ne Win overthrows U Nu government in a military coup.
1978:	Operation Naga Min was launched, Rohingyas targeted and massacred; 200,000 Rohingyas fled to Bangladesh
1982:	Burma Citizenship Law enacted, no longer recognized Rohingyas as citizens; 800,000 Rohingyas left stateless
1982 onwards:	Rohingyas were subjected to abuse, forced labour, harassment, rape, arbitrary land seizure, destruction of property.
<u>Year</u>	<u>Description</u>
2010:	The government suspended resettlement in Nov. 2010.
2011:	UNHCR added an estimated 200,000 Rohingyas outside of camps to its acknowledged population of concern. UN and UNHCR's relations with authorities deteriorated.

2012:	2 waves of violence erupted between the Rohingyas and Rakhines in Arakan, devastating both community resulting in mass killings and torture, 135,000 Rohingyas displaced who now live in IDP camps in the Sittwetownship.
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4. **Why are they in trouble?:** Human rights abuses against the Rohingyas have been entrenched into the social, political and economic systems of Burma or Myanmar for decades. Pushed to the margins of society, they are:

- a. Restricted in their movement
- b. Required to attain permission to marry from the NaSaKa (Arakan border force) failure to do so will result in arrest
- c. Restricted regarding the number of children they can have
- d. Denied the right to work
- e. Denied education
- f. Denied freedom to practice their religion and cultural customs

5. This is simply because the Rohingyas one of the many ethnic minority groups in Burma, are different in:

- a. Race (Rohingya are darker in appearance comparing with the majority Burmese, with different physical and facial features.)
- b. Their language
- c. Their faith (Rohingya community follow religion of Islam)
- d. Their traditions and culture

Many racists claim that they are not Burmese, but in fact Bangladeshi. As a result of these difference, the Rohingya are subjected to living as 'non- citizens' in their own homeland.

6. **The Rohingya Refugees in Bangladesh:** The Rohingya Muslims have been predominantly concentrated in the northern Rakhine state of Myanmar for centuries. The Rohingya's claim to be of mixed ancestry, including descendents of the first Arab traders that stopped along the trade routes to China in the 9th century. They are ethnically and linguistically distinct from the' predominantly Buddhist population of Rakhine state. A long history of civil conflict¹ was interrupted by the British colonial administration of the region. However, since the Second World War and subsequent Burmese independence in 1948, the Rohingya population has been ostracized and denied citizenship by the government of Myanmar (Burma).² The military occupation of Rakhine state and severe limitation of access to education, healthcare, employment, and other personal freedoms, in addition to various rights violations, is well documented.^{3,4,5,6}

7. In Bangladesh, four refugee camps- two UNHCR recognized camps and another two are not recognized camps by UNHCR and government. Rohingyas inside the refugee camps are "Myanmarese refugees J whereas the Rohingya people staying outside the camps are undocumented "Myanmarese nationals J. It is estimated that there are approximately 28,000 registered refugees living in Kutupalong and Naya- para camps⁷ and more than 60,000 and 15,000 unregistered refugees live in Kutupalong makeshift camp and Lada camp successively.⁸ The government of Bangladesh estimates that between 200,000 and 500,000 additional Rohingyas from Myanmar have settled elsewhere in Bangladesh.⁹ Of

these, UNHCR has in 2010 added an estimated 200,000 to its acknowledged 'people of concern'.¹⁰ Truly speaking, there is no exact figure on the number of undocumented people. According to Danish Immigration Service, there may be 300,000 or more.¹¹ According to IOM there are 200,000-400,000 undocumented Rohingyas in Bangladesh, but data on the actual numbers is a grey area. Undocumented Rohingyas do not share information due to their fragile situation, and it is difficult to get information on the group outside the camps.

8. **Rohingya Crisis- Bangladesh and Rohingyas Both are Facing a Harsh Reality:** In Bangladesh, the Rohingyas are faced with hardly any protection from their host country. As a burden to the densely populated country, the Rohingyas are living a harsh life in refugee camps, struggling from malnourishment, isolation, illiteracy and neglect. Almost similar to the Rohingyas living in Burma, the Rohingya refugees' right to movement is limited here and they are often subjected to exploitation. According to some newspaper reports, in refugee camps, the Rohingya women are victims of sexual violence, children are denied education and there is limited access to health and medical aid. The hostile environment for Rohingyas in Bangladesh urges the refugees in Bangladesh and Burma to seek help in other parts of Asia such as Malaysia, Thailand and Indonesia; however, these parts are not usually welcoming or like Bangladesh, do not have the resources to house another community. So, Bangladesh is really in a problematic situation as it is a country already afflicted with many of its internal problems like population growth, environmental pollution, poverty, etc. Rohingya crisis is an extra burden for Bangladesh which was supposed to be a headache for Myanmar. It is Burma's duty to accept the Rohingya as citizens, accept their history and ensure the safe repatriation of each and every single member of the community back into Arakan. Although safer than being persecuted and killed in Burma, the Rohingya community in Bangladesh is a stateless community many of whom want to return to Arakan when it is safe to call it home.

9. Burmese Rohingya refugees in Bangladesh are facing shortage of foods as they are not being able to go for work because of the tight security along the border and the fear of arrest. Rashid, a camp committee member from Kutupalong makeshift camp, said, "The refugees from unregistered refugee camps are depending on their own selves for their lives struggle by working outside the camp as day labour, cultivation labour, rickshaw puller and fishing industry worker."¹² The restriction was made by camp authorities not allowing the refugees to go out from the camps for fear of arrest. The government of Bangladesh has deployed security forces - Border Guards Bangladesh (BGB), Repaid Action Battalion (RAB) and police - along the border areas where the refugee camps are situated. An official from the camp said that all the roads are blocked by opposition groups and camps authorities who fear that refugees would be arrested and sent to jail if they go outside the camp for work.¹³

10. The unregistered refugee camps do not get any support from UNHCR or Government. They either try to integrate in the local community or live in makeshift camps. One of the make-shift camps is situated next to the official Kutupalong camp and another in Leda, next to the Naf River. Some of them are living along in the roadside especially along the Teknaf and Cox's Bazar highway. They are living in a makeshift camp named Tal. The refugees need to work for their survival by working out of the camps. Without work they will not be able to earn money and will suffer from shortage of foods. So there will be starvation.¹⁴ The conditions in the unofficial camps are far below the minimal international standards. The makeshift camps are overcrowded, unhygienic and rampant with infections, diseases, malnutrition and psychosocial problems.¹⁵ The level of child malnutrition is "considered critical" by the World Health Organization (WHO), which recommends in such crises that adequate food aid be delivered to the entire population to avoid high numbers of preventable deaths.

11. The Rohingya refugees are living in congested areas both inside and outside of the camps. The houses are bad in shape and the sanitation system is very poor. It has been seen by a human rights research and advocacy organization that more than 72.72% of the undocumented refugees are

illiterate and their living conditions beneath human dignity with little exposure to sanitary toilets and clean drinking water.¹⁶ Hence, the environment around the camps and outside has been deteriorating over the years. The population density is extremely high in that area. The environment is polluted by the refugees which is largely an outcome of their ignorance. Particularly, the location of the "Tal" camp is a great concern. All the sewerage flows into the Naf River, spoiling the purity of the river water. The above picture paints a dismal life of the refugees. Year after year, the children are growing up without their own cultural norms and practices. They are deprived of a dignified life and are far removed from proper education and health care. The probability of vulnerable Rohingyas of being victimized by the criminal elements present in the border is also another matter of concern. Women and girls are particularly vulnerable. Rohingyas have exhausted their coping mechanisms due to the level of persecution they have faced in Myanmar.¹⁷

12. **Rohingya's Stateless ness Causing Deprivation of Minority Rights Also:** Being a stateless person Rohingya people are also being deprived of minority rights. Although they have some characteristics to enjoy the rights of a minority group, "nationality" or "citizenship" issues bars them from enjoying those rights. As a group-like entity, minorities exist everywhere in the world in varied forms and sizes. Practically speaking, in every state of the world there are ethnic, linguistic, cultural, racial, religious, linguistic, sociological and political minorities. Some state has adopted liberal policies not only recognizing the existence of minorities but also in protecting their cultural and linguistic identities. However, there have been other States where physical extermination, marginalization, discrimination and genocide have been rampant and order of the day. In their practices, many States continue to refuse to recognize that minorities physically exist and have used forcible mechanism of assimilation.¹⁸ Because of the ambiguities emergent from the State practices, international law has historically found it difficult to provide firm guidelines on defining "minorities" and in articulating a detailed set of rights. An underlying theme in relation to the subject is that by way of contrast to individual human rights, minority rights - as collective rights -are also liable to pose more substantial threats to the territorial integrity of States or to those who form the government of those States.

13. If we look a Rohingyas, we see them as a distinct entity possessing stable ethnic, religious or linguistic characteristics that differ sharply from those of the rest of population. So, objective criteria of the definition are fulfilled. Now if we look at the subjective criteria of the definition we see that Rohingyas also fulfil that criteria apparently, because there exists a common will in their group, a sense of solidarity, directed towards preserving the distinctive characteristics of the group. So we see that they, as a group, are fulfilling both the objective and subjective criteria of the Capotorti's definition.¹⁹ So at this level, we will consider there numerical strength. We observe that they are numerically inferior to the rest of their population. Interestingly, Capotorti's theory of 'numerical inferiority' generates difficulties in multi-minority situations where no single group forms an ascertainable majority.

14. The most striking issue to arise out of Capotorti's definition is that of the position of non-nationals within the State.²⁰ Non-nationals could form a significant proportion of a State's population. Although the main thrust of the development of international human rights law has devoted itself to a consideration of the plight of nationals within the State, the rights of non-nationals, as individuals, are also increasingly becoming a concern of human rights law.²¹

15. Non-nationals include migrant workers, refugees and Stateless persons and the phenomenal increase in their numbers in recent years has brought considerable attention to their position in international human rights law.²² The travauxpreparatoires of the ICCPR are not extremely helpful on the matter, though whatever guidance can be obtained points more in the direction of exclusion of non-nationals from the category of minorities as envisaged in the Article 27.²³ On the other hand, it must be noted that Article 27 of International Covenant on Civil & Political Rights, unlike Article 25 of it,

refers to persons.²⁴ It is also significant to note the views of put forward by the Human Rights Committee in its General Comments on Article 27.

16. **Refugee Ghettos:** The Rohingya refugee crisis that began in June 1991 with 10,000 refugees entering Bangladesh reached its peak by mid-1992, when the figure rose to 2,65,000. Presently, they are located in 19 camps on both sides of the Cox's Bazar-Teknaf highway, popularly known as the Arakan road. The camps are within Teknaf and Ukhia Upazilas of Cox's Bazar and Ramu of Bandarban district. The refugees came mainly from Buthidaung, Maungdaw, Rathedaung and Akyab of Myanmar.²⁵

17. **Conditions in the Camps:** The tin-roofed makeshift barrack housing the refugees were found to be not a hygienic one. In many camps, thatched houses were constructed to accommodate them. The Government of Bangladesh and the UNHCR were involved in construction of houses for them. The Government does not have enough vacant land in this area to open new camps. The alternative is either to clear reserve forest which will be an ecological disaster or hire private land which is difficult to obtain. Such overwhelming has been the flow of refugees that Teknaf, a town of 170,000 people has an equal number of refugees. At many places they built tiny hovels made of twigs and leaves collected from the nearby forest.²⁶

Table-14: Situation Report of Rohingya Refugee Camps²⁷
(As on 03-06 March 2016)

Name of the Refugee Camps	No. of refugees residing in the camps	No. of Refugees residing outside the camp	Total
Dhoa palog, Ramu	16957	-	16957
Dechua palong, do	4771	-	4771
Dechua palong,-2 ,do	22659	-	22657
Marichapalong,Ukhiya	10845	-	10845
Haludiapalong, do	7508	-	7508
Kutupalong, do	12448	-	12448
Balukhali-1 do	18836	-	18836
Balukhali-2 do	9695	-	9695
Dumdumin-1 Teknaf	10297	6146	16443
Dumdumin-2 do	10047	21668	31715
Jummapara-1 Ukhia	-	392	392
Shailerdada Teknaf	9730	-	9730
Harikhola Teknaf	7316	-	7316
Nayapara-1 Teknaf	16470	-	16470
Gundhum-1N Chari	17995	6134	24129
Gundhum-2 do	16865	-	16865
Gundhum-3 do	8814	-	8814
Adarshagram, do	15032	-	15032
Total =	2,16,321	34,340	2,50,661

Rangikhali (Transit camp): 216

Source: Rohingya Refugees Relief a Repatriation cell

18. General health and hygienic conditions of the refugees are not good. With some of the camps like the one at Dumdumia in Teknaf, which is the biggest having 50,000 refugee population did not have enough drinking water facilities. Many of the inmates were forced to get supplies from neighbouring springs and streams which were fast getting polluted. No tube wells could be sunk at Dumdumia as the underground soil is highly rocky. A tanker fetched water all the way from Ukhia, 25 km away. Both drainage and sanitation are poor in the camps. The situations are worsened as the refugees are defecating all over the place.²⁸

19. Most of the refugee children are highly malnourished and 27 per cent of them, according to a random survey, are suffering from tuberculosis. No immunization programme for the children has been taken up. Being illiterate and destitute, the children and their prents are also highly susceptible to diarrhoea. The lack of waterhis made the incidence of scabies rampant among the refugees.²⁹

20. Moreover, the area *is* in the malaria zone. There are around 20,000 pregnant women, whose ante-natal care and delivery arrangements are highly inadequate. As of 10 March '93, so far 6,642 children were born *in* the refugee camps.³⁰ They lack initial health and immunization facilities.

21. **Environmental Degradation:** What is causing serious concern is that the surrounding rich forests are being destroyed by the refugees who are felling trees to use them as fuel. Already, the forest here has been denuded of bamboos as they have been cut for making huts for the refugees. "If the

refugees are to stay here for another year, nothing would be left of the forest", a senior official warned. Initially in early 1992, the refugees were dependent on selling of fuel woods for their livelihood. Following supply of daily ration by the Government and other international agencies, this problem was solved partially, although the forests continued to be depleted to meet increasing demand for fuel.³¹

**Table-15: Situation Report of Rohingya Refugee Camps
(As on 03-06 March 2016)**

No of camps	Built	20
	Transit	3
No of refugees	Registered	2,50,877
	In camps	2,06,086
	Outside camps	22,507
	Repatriated	22,184
List of refgees given to Myanmar authorities for repatriation		2,46,966
Approved list by Myanmar authorities		73,869
No. of NGOs working		15
Security (police)	Officers	35
	Constables	153
	Ansars	589
Death in camps		3,411
New born babies		6,642
Casualty bue to clash Between rival groups	Death(Refugees)	15
	Injured(do)	196
	Injured(official)	51
Personnel working	Officer	109
	staff	213
	Doctor	34
	medical staff	142

Source: Refugee Relief and Repatriation cell (As no 03-06 March 2016)

22. The Forest Department claims that till September '92, the refugees have destroyed forest resources worth Taka 740 million. They estimated that the refugees have damaged natural forest of 1021 acres and new plantation of 91.05 acres. Recently, the Relief and Rehabilitation Department has finalized a deal with the UNHCR for new plantation in and around the affected areas.³²

23. **Distinctive Cultural Features of the Rohingya:** Asked about distinctive cultural features of the Rohingya, Ms. Ishrat Jahan Ahmed, Director, Ministry of Foreign Affairs (MFA) mentioned that this group of Myanmarese nationals [Rohingya] look like Bangladeshi people from that area; they speak the same dialect and understand the language although there are some differences. Furthermore they have the same culture and the same religion. According to the Director of MFA, even people from Bangladesh are confused and cannot distinguish the two groups. The language is the only salient feature as it differs somehow from Bengali, but the Myanmarese who have stayed for some time in Bangladesh pick up the local language. The Deputy Refugee Relief and Repatriation Commissioner, Mr. Shah Ariar informed that distinguishing the Rohingya from the local population in the Chittagong area is very difficult. Local people can distinguish their language from the Chittagonian Bangla, but they have the same complexion as the Bangladeshis, look the same way and their language is very similar. A

well informed diplomatic source (1) said that there is no difference in ethnicity and language between Rohingya and the local Bangladeshi population in the border area. In the North of Bangladesh a Rohingya would “stand out”, but not in the border area. However, in the villages everybody will know who is a Rohingya which make them vulnerable as they are not citizens. Between 150,000 and 300,000 live in villages and the source assumes they are integrated and has no reason to believe they are excluded from mosques etc., but they are not Bangladeshi citizens. Another well informed diplomatic source (2) mentioned that some Rohingya will “pass” themselves as Bangladeshis as it is in their interest to do so and because they are well integrated into the Bangladeshi society.³³

24. **Mixed Marriages Between Rohingya and Bangladeshis:** Mixed marriages between Rohingya and local people are not unusual according to UNHCR. There is no known difference between the numbers of women marrying local men or local men marrying Rohingya women.

25. The Deputy Refugee Relief and Repatriation Commissioner, Mr. Shah Ariar, informed the delegation that before 2009 it was easier for the Rohingya to have their marriage registered in Bangladesh as some of them had been able to acquire a Bangladeshi ID card. According to the source mixed marriages are officially not allowed but actually it happens quite often. Mr. Shah Ariar further informed that refugees registered in the camps have specific certificates for marriage and that they will have their marriage approved by the Camp-in-Charge. There is a trend for early marriage among the Rohingya, i.e. girls at an age of 13-14 years old, but this trend is also found among the local Bangladeshi population in Cox’s Bazar.

26. According to Ms. Chris Lewa, mixed marriages are quite common. Rohingya men are marrying Bangladeshi women in order to be able to protect their children in Bangladesh. In this connection Ms. Chris Lewa explained that a new law introduced in Bangladesh, the Citizenship (Amendment) Act 2009, entitling a Bangladeshi woman to transmit citizenship to her children, is allowing women to transfer their nationality to their children, even if the father is not a Bangladeshi citizen.³⁴

27. According to a Bangladeshi researcher who studied the Rohingya, there are Rohingya families who have stayed in Bangladesh for decades and who have married their daughters and sons to Bangladeshis. In fact, for some Rohingya families it has been a strategy to marry under aged girls (even as young as 13-14 years old) into Bangladeshi families. When the girl is married she will move over to the in-laws’s house and her entire family can then move near to her as a “migrant” family. However, the Bangladeshi researcher also mentioned that it is less prestigious to a Bangladeshi to marry a Rohingya and more so for Rohingya men marrying Bangladeshi woman. However, no authentic data in this regard are available.

28. As regards mixed marriages between Rohingya and Bangladeshis, Professor Ahmed, Dhaka University, said that there is no social bar to it. However, you do not hear much about it and there will be very little marriage profit from a Rohingya girl, for which reason a Rohingya girl is not attractive. A well informed diplomatic source likewise found that mixed marriages are rare as most Rohingya would rather go for a family reunification with relatives in Burma or marry a Rohingya in Bangladesh. In this connection the source mentioned that Rohingya in the registered camps and outside the camps marry each other. This is particularly significant for the Rohingya in the Kutupalong camp and Nayapara camp according to the source. In this way the unregistered Rohingya outside the camps are connected to the registered residents.³⁵

29. **Situation for Rohingya Registered in Refugee Camps in Bangladesh:** The Deputy Refugee Relief and Repatriation Commissioner (Dy RRRRC) explained initially that Bangladesh has hosted the Rohingya refugees for a long period, and it is still unknown for how long it will continue, as it depends

on the situation in Myanmar and the Myanmar government. In Bangladesh the refugees are maintained as per international standard according to the Dy RRRC.

30. The Camp-in-charge (CIC) of Nayapara Refugee Camp, Mr. Jalal Uddin, explained that the present refugee population is the residual part of more than 250,000 refugees who were sheltered in Bangladesh during the 1992-influx. Nayapara and Kutupalong refugee camps were originally two camps out of 20 after the influx of refugees in 1991-92. Now they are the only remaining camps with a total of 24,797 refugees (14,701 in Nayapara and 10,096 in Kutupalong), according to CiC. The Kutupalong camp is situated 37 km South of Cox's Bazar and Nayapara is situated another 48 km further south, 5 km from the Bangladesh- Myanmar land border. (See map in annex 2).³⁶

31. According to UNHCR (Bangladesh) there are in total 29,050 registered refugees in two camps - Kutupalong (11,476) and Nayapara (17,574) as of 31 January 2011. However, there is a discrepancy between the number registered with UNHCR and the Government of around 5,000 persons. UNHCR is presently working with the GOB to merge their data with the GOB registration. UNHCR informed that the Government of Bangladesh (GOB) has been, since October 2010, reviewing its policy on the refugees from northern Rakhine State of Myanmar, commonly referred to as the Rohingya.

32. **Organisation of the Camps:** The Camp-in-charge (CiC) explained that he is the representative of GoB in the refugee camps and is responsible for implementation of government policies on refugee matters. The overall activities of the two camps are coordinated by the Refugee Relief and Repatriation Commissioners office at Cox's Bazar. A Camp management committee and block committee activities are established with elected inhabitants of the camps. As a rule, the refugees are not allowed to leave the camps, however, permission can be granted at various occasions, as for instance a court case, a day in advance. It is government policy to train the refugees in self reliance activities, including sewing, carpentry, mushroom cultivation, soap making etc.

33. According to the CIC, the camps are densely populated and are half size of the UN recommended standards (20 squaremeters/person whereas UN standard is 45 squaremeters/person). Even though new shelters were built, some refugees are still living outside shelters. In Nayapara Refugee Camp there is no underground water; instead there is a dam (surface water and a treatment plant) for distribution of water two times daily. As regards primary education in the camps a total of 21 schools for children are running in the two camps and a school for adults, teaching is in Bangla and following the Bangladeshi national curriculum.

34. UNHCR (Bangladesh) similarly informed that the camps are administered by the GOB. Specifically, a resident Camp-in-Charge of each camp works under the Refugee Relief and Repatriation Commissioner (RRRC) in Cox's Bazar. The RRRC reports to the Ministry of Food and Disaster Management. As regards the local organisation of the registered camps UNHCR mentioned that formerly the power structure of the camps was in the hands of so-called *Majhees* who helped manage the camps. However, the system became corrupt over the years. In 2007, the system was disbanded by the GOB and UNHCR although former *Majhees* still exert power as they are economically better off than the average Rohingya. Currently, the new refugee representation system has a committee of refugees representing each block in the camps. Over and above that, a camp management committee represents the interest of each camp. UNHCR added that they were trying to improve this system as the leadership remains weak.³⁷

35. **Relation Between Camp Refugees and Rohingya Living Outside the Camps:** UNHCR (Bangladesh) informed that many of the Rohingya in the camps who registered before in 1991 and 1992 have relatives living outside the registered camps. Many of those residing outside the camps are

among the 230,000 who repatriated between 1993 and 2005 but have since returned to Bangladesh. For this reason, there is a close network between some of the camp residents and the Rohingya residing outside the camps. Asked if there is any connection between the registered and unregistered Rohingya, the Political Officer of the Embassy of USA, Mr. Partha Mazumdar similarly replied that there are tight connections between the three groups, registered, unregistered and the Rohingya living in the villages. People are walking in and out of the camps bringing food and other necessities.³⁸

Situation for Unregistered/ illegal Rohingya in Bangladesh

36. **Unregistered Rohingya Outside the Camps:** The Director in the Ministry of Foreign Affairs (MFA), Ms. Ishrat Jahan Ahmed emphasized that according to the Government of Bangladesh (GOB) the Rohingya inside the refugee camps are Myanmarese refugees whereas the Rohingya people staying outside the camps are undocumented Myanmarese nationals. Ms. Ishrat Jahan Ahmed further informed that there is no exact figure on the number of undocumented people, but there may be 300,000 or more.

37. The Deputy Refugee Relief and Repatriation Commissioner, S M Rejoan Hossain similarly informed the delegation that thousands of Rohingya are staying outside the refugee camps, and some Rohingya have stayed more than 50 years in Bangladesh. S M Rejoan Hossain further said that there are more than 250,000 undocumented Rohingya in Cox's Bazar and other places including Chittagong as well as few in Dhaka. According to S M Rejoan Hossain only the best educated will move further than Cox's Bazar. S M Rejoan Hossain informed the delegation that the government is considering whether there should be any registration of these undocumented Rohingya. S M Rejoan Hossain also mentioned that before the latest general elections in 2008, many unregistered people were removed from the voters list. In Cox's Bazar alone, more than 30,000 people were excluded from the list. According to Mr. Shah Ariar, the excluded people were not all Rohingya but there were many.

38. UNHCR (Bangladesh) informed the delegation that the organisation had not been permitted to register newly arriving Rohingya since mid-1992, but according to GOB an estimated 200,000- 400,000 undocumented Rohingya are currently residing in various villages and towns outside the refugee camps in the Cox's Bazar district. They include many refugees who had initially fled to Bangladesh in 1991, but subsequently returned to Myanmar. According to UNHCR 236,618 Rohingya who sought safety in Bangladesh and registered as refugees with UNHCR in 1991-92 had repatriated to Myanmar as of December 2005, most of them within a few years of arriving. No repatriation has taken place since.³⁹

39. A well informed diplomatic source (1) informed the delegation that the Government of Bangladesh (GOB) accepts its responsibility towards the Rohingya; however, it is concerned about providing assistance to the unregistered refugees as GOB does not want to create a "pull factor". Many of the 250,000 Rohingya who were repatriated after 1992 have come back to Bangladesh but the exact number is not well known. Between 200,000 and 400,000 is the estimated number according to the source. According to the source the Rohingya are coming as a combination of "push" and "pull" factors conditions in Burma are pushing them out and they hope to be able to integrate and get assistance in Bangladesh. Support for the Rohingya is complicated and could be a pull factor from the point of view of the GOB. Some NGO's are working in the area with support to the local population as well as unregistered Rohingya. The areas where the Rohingya are settling districts in Cox's Bazar and in Chittagong - are already some of the poorest parts of the country. Supporting the Rohingya would put them in a better position than local Bangladeshi people according to the source.⁴⁰

40. A Bangladeshi researcher who has studied the Rohingya explained that the unregistered Rohingya constitute an invisible community outside the camps. On the other side the Bangladeshi researcher mentioned that they are not pushed back to Myanmar. The source further mentioned that if the Rohingya are not recognised as such, they are going into the mainstream Bangladeshi society but staying illegally, they will be criminalised. If the Rohingya are subject to violence or other forms of criminal activities as for instance traffickers, they will not be able to go to the police or to have their case taken to the court.

41. **Resettlement of Refugees from Bangladesh:** The Deputy Refugee Relief and Repatriation Commissioner (DRRRC), S M Rejoan Hossain, found that the main modus for solving the refugee situation is repatriation of the refugees. In this connection he mentioned that the Minister of Foreign Affairs from Bangladesh visited Myanmar in May 2009 in order to negotiate with the Government of Myanmar. In 2005 the Government of Myanmar agreed to take back 9,000 refugees. Now another 6,000 refugees are under negotiation. S M Rejoan Hossain further explained that the Government of Bangladesh is also interested in resettling the refugees in foreign countries and that the Ministry of Foreign Affairs is at present consulting with other ministries in order to coordinate the resettlement programme.

42. The District Commissioner (DC) mentioned that UNHCR has facilitated resettlement of some of the camp residents. According to the DC, the resettlement programme needs to be transparent. The resettlement programme offering the Rohingya the chance to get to foreign countries is attracting more Rohingya to come to Bangladesh according to the DC.⁴¹

43. The British High Commission informed that a resettlement programme for Rohingya is coordinated in the UK and 196 Rohingya refugees have been resettled under the refugee resettlement programme. In 2008 in total 63 Cases, in 2009 86 cases and 47 cases in 2010. The decisions were made by the UK Border Agency in the UK. In 2011- 2013 refugees were chosen via paper assessment; however GoB cancelled the resettlement program. The source added that since 2006 only around 900 Rohingya had been resettled by UNHCR in third countries and that it is a slow process.⁴²

44. **Attitude of Local Authorities Towards the Unregistered Rohingya Group:** The Director in the Ministry of Foreign Affairs (MFA), Ms. Ishrat Jahan Ahmed mentioned that MFA and the Government of Bangladesh (GOB) have been very patient with the Myanmar people. GOB has followed the principle of non-refoulement as the government is concerned with the security of the people. However, the Myanmar nationals have to return to their own country and the Government of Bangladesh also has a dialogue with the Government of Myanmar on this difficult issue. According to the Director of MFA, Bangladesh is a peace loving country and has excellent relations with its neighbors, including Myanmar, but it takes a lot of prudence to deal with these refugees.

45. According to the director, MFA has recently reviewed its policy with regard to the Myanmar nationals. The Cabinet now has to decide how the future policy will be. For the time being, the resettlement programme has been suspended. The Director also mentioned that GOB is concerned that the resettlement programme will attract an influx of people from Myanmar. The director further stated that it is difficult for a poor country like Bangladesh to host all these people and the international community should also get involved in a dialogue with the Government of Myanmar.⁴³

46. The Myanmar nationals who have arrived in Bangladesh are desperate people who have been persecuted due to their religion and ethnicity, but Bangladesh is in a dilemma as the Government also has to deal with the existing poverty in Bangladesh. Bangladeshi people in the border area live from hand to mouth and the influx from Myanmar put pressure on local resources, including the

environment. There is a competition for jobs and the Myanmarese is threatening the security in the area.

47. The District Commissioner of Cox's Bazar (DC), Mr. Ali Hossain stated that there are many problems in the area caused by the Rohingya. According to the DC the Rohingya are not all poor, some of them are fighting each other, and some of the Rohingya are engaged in business with illegal drugs. The DC emphasized that Bangladesh is already overpopulated and the presence of the Rohingya create environmental problems as they are destroying the forests by collecting firewood. The DC further informed that Bangladesh is now building a new road to the border area in order to enhance business with Myanmar. According to the DC, this may contribute to stop the illegal activities. The DC further informed that drugs, human trafficking and illegal arms are big problems in the area.

48. According to UNHCR (Bangladesh) an anti-Rohingya sentiment has been growing over the last couple of years among the local population in Cox's Bazar. Anti-Rohingya committees have been formed and the resistance has become more organised. Some of the sentiments expressed about the Rohingya include that they are creating law and order problems in the district that they are taking jobs that local people should be doing, that they are adversely affecting the environment, that they are registered as Bangladeshi voters illegally, and that they are using Bangladeshi passports to leave the country. In relation to the law and order problems, according to UNHCR, there have been a few cases in which homemade weapons were found in the camps as well as cases in which drugs and foreign currency were found. These refugees have been charged under the national laws. However, for the most part, there are no serious security issues inside the camps and that most of the residents are women and children. UNHCR has also taken measures to mitigate the impact of refugees on the environment by installing solar street lights, distribution of energy saving stoves and compressed risk husks to replace firewood.

49. UNHCR (Bangladesh) does not have access to the prisons or the borders. However, based on public documentation, UNHCR noted that there are 407 people from Burma (who are not all Rohingya) detained in Cox's Bazar Jail as of December 2010. Some of them remain imprisoned also after they served their sentence until they can be repatriated to Myanmar. This can take decades.⁴⁴

50. A well informed diplomatic source (1) found that the anti-Rohingya sentiments starting after 2008 could be related to the voter registration drive for the elections in 2008. Prior to 2008 some Rohingya had managed to get registered for elections which meant they could support local politicians. With the new and more efficient system in place in 2008, Rohingya could no longer get registered and as a consequence were no longer enjoying any protection from local politicians who would not get any votes from them. This situation had created tensions between local people and the Rohingya. There have been riots but the riots have been organised/instigated by local politicians/leaders. These riots were planned and manufactured and was not a spontaneously reaction against the Rohingya. In April 2010 political leaders in Cox's Bazar had made demonstrations against Rohingya. According to the source, there were political reasons behind it and it was a local phenomenon which was not organised by a certain political party. The source further stated that the anti-Rohingya tension is not an ethnic conflict between Rohingya and local Bangladeshis, but a political and economic conflict where nationality is used as an excuse.

51. Asked about the attitude of the local authorities towards the Rohingya group, the British High Commission (Mr. Fotheringham) informed that they are rarely making any trouble. The source also pointed at the fact that the crime rate has increased which could have led to a negative attitude towards the Rohingya; however, it does not seem to be the case. As regards the crack down on Rohingya that took place in 2008 and 2009, the British High Commission informed that the atmosphere

was not very hostile for the time being and there has not been any recent discussion on the issue in the media.⁴⁵

52. Ms. Chris Lewa pointed similarly at the many incidents in connection with a crackdown on the Rohingya community in the Chittagong Hill Tracts and the Cox's Bazar area in the beginning of last year (2010). These incidents included police arrests of Rohingya in the streets, i.e. Rohingya rickshaw-pullers who were thrown off their rickshaws, and Rohingya arrested in work sites as they were not able to show any ID cards. For the first time, law enforcement agencies including the police and the Bangladesh border security forces (BDR) were actively involved in rounding up unregistered Rohingya at public places like their work place, along roads, on buses as well as in their private homes, simultaneously in all sub-districts where Rohingya had settled.

53. Professor Imtiaz Ahmed informed the delegation that there have been rumors on Rohingya who were recruited for terrorism and that the refugee camps were recruitment grounds for terrorist organizations. Professor Ahmed commented that to be a militant, you need ideological motivation. The fact that the Rohingya are uneducated makes intellectual discussions and the recruitment difficult. Professor Ahmed said that some Rohingya ended up with Taliban, working as chefs. On the other hand there are many arms and drugs in Myanmar and besides it is easy to cross the border. However, Professor Ahmed found that some of these stories had been engineered to have the Rohingya look like a threat. At present, these stories have vanished.

54. An informed anonymous source mentioned that there have not been tensions between local Bangladeshi people and Rohingya the latest year. There were tensions in 2008 and 2009 that were politically motivated, but so far there have not been any forced deportations according to the source.⁴⁶

55. **Push Backs/deportations:** Asked if deportations of Rohingya are taking place, UNHCR mentioned that there are no formal deportations as there is no agreement between the Bangladeshi authorities and the Myanmar authorities. Further, as UNHCR does not have formal access to the borders, it is unable to verify the same in relation to the undocumented Rohingya although media reports often speak of undocumented Rohingya being deported ("push-backs"). However, there were no known cases of registered Rohingya being deported. Based on media reports, UNHCR noted that authorities are frequently preventing them from crossing into Bangladesh and on some occasions, undocumented Rohingya are also asked to return to Myanmar over a land or river border. Media reports collected by UNHCR suggest that in 2008, 2009 and 2010, 432, 1,074 and 1,671 persons have been deported respectively.

56. Ms. Chris Lewa informed the delegation that at the end of 2007, the Bangladesh law enforcement agencies started arresting and pushing back Rohingya across the border to Burma. Initially, only new arrivals were targeted but, since July 2009, people who had settled in Bangladesh for several years were also pushed back/deported. In one case, the deportees were re-arrested by the NaSaKa and the children were sent to their grandparents in Myanmar while the parents were detained for 5 years in Buthidaung jail.

57. The Researcher stated that hundreds of Rohingya, including women and children, had been arrested in Cox's Bazar District alone in the beginning of 2010. The arrested Rohingya had either been informally deported across the border to Burma, or charged under the Foreigners' Act and jailed. Ms. Chris Lewa added that migration offences in Bangladesh are generally sentenced with 3 to 6 months. But since Burma does not take back Rohingya, the detainee will sometimes spend up to 20 years in prison. The Researcher explained that in Cox's Bazar town and its surroundings the police had

conducted arrests and prosecutions whereas in Ukhia and Teknaf, BDR and police were both involved in round-ups but those arrested were generally pushed back at BDR border posts.

58. The Researcher further informed the delegation that presently there are still around 500 Burmese people (not all Rohingya) in detention on charges under Bangladesh immigration laws, the Foreigners "Act or the Passport Act. According to the Researcher, the detention of Rohingya is of particular concern and they are at risk of indefinite detention. Pre-trial detention can be excessively prolonged – 3 years on average. Even after completing the term of their sentence, Rohingya generally remain in custody as no legal mechanism exists to release them other than formal deportation to Burma, which the Burmese authorities systematically refuse. Before the crackdown started, approximately 100 "releasable" Rohingya were found in indefinite detention – 3 of them having been imprisoned for the last 18 years according to the Researcher.⁴⁷

59. **Possibility to Cross the Border between Bangladesh and Burma:** The Director in MFA, Ms. Ishrat Jahan Ahmed said that Bangladesh is trying to assure vigilance, however, the source emphasized that it is difficult for Bangladesh to ensure the coastline border. Very recently the government has decided to enhance the border security.

60. According to the Deputy Refugee Relief and Repatriation Commissioner, S M Rejoan Hossain, many business people from Burma are crossing the border in Teknaf every day. They do not need a passport but can stay in Bangladesh for ten days with a special permission. Among these business people there are also some Rohingya, who have their own special business corner in Teknaf. In the opposite direction there are also some Bangladeshi people travelling to Myanmar for trading. The trip from Teknaf to Maungdaw takes 20 minutes by boat according to S M Rejoan Hossain.

61. According to UNHCR (Bangladesh) it is fairly easy to cross the border legally between Bangladesh and Burma and there is constant traffic of local business people and family members from both sides crossing over on a daily basis. UNHCR similarly informed that it takes approximately 20 minutes to cross over by boat from Teknaf to Maungdaw, and it will take another 45 minutes to one hour to travel from Maungdaw to Buthidaung by road. However, there are many checkpoints along the road in Burma which require a travel pass. At the land border close to Ukhia, the Burmese authorities have built a fence on their side.

62. The British High Commission (Mr. Fotheringham) stated that formally one would need a passport to cross the border, valid departure papers known as "D" forms or a valid border crossing card, and a visa for entry to the next country. However, Rohingya, as well as others, are able to cross the border in many cases by boat. The border is porous and not well-patrolled by immigration officials. Since 2008 only a fairly small numbers of Rohingya have been crossing over according to the British High Commission.

63. According to a well informed diplomatic source (1) there are no difficulties for the Rohingya to get into Bangladesh. Most of the border is a coastline and consists of the river Naf which can be crossed easily. When there are tensions in Rakhine State, the Rohingya are coming across. The source emphasized that it is not possible to stop this movement if the Burmese authorities are not interested in stopping them. "Even if the entire Bangladesh army would guard the border, it would still be difficult to control the coastline border". According to the source, the border is porous, the coastline is not easy to defend, and is not closed for movements.⁴⁸

64. The Researcher found that people from Burma can only obtain a permission to visit Bangladesh, for cross-border business purposes. According to the Researcher the NaSaKa will for a

certain price issue travel permissions which are valid for visits up to one month within North Rakhine State. But some Rohingya use this permission to cross the border clandestinely and work in Bangladesh for the duration of the travel permit, although the travel permit is officially only valid within Myanmar and not to cross the border. She further mentioned that there is a lot of movement across the border, and business people with a special permission from both sides are moving across. Following the spread of the crackdown to the whole of Cox's Bazar District in 2010, Rohingya refugees from North Arakan have practically ceased to cross the border, according to the Researcher. This has increased again following the elections in November 2010, but figures are not available.

65. Professor Imtiaz Ahmed stated it used to be easier to cross the border but now there is a fence in Myanmar. Furthermore there is no job market left in Myanmar which means that the Rohingya end up staying in Bangladesh as unregistered refugees. Previously, there used to be a seasonal migration between Myanmar and Bangladesh going on. In winter the seasonal flow from Myanmar to Bangladesh went up. The reason was that during winter NaSaKa engaged Rohingya as forced labour from which the Rohingya tried to escape by fleeing to Bangladesh. During the summer the ones who fled went back to Myanmar. Now this flow has decreased as it is no longer so easy to cross, and the number of people migrating like this has decreased.

66. The Executive Director of the Kaladan Press Network, Mr. Tin Soe (himself a Rohingya) said that since the Rohingya do not have access to health care in Burma, they will go to Bangladesh for treatment. They will be able to pay bribe for a day pass to Bangladesh. The cost will be 2000 Taka. Mr Tin Soe further informed the delegation that the flow of Rohingya people arriving in Bangladesh is very limited after the crackdown in 2010. There may be 2-3 people every day or even less. According to Tin Soe the situation in Bangladesh is no longer favorable for the Rohingya. Mr. Tin Soe stated that there are 700 Rohingya in jail in Cox's Bazar and Bandarban districts at the moment. However, the Burmese Embassy will not certify that they are Burmese which mean they will not be released to be sending back.⁴⁹

67. A Bangladeshi researcher who has studied the Rohingya informed the delegation that the security forces on the Myanmar side are not containing the Rohingya but are rather often reported by Rohingya of pushing them out. The passage is, however, not always safe according to the Bangladeshi researcher. On the Bangladeshi side the hill/coastline border cannot possibly be fully manned by the border force. There are groups of smugglers who know their way through. According to the Bangladeshi researcher, it is more difficult for the Rohingya to return to Myanmar than it is to leave. It is difficult for a Rohingya to obtain a passport, and the passport would not be valid without an exit stamp. For an individual Rohingya, it is difficult to bribe your way through the border, but for a smuggler it may be possible, according to the Bangladeshi researcher. There are negotiators making money by assisting people at the border crossing.

68. **Rohingya's Possibility to go to their Place of Origin in Burma and Come Back to Bangladesh:**

When asked if it would be possible for a Rohingya refugee who had stayed for a long period in Bangladesh to go back to his/her place of origin, UNHCR informed that this would only be possible after formal approval is obtained from the Government of Myanmar. It is not aware of any case that has done so without formal clearance by the government.

69. Mr. Andrew Barnard, First Secretary, EU Delegation said that a Rohingya who left Rakhine State to go to Bangladesh for a period will in many cases have been deleted from the household-list in their village of origin. This implies a risk of persecution by NaSaKa, and it would be difficult for him/her to obtain documents.

70. The Researcher found that it would not be possible for a Rohingya to obtain permission to travel back to Burma and it would be too dangerous for them to cross the border illegally. The implications of being caught by the NaSaKa would be five years in jail under Myanmar Immigration Laws. According to the Researcher, it is not possible to go back to Arakan/Rhakine State to obtain documents, if you have been away for a long time.⁵⁰

71. A well informed civil society source further informed that Rohingya cannot go back once they have left Burma, as they will have their names removed from the family/household list. They may get a permission to travel for a limited period, but if they do not return within that period they will be deleted.

72. Asked if the Rohingya do go back once they are in Bangladesh, a Bangladeshi researcher who has studied the Rohingya confirmed that it is happening, especially if they could not bring their entire family to Bangladesh. According to the Bangladeshi researcher it is possible to enter and exit the border in different pockets, but there is only little information available on this issue. The Bangladeshi researcher further said that it would be risky for a Rohingya living in Bangladesh to go back to Myanmar to fetch Myanmar documents. It would be easier to depend on a smuggler to fetch the documents. In order to bribe ones way through, a negotiator would be needed.

73. **Possibility to Cross the Border and Come Back in One Day:** The Researcher found that Maungdaw is only half an hour by boat from Teknaf and there are also land crossing border points. Please refer also to the information above (III.4).⁵¹

74. **Conclusion:** The legal Bible with regard to the refugees is the 1951 convention relating to the status of refugees and its 1967 Protocol. The core elements of the Convention are:

- a) To provide protection to the refugees and
- b) Not to expel or return the refugees to the country where their lives or freedom will be threatened.

75. Like other South Asian countries, Bangladesh has a tradition of hosting a large number of refugees from a long period. Here, refugees are subjected to same laws as for foreigners. These hardly consider protection need of an individual, especially in case of women and children. Again, due to lack of any explicit legal regime, asylum seekers and refugees are dealt under ad hoc administrative arrangements, which by their very nature could be arbitrary and discriminatory, and do not accord any right to the refugees.

76. On the other hand, in the absence of a legal framework and access to asylum procedure in Bangladesh, newly arrived Rohingyas are forced to stay illegally here and be prone to various vulnerabilities including engagement in illegal activities and even in terrorism.

77. Over the time, the Rohingya refugees and internally displaced person due to cyclone, flood, earthquake, river erosion, and ethnic conflict have a significance impacts on the economic, social, environmental, and law and order situations in Bangladesh. At the latest, it has added to the security concern. It is reported that a section of the Rohingyas hover link with domestic terrorist groups like JMB and guerilla group operative in Myanmar-India-Bangladesh borders who receive funds from abroad.

78. Therefore, the Government should be serious on the matter. It is a high time that Government of Bangladesh adopts a comprehensive policy on Rohingya refugee issue & internally displaced person with a view to resolve the problem through bilateral and multi-lateral means. For this, pro-active

diplomacy is required. A right-based approach as to domestic legislation is to give weight within a framework that recognizes the distinctive essence of humanitarian problems and gives legal recognition to the fact that every person, alien or national, is of equal moral worth, and worthy of treatment that does not violate his her dignity.

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CHAPTER- SEVEN

ROHINGYA-CRISIS BAR BETWEEN BROTHERS, BANGLADESH-MYANMAR RELATIONS IN POINT OF GEO POLITICAL, STRATEGIC, ECONOMIC ISSUES

1. **Introduction:** Relations between states, whether big or small, are of by and large three types: conflicting, collaborative and competitive. Over the years, the relationship between Bangladesh and Myanmar has undergone phases of cooperation and conflict over various Crises of unilateral, bilateral, and multilateral interests. Conflict is not necessary meant here violent confrontation or something worse like war, but in the strict sense of meaning, conflict denotes various conflicts of interests that have resulted in bilateral diplomatic face-off.¹ Bangladesh-Myanmar relations officially began from January 13, 1972, the date on which Myanmar, as the sixth state, accorded recognition to Bangladesh as a sovereign state. However, the relation between these two close neighbours has never been smooth as it has been suffered from frequent ups and downs over the last 40 years. Both countries therefore have not been able to build a pragmatic and meaningful bilateral relationship with each other despite of having unlimited potentials in reciprocal trade, commerce, connectivity and cooperation.² The relationship between Bangladesh and Myanmar quite often becomes hot and cool over a very few Crisis notably disputed maritime boundary (that has very recently been resolved), arms trafficking, militant outfits across borders and movement of Rohingya people. Undoubtedly the frequent influx of Rohingya refugee is the principal Crisis that determines the position of the rest disputes. That is why we metaphorically use the title of this chapter bar between brothers since two next-door neighbouring countries like Bangladesh and Myanmar can be regarded as brothers under international political discourse where Rohingya refugee problem works as barin between.³ This paper focuses particularly on the way and process how the relationship between Bangladesh and Myanmar has been shaped in connection with the influx of Rohingyas from Myanmar to Bangladesh.

2. Bangladesh and Myanmar are the two close neighbours. Both are historically linked with each other in many ways. Both countries would have a better and friendly relationship if both would have democracy in practice and political stability since their independence. Though Bangladesh turned back in democracy in 1991, Myanmar has undergone long period of military rules even to date. However, people of both countries crossed their borders for various reasons. For instance, people from southeastern regions of Bangladesh used to go to Myanmar in search of business and economic fortunes and many opted to stay there for life marrying Rohingya women leaving even, in many cases, behind their original families in Bangladesh. "There was something like an open border between the southeast corner of Bangladesh and Arakan region of Myanmar during the British period. It was mainly because during colonial period, British colonial administration was ruling both South Asian sub-continent (now comprising India, Pakistan and Bangladesh) and Myanmar as British colonies" (Ahmed, 2010). But this situation changed after the independence of Myanmar especially in the 1960s when the military regime strongly settled down in Myanmar. Since military government has been in power when Bangladesh became independent state, both countries failed to establish any solid and meaningful economic, political and diplomatic relations. The frequent influx of Rohingya to Bangladesh created serious tension between two countries. Since the inception of independent Bangladesh, Rohingya refugee Crisis has been a bar in the building of any lasting economic and diplomatic relations with Myanmar.

3. **State and Status of the Rohingyas:** The Rohingyas are ethnic, linguistics and religious minority belonging to no state since Myanmar government constitutionally excluded them in 1982 and Bangladesh does not recognise them even as refugees. The Rohingyas are in their physical appearance distinctly different from the rest of the Myanmar's people. They can easily be identified by the

repressive military regime which does not recognise Rohingyas as the citizens of Myanmar. Heffman explains:

4. The Myanmar government views Rohingyas as the Muslim migrants from neighbouring East Bengal which is now Bangladesh and settled in Myanmar during the British period. The Myanmar military dictatorial regimes in different periods of time adopted repressive policies against the Rohingyas and treated them as foreigners in their own country. As a result of this oppressive and differential treatment of the Myanmar government, the Rohingyas on several occasions were forced to flee the country to save their lives to neighbouring Bangladesh more specifically into the southern Chittagong regions what is known as Cox's Bazar district now and the Bandarban district of CHT. The exodus of the Rohingyas created multifaceted problems in Bangladesh as it is already the most densely populated and least developed country in the world. Therefore, Bangladesh has to face economic, socio-cultural and political problems because of the presence of the Rohingya refugees in its territory.⁴ The most remarkable problems to be mentioned are: population pressure on the already densely populated Bangladesh, creation of ecological crisis due to deforestations for Rohingya settlement in forest area, penetration of Rohingya refugee in the local job market, alleged criminal activities in the form of drug trafficking, and the problem of their inclusion into the voter list etc.⁵

5. **Refugee Problem and Bangladesh-Myanmar Relations:** The canvas of Bangladesh-Myanmar relations is portrayed largely by the Crisis of Rohingya refugees covering from the influx of Rohingya migration, their refugee status in Bangladesh, forced or volunteering repatriation of Rohingya refugee, role of Myanmar in repatriation process, push-in vs. push back of Rohingya refugees, Bangladesh-Myanmar border security to state-level negotiation with international intervention particularly UN and UNHCR. Therefore position of Rohingya refugees in Bangladesh-Myanmar relations involves political, economic, strategic and socio-religious factors that have shaped the structured of relations between two countries. The following points address various dimensions of Bangladesh-Myanmar relations where Rohingya refugee Crisis is at the center.

6. **Political Point of View:** The political conditions in Myanmar and Bangladesh are to be considered to put the Crisis of Rohingya in perspectives. While Bangladesh is more or less historically inclined more to a democratic political system, Myanmar has been most of the time since its independence from the British remained not only under crude military rule, but also under a ruthless dictatorial regime as we briefly stated earlier of this chapter. There is little respect for human rights, lack of tolerance to the people of cultural difference and freedom of speech that feature the state's nature of Myanmar as a country in this region. Myanmar was subjugated by the British and ultimately integrating it with the British empire of India that began in 1824 and ending in 1948 when it was granted independence. Almost since the attainment of independence from the British rule in 1948, the country had fallen in victim to military rule first under General Ne Win (from 1962 to 1988) and then when he was deposed by another military coup under another regime. However, in 1990 although the main opposition political party, the National League for Democracy (NLD) under the leadership of Aung Suu Kyi won the national election, it was denied power and put under repression by the military junta. Even the leader of the party (NLD) Aung Sung Sukyi was arrested, imprisoned, and kept under house arrest before ultimately releasing her in 2010.⁶

7. In this part [first East Pakistan (1947-1971) and then Bangladesh (1971-todate)], on the other side of the Myanmar border, the political situation has not been very stable, consistent and democratic since 1947. First it became a part of Pakistan in 1947 when the British granted independence to India by partitioning it into Pakistan and India. Pakistan a new state created in 1947 had come under military rule in 1958 after a brief period of instable civilian politics and it continued with the military rule till its disintegration in 1971 with the emergence of Bangladesh which was the eastern part of Pakistan as an

independent state through a bloody war of liberation. After a few years of the birth of Bangladesh as an independent state, the new country experienced a cruel military coup in August 1975 when Sheikh Mujibur Rahman, known as the father of the nation, and the seating president of the country was killed along with his many colleagues and most of the family members. However, Bangladesh through many political upheavals returned to democratic rule in 1991 and has been continuing only with an intervening time of military backed emergency rule for a brief period between 2007 to the end of 2008. However, a military regime in neighboring Myanmar may naturally feel uneasy to deal with the volatile political situations in Bangladesh. Moreover, Bangladesh is mostly Muslim (about 86%), while Myanmar is mostly Buddhist (about 89%). The prevailing political situations in both the countries have contributed to a great extent to the growth and escalation of such problems. If there were uninterrupted and continuous democratic governments and political processes in both the countries then the total situation would have been different. There could have been a friendly and mutually beneficial relationship between the two countries. Myanmar would have emerged as a pluralistic and tolerant society with economic dynamicity and political stability if it could have opened its doors and could have maintained a collaborative and cooperative policy with its immediate neighbors such as Bangladesh.

8. The political developments in both the countries have contributed to such a situation now which is not good for both the countries. Notwithstanding, as far as the Rohingya refugee problem is concerned, Bangladesh has continuously pursued a policy of resolving the problem with Myanmar through diplomatic initiatives but has failed to achieve a durable solution till now although some of the Rohingya refugees, with the help of UNHCR, went back to their country most not only still remain in Bangladesh but many more are intruding into its territory time and again. Now why has Myanmar been able to continue a policy of ethnic cleansing with regard to the Rohingyas in it? At least three factors may be attributed to the Myanmar policy which includes: (1) the security protection of Myanmar provided by its giant neighbor China, (2) the country affected by the refugee problem is Bangladesh which is weak politically and militarily and which is not protected by any big power or neighbor like China, and (3) last but not least Myanmar's military dictatorial/autocratic regime does not care for any rationalism either for its domestic or international Crisis.

9. Due to international pressure specifically from the UN, EU the government of Myanmar has been responding to the problem in a gradual and incremental manner as a result most of the refugees are either returned to Myanmar or in the process of returning, but in the process many more have entered deep into Bangladesh territory and settled in the latter's neighbouring districts. Yet there are at least thirty thousand registered Rohingya refugees still staying in Bangladesh and the Prime Minister of Bangladesh has recently requested the US official to pressurise the Myanmar government to take back their citizens from Bangladesh.⁷ When many Rohingyas have been trying to integrate in the local society, problems arose politically as their inclusion into the voter lists and other documents of government were being protested either by the law enforcing agencies or by the political activists. So one observer of the conditions of the Rohingya refugees reports that:

10. An unprecedented crackdown by Bangladesh law enforcement agencies against unregistered Rohingya refugees who had settled outside the two official refugee camps in Cox's Bazar district started on 2 January 2010. More than 500 Rohingyas were subsequently arrested. There is a resurgence of anti-Rohingya propaganda in the local media fuelling racism and pressing the government to take action against the Rohingya. (Lewa, 2010: 01)

11. **The Same Study Also Found That:** An estimated 2,00,000 unregistered Rohingya refugees have settled among the local population, in slums and villages mostly throughout Cox's Bazar District but also in smaller numbers in the Chittagong Hill Tracts seeking out a hand-to-mouth existence without any humanitarian assistance, vulnerable to exploitation and arrest. (Lewa, 2010: 3)

12. Such process of integration in local society is making the local political situation unstable since local people very likely can not entertain them warmly on the one hand and the Rohingyas on the other hand can not amicably adjust with the local social systems due to their different cultural and ethnic background. Consequently, apart from growing tensions between Bangladesh and Myanmar over Rohingya Refugee crisis, political situation in local society is also becoming unstable due to the presence of Rohingyas.

13. **Economic Point of View:** As far as economic aspect of Myanmar-Bangladesh relationship is concerned, the signing of the border trade agreement of May 1994, legalising the informal border trade between the two states, the inauguration of Teknaf -Maungdaw trade in September 1995, Bangladeshi trade delegation's visit to Myanmar in 1998, Sr. Gen Than Shwe's visit to Bangladesh in December 2002 and consequent agreement between the parties to cooperate in road and water transportation etc. can be pointed out as significant developments of relationship between Bangladesh and Myanmar.⁸ However, successive efforts made by both countries at the end of the day produced nothing substantial and economically viable for both countries. Therefore, trade and commerce between Bangladesh and Myanmar is not up to the mark in any standard despite of having endless potentialities in both neighbouring countries.

14. It is true that Myanmar is more resourceful and endowed with natural resources compared to Bangladesh. Myanmar's land mass or geographical territory is much larger than those of Bangladesh but because of the policy of the Military rulers the resources of the country remains vastly unexplored. If the country would have continued the open door policy to the Bangladesh people, the country could be benefited economically because the people from Bangladesh would have contributed to the economic activities of the country as they used to do during the British period. The contributions of the emigrant peoples from then Bengal, now Bangladesh, were enormous in the areas of agriculture and business in those days.

15. During the regime of Khaleda Zia (2001-2007), priority was given to the "look east policy" particularly to East Asian countries through Myanmar but its implementation was not seriously taken up.⁹ In fact, Myanmar has no problem with Bangladesh except for the Rohingya Crisis. Initiative could have been taken to improve trading opportunities. As we mentioned earlier that Bangladesh has proposed to lease patches of land from Myanmar for farming in a bid to meet the growing demands of a teeming population for food and other agriculture products. This could be a new opportunity and should be followed up with all seriousness. Bangladesh can look for investment opportunities in Myanmar in order to boost up its economic development. However, Rohingya refugee Crisis as always comes forward to create tensions between Bangladesh and Myanmar and cooperative approaches turn into suspicious diplomacy. In fact, Rohingya refugee Crisis appears as bar between two brothers since neighbouring states are internationally considered each other as brothers.

16. The Rohingyas have found Bangladesh economically as a land of fortune compared to their economic status in Myanmar. Because Bangladesh is politically and socially more liberal than that of Myanmar, and therefore the Rohingyas naturally enjoy more political and social freedom along with economic fortune in whatever form it might be.¹⁰ They can move and work freely in the Chittagong region of Bangladesh because their language and appearances are identical with those of the local populations of Cox's Bazar and greater Chittagong regions. In that process, many of them settled in the local society. Moreover it is found to be easier for them to obtain passport and visa from Bangladesh to go to the Middle Eastern countries. Many Rohingyas are now working in the Middle Eastern countries which are the land of economic fortune for them like many Bangladeshis also. Yet many more of them are also economically benefited by engaging themselves in diverse activities either legally or illegally within Bangladesh.¹¹

17. **Strategic Point of View:** On strategic issues, Bangladesh has a lot that still remains to be done with Myanmar. The very fact that Myanmar-Bangladesh border offers a safe haven to so called terrorist organisations in the region makes it necessary for both countries to cooperate in counter insurgency activities. But ironically, not much has been initiated by either side in this respect. The refugee problem is in fact very significant Crisis which needs to be addressed adequately by both Myanmar and Bangladesh with equal attention but Myanmar has always been reluctant. On the other hand, smuggling of arms and ammunitions is considered another area in which both Myanmar and Bangladesh need to cooperate each other so that the border can be protected from doing the same. Factors like recovering of arms and ammunition of the insurgent group Arakan Rohingya Solidarity Organization (ARSO) by the Bangladeshi Army and Bangladesh Rifles (BDR), now Border Guard Bangladesh (BGB, Coast Guard)¹², in September 2005 and the recovering of a large amount of heavy weapons from the Naikhangchari sub-district in Bangladesh in 2011 clearly indicates lack of cooperation and co-ordination between Myanmar and Bangladesh in tackling smuggling issue.

18. Apart from it, many Arakanese militants are said to have established training camps and militant outlets in the CHT region so that they can continue their insurgent activities in Arakan state living in Bangladesh territory. Bangladesh military troops, Rapid Action Battalion (RAB), BDR or BGB and police forces in many times found the camps and recovered huge arms from various locations of deep forest and jungles of the CHT during the last ten years. It is also happened due to the lack of mutual cooperation and strategic initiatives between Bangladesh and Myanmar in an attempt of uprooting militancy and insurgent activities from the border lands of both countries.

19. Despite the lack of cooperation on specific strategic issues, both Myanmar and Bangladesh have been trying to improve bilateral ties through certain regional and sub-regional forums, such as the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMST -EC), the ARF, the Bangladesh -China -India-Myanmar Forum (BCIM) etc. However, bilateral tension stemming from the influx of Rohingya refugees appears as a big obstacle between two countries in an attempt to boost up strategic relationship which could be very effective and meaningful for both countries.

20. **Religious and Social Point of View:** The Rohingya refugee Crisis in relationship between Myanmar and Bangladesh involves religious and social dimensions apart from political, economic and strategic issues. The Rohingya people are Muslims living in Myanmar which is largely composed of Buddhist people and hence Rohingya people are regarded as religious minority as well as ethnic minority as they are ethnically distinct from Burman and other ethnic groups of Myanmar. Similarly, people of Southeastern part of Bangladesh look upon Rohingya refugee Crisis as some Muslim people are in crisis due to the oppressive role of non-Muslim rulers in Myanmar. In this way, sense of Muslim brotherhood encourages Rohingya people to flee to Bangladesh in the one hand and Bangladeshi people on the other tolerate their presence, albeit state is very strict and reluctant, in their locality. Therefore, Rohingya refugee problem has very strong religious edge. Uddin in his long year's research mentions that:

21. My research experience says there are three basic reasons regarding why local Bengalis from Bangladesh part provided Rohingyas with shelter in this land whilst state has different strategy. At the beginning, the Rohingyas from the then Burma were received warmly by the local people of Cox's Bazar because of; (i) humanitarian ground, (ii) sympathy for neighbouring people and (iii) the feeling for Muslim brotherhood. (Uddin, 2010)

22. It reveals that similar religious background between Bengalis and Rohingyas played an influential role in making space for Rohingya refugees in the land of Bangladesh. Besides, "linguistic similarity between Bengalis and Rohingyas has made important ground to encourage Rohingyas to flee

to Bangladesh and to settle and integrate in the southeastern Bangladesh" (Uddin, 2011). In addition, apparent similarities in social institutions for example the rules and functions of marriage; typologies, formation and structure of family; practice of kinship and kinship terminology; lineage and descent practice; post-marital residence practices etc - are also instrumental in understanding Rohingya Crisis apart from the perspectives of inter-state diplomatic and strategic relations between Bangladesh and Myanmar. Under such frame of thinking, both Bangladesh and Myanmar are brothers not because only both are neighbouring countries beneath international political discourse but also both Rohingya and Bengalis are brothers under symmetrical features of their religion, language and social institutions. However, despite of being brothers, Rohingya refugee Crisis still works as a real bar between two countries. If the Rohingya refugee Crisis could be handled tenderly, both countries could make substantial progress in their economic, political and strategic sectors.

23. **Conclusion:** The cropping up of the Crisis of Rohingya refugees and other basic Crisis in the Bangladesh-Myanmar relations are rooted in lack of trust between the two countries and their governments, socio-cultural and religious differences between the two despite of having similarities between Rohingyas and Bengalis, and long standing military rule in Myanmar and Bangladesh (although in the latter case the military rule was relatively moderate, liberal or tolerant and could not last for indefinite period). However, Bangladesh-Myanmar relations should be improved which is equally important for both countries and their people. The modern world is based on regional connectivity, inter-state trade & commerce, transnational and trans-border economic and strategic relations, and local-global nexus to create space for smooth movement of goods, people, and ideas.¹³ Those countries are making rapid progress which can make best use of this global trend and space. Bangladesh is not beyond such dynamics of interconnectivity under local, regional and global flow of trade, commerce, goods, people, and policy. Beforehand moving towards building lasting inter-state relations and trans-national connectivity with other countries, Bangladesh needs to make its relations smooth and comfortable with its neighbouring countries including Myanmar which is equally applicable for Myanmar as well. In so doing, Bangladesh and Myanmar should first resolve Rohingya refugee Crisis with brotherly attitudes as it functions as bar in between and hence both countries should come forward willingly to resolve the problem. So far we understand, Bangladesh is ready to extend its hand of cooperation but contrarily Myanmar is likewise non-responsive. However, currently we are observing some sorts of changes being taken place in internal state management of Myanmar towards democratization of the state. Therefore, we are optimistic for a peaceful and durable solution of Rohingya refugee Crisis since we are noticing little light at the end of tunnel.

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8. This is to be mentioned here that anti-India campaign by BNP during election created tension in bilateral relations between India and Bangladesh. Therefore, BNP was interested in building relationship with China, Myanmar, Thailand and so on.
9. For details, see Kristy Crabtree, 2010, p. 41. " See The Daily Star, June 10, 2012.
10. Recently, Bangladesh Rifles (BDR) has changed its name as Border Guard Bangladesh (BGB).
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CHAPTER- EIGHT

THE SECURITY, ECONOMICS AND SOCIAL EFFECT OF BANGLADESH IS FACING IN THE PRESENT DECADE, DUE TO REFUGEE CRISIS

1. **Introduction:** The Rohingya people rarely draw any attention of the local and global policy makers as the most neglected Muslim minority in Myanmar, who subsequently were forced by the Burmese junta to become illegal migrants to neighbouring countries taking refuge mainly in Bangladesh since 1978. As a result, bilateral relations between Bangladesh and Myanmar became contentious over Rohingya Crisis and continued to be sea-sawed thereafter. Current efforts to overcome points of tension and strengthen ties are focusing on a bilateral agreements signed by both the governments. Timely then is this work which looks at relationships at both the government-to-government and popular levels. Misunderstandings and stereotypes between the Bangladesh and Myanmar governments pose a challenge to policymakers.¹ This is the right time that there has been a focus on Bangladesh-Myanmar relations taking into account the Rohingya crisis between them. Specifically, the work examines government-to-government links and mutual perceptions on Rohingya as well as the role of international and local communities in this respect. It is widely known that Rohingya is a Muslim ethnic group lived in northern Rakhine state of Myanmar, formerly known as Arakan state. Their history traces back to the early 7th century, when Arab Muslim traders settled in the area. Therefore, it is also recognized that they are physically, linguistically and culturally similar to South Asians, especially Bengali people.²

2. This chapter does not deal with the historical origin of the term "Rohingya", which is widely debatable, including its relationship with other terms, like the Arakanese and Rakhine.³ That is the reason why this study focuses precisely on the Rohingya crisis in Bangladesh-Myanmar relations. This study argues that a wider prospect lies in democratization of Myanmar and also in bilateral negotiations between Bangladesh and Myanmar as well as in multilateral negotiation among the key players by moving the Rohingya repatriation process forward as well as by addressing the problem through a holistic approach to drive concerted efforts of the local and international communities.

3. **The Rohingya Problem and Disruptions in Bangladesh-Myanmar Relations:** Due to systematic violations of human rights on the Rohingya, these people have been forced by the Myanmar's military junta to leave the country. Consequently, thousands have been made into refugees, namely in Bangladesh, while others have managed to flee to Malaysia, India and the Middle East. Crossing the border and taking refuge in Bangladesh was not something that was unexpected. But such crossing into Bangladesh did not change their views on the state and also could not change their status (Singh, 2009). Bangladesh shares 168 km of border with Myanmar. But political and security problems sometimes disturb the bilateral relationship between Bangladesh and Myanmar. The first is of course the movement of Rohingyas across the border to Bangladesh since the late 1970s. These persons who have crossed over in the past continue to temporarily live in refugee camps in bordering Cox's Bazaar district of Bangladesh. The Myanmar authorities have shown great reluctance in accepting these persons (about 23000 officially) as their citizens. They think that they are foreigners. On the part of Rohingyas in Bangladesh, they are reported to be alarmed at the internal situation across the border and are not happy to be sent back as they think they would be persecuted. In the latest effort by Bangladesh, the Foreign Minister during her recent visit to Myanmar again raised the Rohingya matter. The Myanmar authorities have asked for an up to date list of these refugees so that they can scrutinize and see if they are their citizens. Such exercise has been done many times in the past. Due to this hesitation, Bangladesh is quite fed up and wants a quick resolution, so that relationship can move on to the next higher level. The Rohingyas are in a way drain on Bangladeshi national resources. Yet we cannot just push them back as it would be inhuman in the face of the uncertainties in Myanmar. Reports of fresh influx of Rohingyas are also anticipated due to difficult political situation in Myanmar

under the military junta 'Involuntary' repatriation of the Rohingya was sometimes alleged to be 'forcible' repatriation as well. Even the UNHCR at one point of time had complained that such 'forcible' repatriation were initiated and directed by the government of Bangladesh (GOB). The Rohingya suffered no less from the Bangladeshi state even when the host country was providing them refuge. Although welcomed by the local population in the beginning, the Rohingya refugees were quickly brought under the governmental control and policy measures, mainly with the intention of policing them. Such policing can be divided into three which are as follows:

a. **First:** the policy of encampment has lots of difficulties. Officially, there is a total restriction on movement of the camp refugees. No refugee can go out of the camp without the prior approval of camp officials, which is seldom entertained in writing. Anyone caught red-handed out-visiting the camp illegally or more particularly without the unspoken 'unofficial blessing' faces harsh treatment, which includes beating from the police. As one refugee stated in an interview: "I never go out of the camp without the permission of the officials or the police, If the police find out that someone has done so, they beat the person quite a lot and I feared those beating by the police!"

b. **Second:** the policy of unburdening responsibility is critical. Bangladesh would be interested to see the continued presence of the UNHCR and the refugees, not for any humanitarian reason but simply for the sake of making profit from their presence. In this context, US Committee for Refugees noted: "Despite Dhaka's claim that caring for the Rohingya is an economic burden, Bangladesh has borne little of the cost of caring for the refugees. With the exception of \$2.5million that Bangladesh spent on relief prior to the UNHCR involvement, UNHCR, donor governments, and NGOs have paid for almost all of the relief operation. If anything, the UNHCR relief operation has led to a net financial gain for the Bangladesh government and its citizens, as it has increased employment."

c. But then, corruption adds to the profit momentum, contributing thereby to the birth of a series of power blocs (or interest lobbies), not necessarily at the high policy level but more importantly at the middle and lower functionary levels, well disposed to the continued presence of the UNHCR and the refugees. Moreover, the middle and the lower functionaries of both governmental and non-governmental organizations are powerful enough to create conditions for putting a halt to unprofitable changes and reproducing the post-refugee status quo.

d. **Third:** the policy of repatriation is in dilemma. Despite the unwillingness on the part of the majority of the refugees to return home for reasons of insecurity or lack of improvement in the situation in Myanmar, the UNHCR, with the direct consent of the GOB, repatriated all but 21,117 refugees by April 1997. Since then, however, repatriation has been put on hold following the failure of the GOM to clear the reentry of 13,582 refugees out of the remaining total of 21,117. Only 7,535 got permission but those refused reentry blocked their repatriation (Barnett, 2000). GOB quickly declared that no refugees would be allowed to settle in Bangladesh permanently and this position has been renewed time and again, and is still the current policy of the government.

4. The economic and trade relations between Bangladesh and Myanmar are hampered due to the Rohingya crisis in their border areas. The bilateral trade between Bangladesh and Myanmar is only USD 100 million with Bangladesh exporting only USD 3-4 million. This needs to be definitely enhanced with Bangladesh introducing new items like pharmaceuticals, jute, cosmetics, consumer ware especially white goods, leather products, computer and IT ware into Myanmar. In return the government should consider importing food grains, agro products, timber, gas into Bangladesh. It is expected that the bilateral trade will increase to USD 500 million in two years, to be raised to USD 1 billion by 2013.

Rohingyas or other unresolved bilateral disputes including maritime boundary issues are considered as an impediment to the relationship between Bangladesh and Myanmar. Statelessness of the Rohingya has otherwise come to define the Bangladesh-Myanmar relations, indeed, in ways that is ominous for both. These Crisis have been jeopardizing the bilateral relations between Bangladesh and Myanmar by causing non-traditional security threats to their border areas

5. **Challenges Ahead:** The stateless Rohingya are bound to become more desperate and militant to safeguard their interests. The militancy of the Rohingya Solidarity Organization and increasing involvement of the stateless and jobless Rohingya in many different criminal activities, including murder, racketeering, bootlegging, prostitution and narcotics is well known. Previously their activities were restricted to Myanmar but with series of pushes and no respite by way of seeking refuge in Bangladesh, it is quite likely that they would expand their operations well beyond the Arakan region and into Bangladesh. In fact, much of the militancy and crimes in refugee camps have been blamed on them. The list of prospective (militant) supporters mainly includes the so-called Islamic political groups, namely the Rabita Al Alam Islami and the Jaamat-e-Islam etc. In the wake of such support for militancy, it is not difficult to see that the state-to-state relationship has entered into a new dimension of transnational forces, not all of which is restricted to the state itself. Two outcomes are particularly worrisome in this connection.

6. One is the proliferation of small arms and added to this, the possible use of the so-called exotic weapons, namely chemical and biological weapons. Just to provide one example, when the Mong Tai Army of Golden Triangle drug lord Khun Sa surrendered to the Yangon authorities it handed over assault rifles, machine guns, rocket launchers, and even SA-7 surface-to-air missiles. More worrisome is the fact that despite repeated denials by the Government of Myanmar (GOM), accusations of chemical and biological weapons used by the Myanmar military against 'ethnic' insurgents have surfaced from time to time. There is no guarantee that such weapons, small or exotic, would not be used to promote or contain militancy in the Bangladesh-Myanmar border areas

7. Myanmar has already earned a reputation of being a 'narco-state.' If this is the scenario, there is bound to be a sharp increase in illicit drug trafficking, particularly to neighboring countries and beyond, with frustrated groups acting as 'intermediaries' or traffickers in this super profitable business. There are already reports that the drug addiction has increased sharply in the Myanmar-Bangladesh border regions, predictably in collusion with the Rohingyas. Indeed, nothing can be more ominous than the growth of a nexus between arms, drugs and frustrated groups. More importantly the Rohingya as refugees live in deplorable conditions (especially in the refugee camps in Cox's Bazaar, Bangladesh), which in turn could possibly make them easy targets for recruitment by Islamic fundamentalists groups and other criminal networks. Should such a scenario materialize, it could potentially trigger a non-traditional security threats to the local, regional and international communities. The maritime boundary dispute between Bangladesh and Myanmar has been resolved peacefully by international arbitration on 14 March 2012 with the victory of Bangladesh to fulfill its claim over the resource-rich Bay of Bengal. This is essentially a precedent for other disputes in resolving crisis between Bangladesh and Myanmar including the Rohingya problem.⁴

8. After the November 2010 election in Myanmar SPDC expanded its offensive activities against ethnic nationality groups to different parts of the country and increased serious international crimes against civilians. Moreover, the SPDC continued its religion-based systematic discrimination of Rohingya in Northern Arakan State, denying them basic and fundamental human rights. The junta subjected Rohingya to de-nationalization, arbitrary arrests, restrictions of movement, extortion, torture, and harassment. Thus, the return of Rohingya refugees repatriated earlier on is an added dimension to the problem, basically underlining the congeniality of atmosphere at that end. In a large part though, this was also due to the relative ease with which they could put up in Bangladesh amidst

shared humanitarian concerns of Bangladeshi government and Myanmar through the UNHCR. It is alleged that several of them may have melted away in adjoining places in Bangladesh

9. **Conclusion:** Because of the existence of uncertainties and statelessness in Rohingya, the problem has been neglected seriously by the local and International communities for a durable solution though a coercive humanitarian intervention. It is also partly due to the pitfalls of local and global governance agenda in the era of globalization. The Rohingya crisis entails non-traditional security concerns more in line with human security issues, which should be addressed properly by the local, regional and international communities. The UN, ASEAN and other key players such as USA, China and Russia must, in keeping with their own responsibility to protect (R2P), place pressure on the Myanmar's government to stop mass atrocities in the country. International and regional communities can urge the military regime to restore Rohingya's citizenship rights along with their ethnic rights by lifting restrictions on marriage, movement, education. Myanmar's government should have strong political will to find a permanent solution on the Rohingya refugee problems with Bangladesh. Recent democratization in Myanmar and peaceful settlement of maritime disputes through demarcation of maritime boundaries between Bangladesh and Myanmar on 14 March 2012 has built up optimism for resolving the Rohingya crisis in Bangladesh-Myanmar relations in the near future. But it requires coordinated local, regional and international diplomatic and constructive engagement urging the Myanmar government to cease the commission of atrocities against minorities like Rohingya and also to avoid a resort to violence with ceasefire groups. This engagement should be in conjunction with other measures such as the creation of commission of inquiry.

10. To what extent the role of the great powers will influence the foreign policies of Bangladesh and Myanmar will be a matter of great concern to different corners in recent years. Bangladesh has a number of bilateral disputes with Myanmar which remain unresolved till now. The increasing ties between the US and Myanmar could have a negative impact on Bangladesh-Myanmar relations to resolve bilateral contentious issues. The US puts pressure on Myanmar's current regime to go on armistice with the Karen guerrilla to fulfil the conditions for restoring bilateral relations between the US and Myanmar. But, nothing was mentioned in bilateral talks between the US and Myanmar to solve the Rohingya problems with Bangladesh while considering restoration of the US-Myanmar bilateral relations. Apart from this Crisis, a tie is supposed to be there between the insurgent groups in Myanmar and the insurgent groups in southern Bangladesh, which can potentially be solved through cooperation between Bangladesh and Myanmar. The findings of the field survey look optimistic due to recent democratization in Myanmar, because the respondents have said that it might open up the door for resolving the Rohingya crisis through viable diplomatic breakthrough and intensified bilateral negotiations between Myanmar and Bangladesh on the basis of win-win situation. The respondents have also recommended that Rohingya should take advantage of the ongoing democratic transition to advocate for their rights in Burma, and to work towards the achievable goal of naturalised citizenship status.

11. Special initiatives of the international and local architectures require special parameters of the international law to be applied under the United Nations R2P Framework for the protection of Rohingya's human rights by overcoming the weaknesses of both the global and local systems of governance. The bilateral negotiations and credible interactions between Bangladesh and Myanmar on the Rohingya crisis are crucial to peaceful settlement of the bilateral dispute. Both the governments must create conditions where both sides have a 'win-win' situation. Thus, concerted efforts and viable interactions among the key players are essential to overcome the current challenges facing the Muslim Rohingya. Such joint efforts to open up a space for humanitarian intervention through constructive engagement would ultimately contribute to a long-term solution of the Rohingya refugee crisis while addressing the peaceful bilateral relations between Bangladesh and Myanmar as well as meeting the humanitarian and non-traditional security concerns in this respect.

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CHAPTER- NINE

ROHINGYA REFUGEES CRISIS IN BANGLADESH: BANGLADESH AND MYANMER BOTH ARE FACING A HARSH REALITY

1. **Introduction:** Hosting refugee is always hurtful particularly when host country itself is a resource-poor and over-populated country like Bangladesh. Neighbouring states, for emergency case, provide refugees with temporary shelter but host society at local level does not always warmly receive them. State, in that case, follows foreign policy of fraternity with neighbouring states but host society at local level faces the practical consequences. Therefore, state-level understanding of refugee problem does not reflect the dynamics of local-level reality. It is mainly because additional people need additional social and economic facilities at the cost of locals' sacrifices. Initially people make room for refugees on ground of humanity but it does not last long because the presence of additional people hampers everyday course of life of the host society. When inter-personal relation becomes critical in hosting additional people, refugees consider it otherwise. They blame that hosts are hurting them which is represented as the question of violation of human rights by the international organisations. On the other hand, locals of host society quite often exploit the space of helplessness of refugees which is also left unaddressed in state-level readings of refugee problem.¹ The grassroots level veracity of hosting and hurting refugees gets little space in top-down interpretation of refugee Crisis where local-societal reality remains untapped. The paper mainly argues that question of hosting and hurting depends on the quandary of integration of refugees in the host society. State and non-state agencies are critical in framing the structure of relations between refugee and host society which is ignored in the understanding of the crises of integration of the refugee.² The paper addresses this unaddressed Crisis with ethnographic details with specific reference of the Rohingya refugees; ethno-linguistic-religious minority people of Myanmar who migrated to Bangladesh and have been living in South-eastern region for decades as refugees.³

2. The paper is a partial outcome of ethnographic fieldwork undertaken for ten months between 2015 and 2016 in two villages namely Vasan Para located in Teknaf and Pasan Para located in Ukhia of Cox's Bazar in collaboration with my decade-long close observation of the flow of Rohingya migrations and the process of settlement in the South-eastern part of Bangladesh.⁴ The data used here are comprehensive and descriptive in nature which render the methodology of the research is qualitative and ethnographic.

3. The Research paper is organised in couple of successive sections. Putting a brief account in introduction and then a succinct discourse analysis, the immediate next section discusses the context of research to lay down historical background of the Rohingya migration and their settlements in South-eastern Bangladesh. The following three consecutive sections address the various sorts of crises in co-existence with the Rohingya refugees in South-eastern Bangladesh. It details out the socio-economic and political implications of the presence of Rohingya refugees in the local-societal dynamics explaining how and why local society hosts them and how hurts them, as the Rohingyas claim, and why. In conclusion, I will try to integrate the local reality and national responsibility as well as bottom-up facts and top-down interpretation regarding the state of crises regarding co-existence with the Rohingya refugees in Bangladesh

4. The question is that if only 28,000 Rohingya live in official refugee camps, what about others.⁵ The rest of them- about 2,20,000 officially unrecognised and unregistered Rohingyas- live in different villages and roadsides of the South-eastern region of Bangladesh. In fact, these 'unregistered Rohingyas have been struggling to survive in and around the Southeastern part of Bangladesh, Teknaf and Ukhia, two sub-districts of Cox's Bazar for years' (Uddin, 2010). It is reported that unregistered Rohingyas are largely unemployed, vulnerable to ill health, and subject to labour-exploitation whilst

registered refugees are supplied adequate food, good healthcare system and shelter provided by UNHCR that is assigned to take care of them. It is also reported that UNHCR, local human rights organisations and civil society remain silent on the rights of Rohingya refugees who are unregistered in the one hand. Local people, on the other hand, do not entertain their presence warmly for many reasons (detailed stated in the following sections). Since Ukhia and Teknaf of Cox's Bazar are an overcrowded and resource-poor area, thousands of self-settled Rohingyas have been living in the local community for years and hence they are largely perceived as a burden on already scant resources of the locality and a threat to the local job market. They are treated by both the local people and state institutions civil administration, law enforcing agencies, local government bodies and bureaucrats as illegal-migrants, unwelcome outsiders and socially disordered settlers. (Uddin, 2010)

5. The activities of Rohingya refugees leave sufficient rationales behind these allegations because many Rohingyas over the years have been found guilty of doing various sorts of social crimes which local people rarely tolerate. Therefore, relationship between host society and Rohingya refugees did not go smoothly for long time and it indeed turned into a complex one. Given the context, the paper attempts to unveil the structure of relations between hosts (locals) and guests (mainly unregistered Rohingya refugees) and tries to understand why and under what circumstances hosts are being accused of hurting the guests.

6. **Situation of Rohingya in Bangladesh, Contested Narratives:** In most cases, situation of refugees is explained from two contested perspectives. One perspective is from the view of host society which always pictures refugee for mountains of misdeeds responsible for destabilising their normal course of life. Another is from the view of Rohingya refugees which always claims that host society quite often violates their rights as human beings. In the context of Rohingya refugees in Bangladesh, we find the similar tenor of blame-game between each other. Among the general public, policy makers, NGOs and international organisations, there are two contrasted thesis that exist over the years. According to one thesis, Rohingya refugees are big burden upon the local society because they share the local facilities for their survival. Besides, they are destroying the law and order situation of host society by stealing and robbery, local ecology by cutting trees in forest, employment opportunity by selling cheap labour in the job market and social stability by doing various crimes. According to another thesis, Rohingyas are treated very inhumanly, exploited using the space of their vulnerable social conditions, forced to provide cheap labour, harassed sexually by the locals, tortured by security forces as violation of human rights and oppressed economically by intermediary. Both contested thesis contain, as my research finds, some certain realities— though sometimes exaggerated by both parties— what creates crises of their integration in host society.

7. Before entering detailed discussion on Crisis of contested notions of reciprocal relations, I will cite two polarised narratives—one from local Bengali and another from Refugee based on my experience of doing ethnographic fieldwork among hundreds of unregistered Rohingya and local Bengalis living in two villages, Vasan Para and Pasan Para. During my fieldwork in Pasan Para, I was staying in the Coast Guard Camp and took interview a Bengali family. One day Mr. Kamal Hossain (58), a Bengali, explained to me about Rohingyas.

8. These Barmya⁶ people, Rohingya, have caused huge damage to our lives. They have no culture. They have no social norms and value. They don't know how to behave with the neighbours, elders and Youngers. They frequently commit various social crimes including robbery, stealing, and hijacking. They have destroyed the forestry of the locality by cutting and selling in the market as firewood. Besides, they have created serious unemployment problem by selling their labour in cheap in job market. The cases of elopement have been alarmingly increased since Rohingya boys and girls are exploiting local young boys and girls in the name of love and romance. More over, they are creating violence in

connection with different local political wings patronised by AL⁷ and BNP.⁸ In fact, they are really trouble-makers and threat to the local society and social stability.

9. This quotation unveils the attitude of locals towards the Rohingya refugees, particularly unregistered Rohingyas, who are living in and around Ukhia and Teknaf of Cox's Bazar. We must remember that every local narrative is come out of people's everyday experience of dealing with the facts and events. Therefore, narrative of a local Bengali quoted above regarding Rohingya must be taken into account as facts embedded in everyday experience of life in dealing with Rohingyas. Conversely, opposite feelings are found among the Rohingyas about their current condition of life. While visiting in Vasan para, Mominul Islam (53), an unregistered Rohingya refugee, explained to me.

10. We are often identified as illegal outsiders and hence are dealt with inhumanly. We are often regarded as burden in all respects since locals think that we are capturing their meals. We cannot earn two meals a day and hence starvation has become part of our everyday life. No facilities medical facilities, educational facilities and residential facilities are provided for us as we are not registered as refugees. We want to be registered but the government declines to do so. Police treats us as socially disordered people. Local administration treats as illegal residents. Local people deal with us as animals. In fact, we are treated as Rohingya not as human beings."

11. This statement of a Rohingya makes us understand that how local-host society deals with Rohingya refugees in Bangladesh. This narrative should also be taken into consideration seriously since individual narrative is not a separate fact but is also an integral part of people's lived experience in dealing with others living in the same society. Therefore, an impression of a Rohingya refugee stated above is not an emotion of an individual one but the reflection of the plight of Rohingya refugees in Bangladesh.

12. In fact, these two contrasted narratives provide us with a portrait of the state of relations and degree of mutual interaction between Rohingya refugees and local Bengalis. One view reveals how local people deal with a big number of refugees in their everyday life which is also instrumental in understanding the plight of Rohingyas in Bangladesh. On the other hand, another view unveils how a large number of stateless people live in Bangladesh without having minimum standard of life and living as human beings. Considering both views, I will discuss the quandary of integration of the Rohingya refugees in Bangladesh in two separate sections; (1) why did/does the local society accept Rohingya? And (2) why does the local society reject them?

13. **Hosting the Guests, Why Did the Local Society Accept Rohingya?:** Thesis and counter-thesis among local host and migrated Rohingyas regarding how refugees are dealt with as of today has not structured overnight. The structure of relationship has been evolved across over the years since the Rohingya migrated to this region. "What was the situation in the beginning did not last long and hence relationship between Rohingyas and local people has become critical day by day because of many conflicts of interests" (Uddin, 2010). Hossain said, "When Rohingya refugees came to Bangladesh from Myanmar, the local people were sympathetic to them. They helped them through providing cloths, food and even shelter. Over the years, situation has been changed. Nowadays, the relationship between Rohingya refugees and the community people [local people] are not warm. The local are becoming unhappy, if not hostile to the Rohingya refugees" (Hossain, 2010: 22).

14. In fact, there are two basic reasons for which local Bengalis of southeastern Bangladesh provided Rohingya with shelter in their locality whilst GoB have different political strategy and foreign policy. At the beginning, the Rohingyas were received warmly by the local people of Cox's Bazar mainly because of; (i) humanitarian ground, (ii) the feeling for Muslim brotherhood. They felt that it was their duty to stand besides Rohingyas since they were oppressed and tortured by the military Junta of Myanmar and forced to leave their homeland. Besides, they also felt that it was their duty as they were

Muslims by religion. In fact, local people of Cox's Bazar felt, as they explained to me during my fieldwork, "as human beings, we felt it was our moral and sacred duty to help other Muslim brothers in crisis."

15. I spent long time, even until mid-night, in conversing with old local Bengali informants who shared their experiences in dealing with Rohingya. In most cases, I found that local people from the very beginning received them very warmly and entertained them as genuine guests. Even at the beginning, many locals made room for migrated Rohingya in their house and fed them for weeks and months without expecting any return. Even, many families provided the whole family of five members with shelter and food for weeks without any hesitation. Many families helped them to get shelter in and around their yards and helped them to get job so that they could survive. Many families provided cloths, food and other daily essentials as regular basis for days and weeks until migrated Rohingya families got in track to their own livelihood to survival.

16. Badsha Mian (52), local Bengali explained to me: "Everyone has mothers and sisters, in one hand. Problems on the other hand may come to everyone's life. So, we should help each other in needs and crises. When learned that Rohingya were severely tortured and forced to leave their country by Military Junta and Rohingya, finding no other alternatives, were crossing the nearby border and came in our land, we felt great sympathy for them and initiated to provide them with shelter. Many families came with little children whereas many families came with adult daughter. So, it appeared to us as the question of humanity and hence we gave them shelter. We felt at that time that it was our sacred duty to stand besides them on humanitarian ground we did so. If we did not make room for them and forced them to go back, they would have only alternative to commit suicide. That was why, we gave them shelter and provided foods and other necessary essentials."

17. These sorts of feelings, so far as my experience goes, are found very rare in Vasan Para and Pasan Para because most of the people have the bitter experience in dealing with Rohingya refugees. Rather, I found strong sympathetic feeling for them as Muslims, as already mentioned earlier, that sense of Muslim brotherhood was one of the reasons why Rohingya were at the beginning received cordially.

18. It is notable here that the people of South-eastern part of Cox's Bazar are by nature religious practitioners who are largely Muslims. Since Rohingya were Muslims, local people felt strong solidarity for them while they were in crisis in Myanmar. That was why, when Rohingya crossed border to become refugees in Bangladesh, local people received them with warm heart as Muslims brothers. They gave them shelter, foods, cloths and many other necessary goods they needed out of their strong sense of Muslim brotherhood. One of my informants, Mr. Kamaluddin (49), second cousin of my host Mr. Md. Ali, told me Muslim will stand besides the Muslims in crises, is the basic learning of Islam. When we came to know that our Rohingya Muslim-Brothers were in Crisis, oppressed and inhumanly tortured by Military-junta and non-Muslim people, we became worried for them. We were at that time thinking of doing something for them. We learned that Rohingya Muslim-brothers were crossing boarder to take shelter in this region, we even went forward to receive them since we felt it was our sacred duty to support Muslims in crises. We provided them with shelter in and around our own homeland. We tried our best to help them so that they could survive here with their family members that include children, adult girls and aged-parents. We did it out of our moral duty for our brothers because the lesson of our holy book is that all Muslims across the world are brothers with each other.

19. During my stay in the field, I found similar feelings among the many people. They made room for Rohingya refugees with good intention for time being since they thought the problem would be resolved shortly. But, it lasted more than two decades. Now the question is, why such congenial relationship between local Bengalis and Rohingya refugees turned into contrasted one which would be discussed in detail in the next section.

20. **Hurting the Guests, Why Does the Local Society Now Reject Them?:** People of greater Chittagong including the people of Cox's Bazar are known to be the most hospitable; particularly in case of hosting the guests. Nevertheless, people of Teknaf and Ukhia are known to all as being hosts hurting their guests, Rohingya refugees. Various reports of Amnesty International, UNHCR, Human Rights Groups, MSF, and so on strongly make public that many human right violation has taken place with the Rohingya refugees. I must admit that the reports of human rights violation contain, though not fully, adequate truth since I observed many events in support of such admission My close observation on Rohingya migration and settlement in South-eastern part of Cox's Bazar over a decade made me understand that the feelings of Muslim brotherhood and deep-sympathy for exploited and oppressed neighbourhood were struck when local people gradually found that Rohingya were penetrating in their everyday course of life. Local people slowly observed Rohingyas were replacing them in job market, occupying their lands, destroying forests by cutting and selling in the market as firewood, involving in various social crimes mainly stealing, hijacking and robbery. According to Mokbul (57), a local Bengali:

21. This is true that we now no longer want Rohingya to stay in our land. Not only me, are they 99% of local Bengalis really fed-up with Rohingya refugees, their behaviour and their presence in our locality. Though we gave them shelter when they were in crises but in return they gave us unbearable problems and intolerable sufferings. It is indeed their fault because their character is something like that je thalate khai shei thalate-i tar a paikhana kore (they do toilet on the plat where they eat). "He also said, "Rohingya jat-tai emon je Tara je kolshir Pani Khai, shei kolshi abar ghuta dia futa kore dei. Okritoggo. (Rohingya is a name of typical nation which make hole in the pitcher which they drink with. They are very ungrateful nation).

22. What are the reasons that contributed to render the warm and brotherly relationship between Rohingya refugees and local Bengalis into confrontational one? I found broadly seven principal causes, about what I have explained in detail in elsewhere (Uddin, 2010), for decaying the relationship between them such as cultural differences, intervention in job market, inter-ethnic marriage, environmental pollution and destruction of forest resources, decline of law & order situation due to increase of criminals offences committed by Rohingyas and the rise of militant activities with the involvement of Rohingyas. Here, I will discuss couple first-hand experiences that enable to explain why the dealings of local Bengali seem to be hurting them. Mr. Kalimullah, the Beyai of my host Mr. Md. Ali, lives the eastern corner of Pasan para. He is a man of honest, polite, emotional and soft personality. He gave shelter Mr. Muslim Uddin, a Rohingya, who came from Myanmar in 1993. Mr. Muslim was accompanied with more four members of his family consisting of wife, two daughters and one son. It was difficult for Mr. Kalimullah to give shelter for a family of members for long time in his own family which itself was composed of six members. After few days of their arrival, Mr. Kalimullah proposed them to build a temporary in the yard house beside and nearby his own house on a gentlemen agreement that Mr. Muslim would try to find shelter to somewhere else and left the land of Mr. Kalimullah as soon as possible. Almost 18 years passed but Mr. Muslim and his family is still living there. Meanwhile, they have built a break-built house. Mr. Kalimullah tried many time to evacuate the place and failed. Now, Mr. Muslim is more powerful than previous days because he became the leader of Rohingya community and has strong link with the local political parties. Now, whenever Mr. Kalimullah goes to law enforcing agencies and in response if police comes to evacuate them, it suddenly appears as the question of human-rights violation drawing media focuses.

23. This is in fact one side of the coin whereas there is another side of it. During my fieldwork, I found and observed innumerable amounts of human rights violation committed by local Bengalis, security forces and law enforcing agencies which most of the times remained unaddressed. Using forced labour of Rohingya refugees with cheap rate or without any payment, physical attacks without any sensible reason, sexual harassment of Rohingya women, torture by security forces without any

reason, evacuating from temporary shelter without any notice etc. have been common phenomenon in the lives of Rohingya refugees living in and around Teknaf and Ukhia. I recorded many facts and events of such violation of human rights which they really feel as hurting by the hosts. Mr. Badruduzza (42), a Rohingya, one evening explained to me:

24. We also think that it is really difficult for a country to adopt and feed more than 2,50,000 additional people in her land. It is also true that we Rohingya have become burden for this locali which itself is overcrowded and resource-poor area. I also admit that many of us have become involve in many social crimes that are destabilising local law and order system. But, where will we go? Myanmar does not recognise us as citizens of Myanmar in the one hand. Bangladesh does not recognise us as even refugees let also citizens. Where will we go? What should we do? Nobody wants to employ us in jobs since we are Rohingya and refugee. How will we feed our family? Starvation has become inexplicable part of our life. Our children are suffering from mal-nutrition. How will we survive? Finding no other alternative, if we cut jungle, make it firewood and sell in the market, we are accused of destroying the forest resources. What should we do for earning our livelihood? How will we survive? Is it our fault that we were born in this universe?

25. This narrative reflects the crisis of Rohingya refugees in the local level which hardly gets in state-level understanding of the Rohingya problem. The main problem is indeed the question of survival. Whatever they Rohingya do is more or less revolved around the question of survival but it on the other way around is creating problems for the local people who have once hosted them. Mutual co-existence is also a big problem since both groups, despite of religious and linguistic homogeneity, are different in their culture, mode of dealings and philosophy of life. These differences also make Rohingya understand that hosts are now hurting them because local people, insofar my experience goes, are no longer ready to accept Rohingya refugees in their locality. It is mainly because Rohingya as local Bengali claim, have created and are now creating lots of problem in their regular course of life. UNHCR and other international NGOs are paying attention to in-camp registered Rohingyas whereas large number unregistered Rohingya refugees are left unaddressed in their agenda. State is also reluctant in this regard. This sort of reluctance from national and international agencies working in this area is also accelerating problems in the life of both local people and Rohingya refugees

26. **Conclusion:** In fact, for the sake of survival whenever Rohingya refugees attempt to enter any sections of the local life, local people take it as unfair penetration and hence they resist it. The resistance of local people appears to Rohingya as hurting since it indeed delimits their source of livelihood and hence they fall in the crisis of survival. From the view of local people, they have every right to protect their lives, livelihood and society by resisting Rohingya penetration in the one hand. From Rohingya point of view, on the other hand, they have every right to survive and lead a life as human beings. Now the questions is who will ensure the rights of both local people and Rohingya refugees is operationally and effectively absent. State is always in the state of dilemma whether to make room for Rohingya refugees or to repatriate them to Myanmar. International agencies including UNHCR and MSF are putting pressure on Bangladesh Government to be tolerant in hosting Rohingya refugees in the land of Bangladesh. This top-level contestation does not provide any effective solution what both Bengalis and Rohingyas are encountering in their everyday life in the local level social settings. In conclusion, I would rather say host should not hurt the guests but why, how and in what context hosts usually hurt (!) the guests should also be understood with equal attention to lay down a comprehensive approach to resolve Rohingya refugee problems. Because, we must remember that every coin has its opposite side which is equally important as a part of whole.

References:

1. To Host or To Hurt; Counter-narrative on Rohingya Refugee issue in Bangladesh, Edited by Nasir Uddin, page 90 & 97
2. I have used the age of every informant used here in relation to citation so that readers can easily understand the context of the facts and events of action and actors in different citations.
3. Bangsha in Bangladesh and Bengal society carries family status and social prestige which is instrumental in social fabrics in dealing, interaction and communication between and among the individuals. Therefore, people always high esteem bangsha and the prestige of bangsha. Particularly, people high value the background of bangsha in the time marriage and spouse selection. Besides, names of bangsha also play important role in maintaining social cohesion and solidarity and is used a influential agency of social control.
4. Beyai is a local term that is usually used as a calling-term between persons whose son and daughter get married. This is the common practice in South-eastern region in Bangladesh. But, in other parts of Bangladesh Beyai is a calling-term used between brides' and bridegroom's younger brothers and sisters. Beyai in kinship terminology in Bangladesh indeed denotes a joking-relation between individuals.
5. This is indeed an approximate estimate of the number of unregistered refugees since there is no official record of them. But, actual number of unregistered Rohingya refugees are many more than what is estimated since the flow of migration is still continued.
6. 'Bamya people' means people from Burma, now Myanmar. Local people quite often term Rohingya as Bamya people.
7. Bangladesh Awami League (AL) which is now in power.
8. Bangladesh Nationalist Party (BNP) which is now in opposition.

CHAPTER- TEN

THE LEGAL FRAME WORK REFUGEE PROTECTION

1. **Introduction:** The issue of Rohingya refugees is one of the long standing refugee problems of the world and they are the most vulnerable amongst the refugee communities. The mass exodus of Rohingya Muslim started in the late 1970s due to forced labour, land confiscation, religious intolerance, rape, and other forms of persecution by the Myanmar military regime.¹ The Rohingya Muslims are treated as stateless persons in Myanmar with consequent restrictions on their movement, education and employment in their homeland, which eventually made them also refugees (See, Ahmed, 2010). The Myanmar government does not even allow them to travel or marry without getting permission first from the authorities. They were rendered stateless by the 1982 Burma Citizenship Law, which mainly confers the rights to a nationality on members of the 135 'national races' listed by the government, amongst which the Rohingyas are not included (Lewa, 2003).² This statelessness exposed them to systematic discrimination and human rights violation, which forced them to migrate in Bangladesh. Sometimes, these stateless Rohingyas choose Bangladesh for third countries like Malaysia, Thailand, and even Saudi Arabia in order to send money home to their impoverished families.



Fig: 18- Refugee Law

2. Bangladesh hosts more than 200,000 Rohingya refugees from Myanmar.² They are granted prima facie refugee status by the executive order of the government of Bangladesh. The Rohingya refugees in Bangladesh are divided into two categories - registered refugees living in official camps and unregistered] refugees living in and around Southeastern Bangladesh particularly Teknaf and Ukhaia of Cox's Bazar among Bangladeshi communities. While camp residents have access to basic services, those outside do not.³ Only 28,000 of them have been granted official refugee status and are allowed to stay in UNHCR supervised camps—Kutupalong and Nayapara—in Cox's Bazar.⁴ However, there is no official data about the exact figure of unregistered refugees. The unregistered refugees are treated as illegal immigrants and often subjected to push back to Myanmar violating the principles of refugee protection. Even the living conditions of the refugees in camp do not meet minimum international standards.⁵ Bangladesh viewed the refugee as a short-term problem and demanded the immediate repatriation of all Rohingya refugees from the outset of the problem. However, the problem continued unabated due to continuing persecution over the Rohingya Muslims by Myanmar authority. However, there are some allegations of forceful and coercive repatriation of the Rohingya refugees by Bangladesh authority.

3. The main objectives of this chapter are: to analyse the origin of the Rohingya refugee problem, to highlight legal norms on protection of refugee, to focus on constitutional and legal framework on refugee protection in Bangladesh, to consider durable solutions of the Rohingya refugees and to shed light on protection mandate of the UNHCR in Bangladesh. In analyzing legal norms, the chapter especially highlights on relevant provisions of the Convention on Refugee, 1951 and focuses on its shortcomings. In particular, it is emphasized that Bangladesh should ratify the Convention and its protocol. Bangladesh should also adopt specific legal or policy framework to deal with refugee problem. However any such potential legal or policy framework should be consistent with international legal norms and standards on refugee protection. It is also argued in this chapter that all potential avenues should be explored for durable solution of the Rohingya refugee problem to ameliorate their plight.⁶

4. **Legal Norms of Refugees:** The purpose of the laws in relation to refugees is to bring some kind of uniformity in the treatment of refugees by all countries. The refugees should not be exploited or treated inhumanely. They should not be sent back to the country from where they escaped. The laws will provide the refugees their rights and obligations in the host (receiving) countries. In the absence of law, both the host countries and the refugees will be uncertain about each other's obligations and rights.

5. A well-known writer on refugees, James Hathaway (Canadian) writes that:

"Current refugee law can be thought of as a compromise between the sovereign prerogatives of states to control immigration and the reality of coerced movements of persons at risk. Its purpose is not specifically to meet the needs of the refugees themselves (as both humanitarian and human rights paradigms would suggest) but rather to govern disruptions of regulated international migration in accordance with the interests of state."⁷

6. The last century (20th) saw the flight of thousands of people from communism or Nazism in Europe. A Russian refugee⁷ was defined in 1926 to include any person of Russian origin who does not enjoy the protection of the Government of the Soviet Union and who has not acquired another nationality.

7. To meet the problems arising out of the state policies of Nazi Germany, an international conference was convened on July 6, 1936 in Evian (France) to set up an Inter-Government Committee on Refugees as to how the international community should respond to the flight of the Jewish refugees from Nazi Germany to other West European countries. Then came the Second World War (1939-1945). Germany unconditionally surrendered on 7 May 1945.⁸

8. Soon after the end of the Second World War, the UN Charter was adopted in June 1945 and came into force on 24 October 1945. The Charter affirmed international co-operation in solving international problems of humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all persons without distinction as to race, gender, language or religion (Article 1.3 of the Charter). In 1948 the General Assembly adopted the Universal Declaration of Human Rights. The Declaration is arguably the main moral document of the 20th century. It has left a legacy of expectation that responsible countries would crusade for human rights. Article 2 of the Declaration provides that everyone is entitled to all rights and freedoms set forth in the Declaration.

9. On 14 December 1950, the Statute of the Office of the United Nations High Commissioner for Refugees was adopted by the General Assembly of the UN. In terms of this Statute, the High Commissioner shall assume the function of "providing international protection to all refugees who fall under this Statute" on behalf of the UN.⁹

10. **Why Bangladesh Needs Refugee Law?:** Bangladesh was born experiencing refugeehood. During our liberation war in 1971, an estimated 10 million people (one out of every seven of that time population) took refuge in neighbouring India. Bangladesh has been hosting thousands of Rghingya, a Muslim ethnic minority group from the norther Rakhine state o Myanmar as refugees for last 17 years.

11. Following the latest persecution generated by the military ruler in Myanmar during 1991-92, thousands of Rohingyas took refuge in neighbouring Bangladesh and other countries. About 258,000 Rohingyas were registered by the Government of Bangladesh and granted refugee status through an executive order.

12. In addition to that, thousands of Rohingyas continue to arrive here and mix with local population over the years. Some estimates suggest that there are now about 300,000 nationals of Myanmar (mostly Rohingyas) outside the official camps who are 'illegally' staying in the cox's Bazaar Bandarban and Chittagong districts. A section of them is active in all sorts of illegal activities. Apart from that an eestimated 300,000 Rohingyas are reportedly now in Saudi Arabia and other Middle Estern counties holding Bangladesh passports.¹⁰

13. Bangladesh has been hosting refugees for a long time, however it is not a State party to the UN Convention Relating to the Status of Refugees 1951 or its Protocol of 1967 (However, Bangladesh is member to the Executive Committee of UNHCR- EXCOM). There is also no domestic legal framework to deal with the issue of asylum and refugees.

14. Some scholars including Dr. B. S. Chimni feel that before acceding to the 1951 Convention or 1967 Protocol, South Asian states should go ahead for adoption of a rights-based national legal framework to deal with asylum and refugee issues.¹¹

15. **Funding:** The UNHCR is almost entirely funded by direct, voluntary contributions from governments, non-governmental organizations and individuals. A limited subsidy from the UN is used exclusively for administrative costs. UNHCR's annual voluntary funds expenditure has risen rapidly over the last 25 years. The 1995 budget was US\$ 1.3 billion and UNHCRs top donors are the USA, the European Union and Japan. Europe accounts for 42% percent of UNHCR are funding.

16. Since its budget topped US\$ I billion in 1992, UNHCR has had to work hard to ensure that the refugees receive the help they need in time of distress. The US\$ 10 million Chechnya Emergency Operation demonstrated that UNHCR was able to collect the funding necessary to save the lives of the civilians in Chechnya and those who moved to Dagestan, next to Chechnya.¹²

17. **Challenges:** One of the major issues confronting the UNHCR is the inadequacy of definitive legal tools available for providing protection to the vulnerable persons. As we have witnessed that besides the Convention-refugees, there are many refugees who flee under new situations not covered by the 1951 Convention.



Fig: 19- Challenges Ahead

18. The gaps in legal protection to all categories of refugees have broadened the scope of international protection, involving the additional mandate of the UNHCR without amending the 1951 Convention. This creates a difficulty because the States are only obliged to comply with the 1951 Convention. The expanded man date of UNHCR has no corresponding obligations of the States and often UNHCR finds it hard to receive co-operation from States. For smooth running of refugee programmes there is a view that the 1951 Convention should be amended in the light of UNHCR's expanded mandate.¹³

19. It appears that the challenge of the UNHCR in future is to ensure the theoretical statements of human rights of the political leaders are translated into practical measures within the States. A balance has to be struck between the individual and collective responsibilities of the States. Each State should ensure the observance of human rights for its nationals and the international community should address the humanitarian needs of the people of all countries. They are the two halves of a whole.

20. There is a view that an early warning system is to be developed so that UNHCR is able to intervene with the authorities of the State so that the flow of refugees does not occur. Prevention seems to be the new approach of the international community and preventive efforts may take the form of enhancing the legal norms through extending technical advice, training, information and institution building in the countries.¹⁴

21. **Bangladesh Still Now has not Adopted this Refugee Convention:** The plight of refugees is not unfamiliar to anyone in Bangladesh. Bangladesh had the first hand experience on the refugee situation in 1971 when they found themselves as refugees in India during the Independence war, 1971. Bangladesh fully realizes the vulnerability of the refugees and opened its frontiers from time to time to the refugees from Myanmar for humanitarian reasons, despite Bangladesh is a party to the 1951 Refugee Convention Bangladesh has given shelter to refugees from Myanmar in 1978 and 1991.¹⁵



Fig: 20- Supreme & Judge Court of Bangladesh

22. Bangladesh had accepted the refugees because of humanitarian concern. Bangladesh is a responsible member of the UN and conscious of its role in the promotion of and respect for human rights. She is committed to undertake humanitarian aid to the refugees whenever is necessary. Bangladesh has already given all possible opportunities as a matter of grace but not accordance with legal frame work and undertaken its humanitarian obligations in respect of refugees subject to its national security and public order. In terms of International norms and of its constitutional obligations, Bangladesh has been accepting the refugees from other countries.¹⁶ But, providing all possible opportunities, Bangladesh has not become the party of this convention may be on the following reasons:



Fig: 21- International Human & Humanitarian Law

- a. Fear of taking burden
- b. Constitutional arrangements.
- c. Neighbouring countries standing.
- d. Legal bindings.
- e. Revision

23. **Burmese Refugees in Bangladesh Need Protection:** The governments of Burma and Bangladesh should take urgent steps to provide protection for thousands of Muslim Rohingya refugees who have fled gross human rights abuses in Burma's Arakan state, Human Rights Watch said today. There are currently thousands of Rohingya in eastern Bangladesh.

24. Burma must improve the treatment of the Rohingya, who are abused and treated like aliens in their own country," said Gary Risser, refugee researcher for Human Rights Watch's Asia Division. "That's why refugees keep coming to Bangladesh, and thousands of them are afraid to go back."

25. In a new 29-page report, "Burmese Refugees in Bangladesh: Still No Durable Solution," Human Rights Watch describes the key obstacles to the satisfactory resolution of the Rohingya refugee problem. Any resolution must comply with international human rights standards, including those guaranteeing protection of the rights of refugees.

26. In 1991 and 1992, some 250,000 Rohingya sought refuge in Bangladesh, and though most of these returned under a repatriation program arranged by the United Nations High Commissioner for Refugees (UNHCR), 22,000 remain in camps. More than 100,000 additional Rohingya who have entered the country since 1991, now live in precarious circumstances in Bangladesh outside the camps with no formal documentation as refugees. Though conditions in the camps have reportedly improved, refugees living there continue to suffer abuses, including beatings and other forms of physical abuse, and in the past have been coerced by camp administrators trying to force their return to Burma.

27. "Persons found to have a well-founded fear of persecution in Burma should be provided international protection in Bangladesh. Under the current climate in Burma, there should be no summary deportation of Rohingya," said Risser. "UNHCR must continue to provide a strong protection monitoring role both in the camps in Bangladesh and in Arakan state in Burma where the Rohingya voluntarily return."¹⁷

28. Over the past two years, UNHCR has been in the process of handing over responsibility for assisting the reintegration of returning refugees in northern Arakan to a broader U.N. umbrella group of development-oriented agencies. Human Rights Watch strongly opposes the handover, believing that the lack of a UNHCR presence in the field could increase the risk of leaving the Rohingya unprotected against government abuses. UNHCR is the only U.N. organization with the mandate and expertise to

protect the Rohingya. Instead of a reduction in the UNHCR presence, its protection role should be strengthened.

29. Rohingya repatriation formally recommenced in November 1998 after over a year's suspension, but under restrictive conditions set out by the Burmese government. One of the main conditions was the set quota of no more than fifty persons to return per week. In practice, this quota was rarely reached in the first year. As a result, the birth rate in the camps often exceeded the number of returnees, spelling a net growth in the population in the camps. The Burmese government has furthermore stated that it would only consider the return of the approximately 7,000 Rohingya refugees who had been previously cleared for repatriation prior to the 1997 suspension of returns. These restrictions would effectively deny the remaining 15,000 Rohingya of their right to return, should they wish to pursue it.

30. Human Rights Watch outlined recommendations to the governments of Burma and Bangladesh for durable solutions of the refugee crisis, including repatriation to Burma, local integration in Bangladesh, and resettlement in a third country. Some combination of these options is likely to be needed. The international monitoring group also urged Bangladesh's donors to make commitments of financial support to help pay for the local integration of the remaining Rohingya population.

31. But a lasting solution also requires increased pressure by the international community on the Burmese government to end serious abuses in Arakan state so that the Rohingya can return to Burma in safety and with full human rights guarantees.¹⁸

32. **The Context:** Bangladesh has hosted Rohingya refugees from Myanmar's Northern Rakhine State for many years. More than 250,000 of them arrived in 1991-1992, and although most have returned home, two remaining camps still house some 28,000 refugees. This group has lived in the camps for more than 16 years without freedom of movement, permission to work or access to education. In addition, an estimated 200,000 spontaneously settled Rohingyas from Northern Rakhine State live outside the camps.

33. In the past two years, the Government of Bangladesh has strengthened its cooperation at the operational level with UNHCR. This has resulted in a qualitative improvement in the lives of the refugees in the camps, who are part of one of the most protracted refugee situations in the world.

34. The status of an estimated 250,000 members of the stateless Bihari/Urdu-speaking community has been resolved through the grant of Bangladeshi citizenship; they are being registered as voters and issued national identity cards.¹⁹

35. **Legal Responsibility of the Country of Origin:** Almost all the documents which are conserved with this of refugee one deals with the rights and obligation of the refugees, responsibilities of the receiving state and United Nations (UNHCR). In consideration of the issue of refugees on responsibility or indication as to the action of state at origin are laid down in any multination or bilateral treaties or conventions. The mayor convention as to the status of refugee of 1951 is also silent about the position or obligations of country of origin which creates the flow of refugees country of origin in one of the miniature or party in a refugee saturation but them pointy is appears to be out of the picture in the legal documents so in consideration of the refugee issues, whether the conduct of a country of origin should come whiten the ambit of international law need to critically discuss.

36. Generally relations between states and its nationals in hafter of sovereignty and domestic issues. But come quietly there is a view that no state should create a situation with him its territory which leads to there of refugee to other countries. In fact there appears be an obligation as to the state to ensure that the conditions within the state should remain peaceful to leant and non-discriminatory, so as not to create conditions for the flow of refugees to states the matters becomes

an international concern. If an individual is subjected to torture or persecution or gross harassment the individual will leave the country and here a wrongful act in violation of international obligation is done by country of origin which can make legally responsible to a country of origin for the violation of international law.²⁰

37. **International Laws and Standards:**

a. **1951 Convention Relating to the Status of Refugees:** The Convention Relating to the Status of Refugees is the foundation of international refugee law. The Refugee Convention defines the term “refugee” and sets minimum standards for the treatment of persons who are found to qualify for refugee status. As new refugee crises emerged during the late 1950s and early 1960s, it became necessary to widen both the temporal and geographical scope of the Refugee Convention. Thus, a Protocol to the Convention was drafted and adopted.



Fig: 22- 1951 Convention & 1967 Protocol

b. **1967 Protocol Relating to the Status of Refugees:** The 1967 Refugee Protocol is independent of, though integrally related to, the 1951 Convention. The Protocol lifts the time and geographic limits found in the Convention’s refugee definition. Together, the Refugee Convention and Protocol cover three main subjects:

38. **Regional Laws and Standards:**

- a. 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa.
- b. The Cartagena Declaration.

39. **UN General Assembly Resolutions -The 1967 Declaration on Territorial Asylum:** In 1967, the UN General Assembly adopted a Declaration on Territorial Asylum directed toward States. The Declaration reiterates that granting asylum is a peaceful and humanitarian act that cannot be regarded as unfriendly by any other State, and notes that it is the responsibility of the country of asylum to evaluate a person’s claim for asylum.



Fig: 23- UN General Assembly & UN HQ

40. **UNHCR's Executive Committee Conclusions:** UNHCR's Executive Committee (Ex Com) advises the High Commissioner on the exercise of his/her functions. The annual Conclusions adopted by Ex Com form part of the framework of the international refugee protection regime. Executive Committee Conclusions represent the agreement of more than 50 countries that have great interest in and experience with refugee protection. These and other countries often refer to Ex Com Conclusions when developing their own laws and policies.

41. **National Laws and Standards:** The adoption of national refugee legislation that is based on international standards is key to strengthening asylum, making protection more effective and providing a basis for seeking solutions to the plight of refugees. Incorporating international law into national legislation is particularly important in areas on which the Refugee Convention is silent, such as procedures for determining refugee status.

42. **International Humanitarian Law:** International humanitarian law provides that victims of armed conflict, whether displaced or not, should be respected, protected against the effects of war, and provided with impartial assistance. Because many refugees find themselves in the midst of international or internal armed conflict, refugee law is often closely linked to humanitarian law.



Fig: 24- International Humanitarian & Human Rights Law

43. **Human Rights Law and Refugee Law, How they are Related:** International refugee law is part of a larger mosaic of international human rights law and international humanitarian law. Human rights law constitutes the broad framework within which refugee law provisions should be seen. The International Covenant on Civil and Political Rights has been interpreted to prohibit return to torture. In addition, nearly all of its provisions apply to non-citizens.²¹

44. Two international human rights treaties have a particularly significant role in international refugee law:

- a. The Convention against Torture and Other Cruel, Inhuman
- b. The Convention on the Rights of the Child.²²

45. **Broadening the Concept of Refugee Protection:** States should take their international obligations seriously instead of saying one thing on paper and doing the other in practice. Bangladesh has been hosting refugees for a long time but it is not; State party to the UN Convention Relating to the Status of Refugees 1951 or its Protocol. No domestic legal framework is available to deal with the issues of IDP and Refugees. It is against this backdrop, Bangladesh should take necessary steps for accession to the UN Convention. This could perhaps help remove that feeling of 'nothingness' that a refugee experiences and restore his or her dignity and worth as a human being, which is one of the objectives and principles of human rights law.²³



Fig: 25- Refugee Protection

46. There are a Few Suggestions that Could be Considered:

- a) **Compensation or Restitution:** under the Principles Concerning Treatment of Refugees, it is provided that a refugee "shall have the right to receive compensation from the State or country.
- b) **Truth and Reconciliation:** one of the ways of redressing gross human rights violations is through truth and reconciliation commissions.
- c) **Accountability/Prosecution:** As we saw earlier, human rights bodies emphasize the importance of investigating and prosecuting human rights violators as one of the effective remedies.

47. **State the Measures for the Protection of Child Refugees:** The 1989 convention on the rights of child in its Art 22 (1) states that, state parties shall take appropriate measures to ensure that a child who is seeking refugee status shall whether an accompanied or accompanied by him or her parents or by any other persons.



Fig: 26- Protection of Child Refugees

48. **Measure for the Protection of Women Refugees:** Women who face inhuman treatment in the countries of origin because of their gender should be considered as a refugee. According to UNHCR reports 75% of the destitute in refugee population are women and their dependent children. Refugee women have special needs in term of shelter and health care.²⁴



Fig: 27- Protection of Women Refugees

49. **The Guiding Principles on Internal Displacement:** restate in explicit terms the rights of IDPs that are implicit in the more general guarantees of existing international human rights and humanitarian law relevant to the internally displaced. The Principles identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.²⁵

50. **International Legal Norms on Protection of the Refugee:** The necessity of international protection for refugees is premised on the fundamental fact that they are unable to avail the protection of their country of origin. Refugee protection can be either temporary or permanent. In case of mass influx caused by internal conflict or war, refugees need temporary protection and humanitarian assistance until they are finally repatriated to their country of origin or integrated in host country or resettled in third country. "For refugee agencies such as the UNHCR, temporary protection serves as a short-term strategy to secure the immediate physical safety of refugees and a way station to more durable protection" (Fitzpatrick, 2000: 280). Temporary protection has been viewed as an effective interim response in situations of mass influx both where individualised refugee status determination is infeasible and where the international community has made a concerted effort to provide resettlement or intervention to restore conditions for safe repatriation (Fitzpatrick, 2000: 280). The situation of temporary protection has been observed by UNHCR:²⁶

51. Temporary protection requires admission to safety without discrimination and guarantees protection against refoulement for the duration of the crisis which has generated the mass influx. Beneficiaries of temporary should be provided with a positive legal status which allows them to remain and from which definite legal rights derive. Persons from the country of origin concerned, who were already in the host country before the outbreak of the crisis that generated the mass influx, should be allowed to remain, without prejudice to a more favourable legal status which they may enjoy.²⁷

52. **Conclusion:** Bangladesh should adopt specific law on refugee protection to deal with all kinds of present and potential refugee situations. A specific law will be helpful for creating permanent legal arrangement instead of current adhoc basis treatment for refugees. A specific law will also provide guidelines to the implementing agencies to uphold the refugee cause (Naser and Afroz 2007). Pending the permanent solution of the problem, GoB should respect its international obligation to protect the Rohingya refugees and treat them humanly. Any repatriation of the Rohingya refugees should be voluntary and must meet prevailing international standard of treatment. The option for resettlement in third countries should be pursued vigorously as a durable solution of the problem.

53. However, the root because that triggers the influx of refugee in Bangladesh must be addressed by the home country- Myanmar. The GoM must recognize the Rohingyas as its citizens and they should be granted all rights and privileges under Myanmar laws and constitution that other ethnic communities enjoy. The GoM must repeal all discriminatory laws and practices that deprive the Rohingya communities from employment, education and other basic needs and render them as stateless persons that eventually force them to be refugee.²⁸

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CHAPTER: ELEVEN

THE CONCEPT, ROLE & IDEA OF BANGLADESH GOVT DURING THE ROHINGYA CRISIS

(1978-1994 & 1995-2016)

1. **Introduction:** Rohingyas are the citizen of Burma and hundreds of year as per family life they are the inhabitants of Burma, even though with the inhuman torture of the Govt they left the parents home of Arakan mandatory way take shelter as a refugee and arrived Bangladesh. Rohingyas were given shelter as a refugee due to humanitarian reason as per international law.¹ Bangla ruled over by British, before independences East Pakistan and after independent of Bangladesh of their initial stage of their sovereignty Government has to faced this crisis in their different stage. Major Aung than operation on the North Arakan in the Year of 1973 and the name of sabe operation inhuman torture carried out in the whole Arakan in the year of 1974. Burma socialist programmed party invited first people congress for implementation of constitution. During this tennure Arakan was announced rakhayan state even though military ruler and with the support of soldiers of Mog inhabitants of Mog become more disparate and they started riot against Rohingya. As a result more then ten thousand Rohingya left their parents home and for their self defense after independence the destructions of the country by war and starvation people took shelter in the area of villages of coxs bazar of Bangladesh. The than Govt of Bangladesh gave tremendous presure and gave a ultimatum letter to the govt of Burma for stop torture of Rohingya and also told them those who were coming to Bangladesh return back to their own country. As a result Gavn of Burma compelled to return back to their country and resettled them.²
2. Though Rohingya is the citizen of Myanmar that's why they were wiped out from their parent's home and thrown out to Bangladesh. It is not only the violation of human right rather it is also violation of international law. Regarding this aspect the Govt of Bangladesh gave tremendous presure with ultimatum letter to resettle them of their own home. Mainly on behalf of Bangladesh sending this ultimatum letter is the reflection of mind of Bangladesh Govt so that Rohingyas are the citizen of Myanmar.
3. After achiving independent since the relation between Bangladesh and Myanmar were good neighbors. Rohingya arrived in the year of 1974. The relation between two countries was detoriated for few aspect, the Govt of Myanmar return back refugee to their country and made necessary arrangement to resettled them their own parental home. Up to 1977 year the relation between two countries was good like previous relation. But the Govt of Burma and local Mog due to their inhuman torture once again Rohingya 1978 and 1991-92 year were wiped out from their own home land. They fled away in Bangladesh as a massive rate. As a result the relationship between two countries was detoriated. In this chapter to mitigate the crisis of Rohingya the different activities were carried out by Bangladesh Govt specially the contract was signed by Bangladesh-Myanmar based on this crisis, press news published by newspaper by the foreigen ministry of Bangladesh and discussion on decesion given by Bangladesh –Myanmar high official and the concept of Bangladesh Govt regarding the crisis of Rohingya are represent here.
4. **The Crisis of Rohingya 1978:** Bangladesh Govt has sent a ultimatum letter as a result Burmese military Govt returned back Rohingya Refugee, these who were came in the year of 1974. But after crossing not more then three years of 1978 the name of operation nagaming operation or king dragom operation was carried out with inhuman torture, killed more ther ten thousand Rohingya and wiped out more then two and half million Rohingya and push back to Bangladesh.³ Bangladesh Govt with her

limited source and capability carried out relief operation and established thirteen camp. Bangladesh Govt also seeks international help and assistance try their best level to give shelter wiped out Rohingya. During this tennure Rohingya affected with disease, mental shock, without food, many of them crosse the naff river were dead among them, maximum were women, baby and old man.⁴ Bangladesh Govt try their best level to solve the Rohingya crisis and also bring attention to the international world and they also adopted different tactics and proces with the help of bio-lateral discussion they solve the problem.

5. Regarding this aspect on the month of 07 May in the year of 1978 summit of press conference the Govt of Bangladesh inhuman torture of Myanmar Govt and forcefully withdraw them from their native country is consider hateful act and deep anxious "Muslim citizen of Burma with the help of inhuman torture wiped out them form their own house and sent back to Bangladesh. We can't remain silent condition more then 1500 million people inhabitant of Bangladesh should not bogged down with this problem rather we should solve this problem in peaceful manner and rohingya must return back in their own country.⁵ The announcement of the Govt of Bangladesh to solve the Rohingya crisis will act as a mile stone. Besides, Bangladesh Govt has taken different step to solve the Rohingya crisis. Mean-while primary stage the foreign minister of Bangladesh-Myanmar meets of Dhaka conference on 13-16 April in the Year of 1978 and discussed regarding this subject matter. Later or 01 june 1978 the foreign secretary Tobarok Hussain, the Chief of Army Staff Major General Atiqur Raman, Secretary of Foreign Ministry Harun Ur Roshid, the Commissioner of Chittagong district Adul Awal and the principle officer of information ministry all together nine members of the representatives of Bangladesh were visited the capital city of Rangoon. During this visit several discussion was took place regarding the question of refugee but the progress was not happen as expected one. As a result probablity relation between Bangladesh and Myanmar become detoriated. But Myanmar authority proposed and promised to visit Bangladesh was considered the successful visit progremme.⁶ The theory of Burmese authority promised visit program to Bangladesh on 06 July 1978 the leadership of the deput foreign minister U Tin Ohar, detente ministry western Commander, Captain, Colonel Min Goung and the province of Arakan mass porishod chairman Lt Cdr Ki Jou Mong including 11 members of representatives of Brumese came invitation of Bangladesh to solve the crisis of Rohingya in the Capital city of Dhaka. Secretary of foreign minister Tobarak Hussain and the principle of General staff Brigadier Neural Islam welcome and warm hertiest reception given in the Dhaka airport to the representatives of Burma. The leader of Brumese representatives well informed to the junerlist of (Bangladesh – Myanmar). The proposed dialogue get momentum due to made continuous of earlier dialogue was took place in the Rangoon.⁷ Bangladesh always in the favour and try to maintains good relation with the neighbor country Myanmar but the main odstruction hinder behind it the main principle of Rohingya by the Govt of Myanmar. On 7th July 1978 the representatives of Myanmar leader Vice foreign minister Mr Utin Ahon meet with Bangladesh foreign minister professor Shamsul Haq and on that meting foreign minister said "To establish friendship among both countries and reestablish neighboring relation with the sake of interest tried to solve the Rohingya crisis reached into similar opinion is essential due to humanitarian reason.⁸ He specified in his statement" Rohingya refugee those who are inhavitant of Burma due to humanitaried reason given shelter temporally in Bangladesh eventhough they have relation with family.⁹ In respond to this statement the vice foreign minister of Burma expression express by the Gavt of Bangladesh he also expressed his view with similar manner and his statement he also said to remain intake friendship and neighbor relation between both the contries tried to solve the Rohingya crisis as quick as possible and express the view of his Goat to the Bangladeshi foreign minister.¹⁰ Later on the leader of Burma's representative also meet with the home minister retired Lt Colonel Mustafisur Rahman.¹¹ Regarding the question of the crisis of Myanmar Refuegee the govt office Burma-Bangladesh in the morning and evening in this two session duration more then two and half hour meeting was took place eventhough there was on result of success happed on that meeting. After finishing the evening session, the leader of Bangladesh team foreign secretary Tobrak

hussain said in his statement to the journalist 'try to findout satisfactory situation to Return back Brumes Refuegee as quick as possible and tried hard to Return back in their native country.¹² To reach an agreement regarding the question of Brumes refuegee is there any probabilitie? This question was asked frequently on behalf of the journalist to Tobarak Hussain. Ansewing the question he said 'regarding this aspect they try their best level and and they disscussed all the subject matter of their problem regarding the retarn back of Rohingya refuegee question. The main principal of Bangladesh will remain unchanged and also examined proposal of Brumes Govt.¹³ After the end of session the vice foreign minister said to the journalist 'mind setup and willingless of the representatives of Bangladesh to solve the Rohingya crisis was really fantastic and he admired this effort.¹⁴ Specified that the aim of Bangladesh govt is given the status the citizen of Burma and pride both together and returns back to their own homeland or given the status of rohingya citizen and the security of lives and assert together and resettele them in Bangladesh. After the end of three day discussion on 9 july 1978 Sunday the authority of Brumes were agreed to return back Rohingya refuegee regarding this matter Bangladesh-Burma was singed a agreed minutes on behalf of Bangladesh foreign minister Tobarak Hussian and on behalf of Myanmar representative leader vice foreign minister U Tin Aohong were signed a agreed minutes. After finishing of the ceremony of agreed minutes the foreign secretary said to the waiting journalist 'we have reached an agreement to return back Brumes refuegee and the Govt of Brumes were agreed to ratun back Rohingya refuegee thouge who were taken shelter in Bangladesh. End of the next month Repatritration of refuegee will start.¹⁵ During, the period of discussion with the journalist the vice foreign ministered and the leaders of the representative of U Tin Aohong were also present. He informed to the journalist, he was very happy because the discussion was truned in to the reality and successful.¹⁶ Given reply one of the question of the journalist the foreign secretry said 'To return back reduegee regarding this subject matter will done through the dissection of both embassy.¹⁷ The main part of the agreed minute was specified under statement:

1. (a) The Government of the Socialist Republic of The Union of Burma agrees to the repatriation at the earliest of the lawful residents of Burma who are now sheltered in the camps in Bangladesh on the presentation of Burmese National Regestration cards along with the members of their families, such as, husband, wife, parents, parents-in-law, children, foster-children, grandchildren, son-in-low, daughter-in-low and widowed sisters.

(b) The Government of the Socialist Republic of the Union of Burma also agrees in the second phase to the repatriation of the people who are able to present their document issued in Burma with indication their residence in Burma, along with the members of their families, such as, husband, wife, parents, parents-in-low children, foster-children, grand children, son-in-low, daughter-in-low and widowed sisters and also those persons and the members of their families such as husband, wife, parents, parints-in-low, children, foster children, grand children, son-in-low, daughter-in-low, and widowed sisters, who will be able to furnish evendence of their residence in Burma, such as address or any other particulars.
2. The residents of Burma mentioned in paragraph 1 above will be received on the border by the authorities of the Government of Burma in batches from the authorities of the Government of Bangladesh. The process of repatriation of such residents will commence not later than August 31, 1978, and is expected to be completed within six months from the date the first batch is received.¹⁸
6. The special side of the main memorandum was specified blows:

Firstly. Refugee were taking shelter in different camp among them these lawful residents of Burma or those who were real citizen of Burma and those having National Registration Card (NRC) Burmes Govt will return Back them in their home.

Secondly. Among the refugee who have failed to show the evidence of citizen or those who have inhabitants of permanent resident of their own homeland they will return back to their country.

Thirdly. Inhabitants specified above will take of the Govt of Bangladesh Groupwise and the repatriation will commence on August 31 in the year of 1978 and it will terminate with in six month.

7. As per the policy of the memorandum, the exhibition of NRC and the evidence of proof for living in Burma Rohingya Return back in their own country withing the specific time. But specific matter notified that rohingya's came to Bangladesh as they are the citizen of Myanmar. In the memorandum they are not consider lawful citizen of Burma's rather they are considered lawful residents of Burma as a result doubtful question regarding the citizen of Burma will remain prebail because the word citizen means they are owner of state.¹⁹ A person who has full rights as a member of a country, either by Birth or by being given such rights²⁰ on the other hand the meaning of resident means they are inhabitants of the country or a person who lives or has a home in a place not, a visitor.²¹ Bangladesh Govt always took the matter importantly specially the matter of the citizen of Rohingya but the misterious thing probably their specific thing work behind it.

Firstly. The Govt of Bangladesh lawful residents of Burma means citizen of Burma. Probably their idea was those who were the citizen of Burma; they are considering the citizen of Burma or in habitantants.

Secondly. The subject was turned into other fashion due to the carefulness of the authority.

Thirdly. Once sided decision was takes by the authority of Burma the Govt of Bangladesh bounded to agree upon this word. IT is better to give priority first reason rather than the second and third reason because agreed minutes was signed by the both Govt and respond to the journalist of thithen foreign secretary Tobarook Hussain specified 'the Govt of Burmes was agreed to return back citizen of Burma, these who were taking shelter in Bangladesh and the reparation work will commence at the end of last month.²² here he declared Rohingya are the citizen of Burma, they are not inhabitant or living, beside the matter was so important, there was no scope to take us carefulness. The preincipl of repetration of Rohingya regarding this principl the govt of Bangladesh remain unchanged the reason behind it the ironic mind of the Burmes Govt. That why regarding this aspect first reason was more sustable option for us But the presenc of foreign secretary include other important person should not made mistake was not taken into consideration. Besides some expeart think, It is a tactics to avoid the subject matter.

8. **Crisis of Rohingya 1992:** The memorundum of Bangladesh Burma refugee was compacted in the year of 1978 in order to ensure that they should remain in their own native home, they made an agreement and return back more two million Rohingya in their own country but the military ruler of Burma was not rigid on their own agreement. After return back their own country and not cross more then two years once again started torture.²³ without sustains this torture huge number of Rohingya influx throw the Teknaf come to Bangladesh and took shelter in the Cox's Bazar and made permanent residenc in that place.²⁴ The massive influx/arrivel of Rohingyas was started in Bangladesh

in the month of November in the year of 1990. In the middle stage of the year the Govt of Bangladesh in the preliminary stage took three positive stages to solve the Rohingya crisis. These three steps are given below:

Firstly. High level of diplomatic communication/conversation was taken place between the Govt of Myanmar and the Govt of Bangladesh. Diplomatic advice was given to the Ambassador of Bangladesh to solve this Rohingya problem.²⁵

Secondly. Myanmar foreign policy is remaining isolated from the whole world and they maintain good relation only one country of China. The relationship between Myanmar and China is excellent. Bangladesh Govt main master plan to solve this problem with the help of Govt of China.²⁶

Thirdly. On 30th September 1991, during the meeting of General assembly was held in the New York. The foreign minister of Bangladesh Lt. Colonel S.M. Mustafishur Rahman (Retired) tried to talk with the foreign minister of Myanmar U Aun Mya regarding the crisis of Rohingya but the Govt of Myanmar was not interested to discuss with their subject matter and they were not interested to further discussion regarding this three steps.²⁷ The opinion of the foreign ministry of Bangladesh regarding the principal of Rohingya by the Govt of Myanmar is that the Govt of Myanmar with their master plan to take the local disaster situation into other side similar like internal situation in the year of 1978. Just like earlier they focus on the center of foreign issue and their aim was for getting support of other different power.²⁸ Beside another aim work behind the military Govt of Myanmar was the husband of opposition leader Aung San Suki was the citizen of United Kingdom. Bring the opinion of mass people in favor of the military Govt they give priority the principal of 'Myanmar-Buddhism' and try to create hate principle against the foreigner. The main aim was to create a dis-favored opinion against the opposition arrested leader Aung San Suki.²⁹ At the same time in the border of Myanmar, minority tribal and the Muslim were created reevaluation against the Myanmar Govt to suppress the revolution the Govt of Myanmar carried out massive military operation in the border area.³⁰

9. During the middle age on the month of October in the year of 1991 when the arrival of Rohingya Refugee in Bangladesh near about twenty thousand, at that time several stage protest was raised against the Govt of Myanmar. But getting on result the diplomat of Bangladesh created attention to the Myanmar diplomat and said "if the situation is running like this fashion the relation between two countries will be deteriorated".³¹ In reply the Govt of Myanmar gave opinion that "No torture activities were carried out against the Muslim".³² But later on they agreed that, security force in the name of safety carried out extra curriculum activities in the local level. To stop these extra curriculum activities the Govt of Rangoon what step has been taken so far was not getting any reply. The Govt of Bangladesh raised voice and gave serious threat danger signal to the Myanmar Govt and said Bangladesh Govt will never want to see the repetition of serious memorable incident in the year of 1970.³³ But gave serious threat on behalf of Govt of Bangladesh to the Govt of the Myanmar, even though Myanmar Govt didn't take any positive step regarding this aspect.

10. Discussion was also taken place in the Bangladesh national parliament based on the crisis of the Rohingya. In the parliament as per working plan rule 68 member of NDP of national parliament notice of gave priority to discuss regarding important matter of Rohingya. "Local military soldier was carried out massive torture the community of Rohingya Muslim of Myanmar as a result thousand of Muslim Rohingya Refugee entered Bangladesh" in that notice notify that blind religious citizen and the soldier of military Myanmar carried out massive torture like murder, extortion, fire in the home, rape to the Muslim community of the Arakan regime and reached there cruel behavior in such a

level they bound to left their own home land well founded fear and proceed thousands of rohingya neighbouring Bangladesh for safe haven or homeland to take shelter. This incident gave new message and afraid of local people. The aim of the Myanmar Govt is wiped out Rohingya Muslim from the Arakan and establishes foothole or safe home in the Arakan for these people who are beloved in the different religion. As a result the matter was very important and urgent. The discousin should take place regarding this subject matter. The voice of Bangladesh demand establish Refugee camp for took shelter of those victim citizens and also asked the Govt of Bangladesh the important subject matter raised infront of the OIC Islamic Organization and the democratic world to get real justice of innocent citizen. He also raised demand to the Govt of Bangladesh "The innocent Muslims of Rohingya were torture by the Burmese and the gross violation of human rights were also occurred in the Arakan" should raised the real picture infront of the Nation.³⁴

11. In replied to this question, the foreign minister of Bangladesh A. S. M Mustafijur Rahman specified in his statement that "The subject of the Rohingya Muslim of Arakan was brought into the notice of the Govt of Bangladesh for a longer time and the Govt of Bangladesh belived and hoped that peaceful and justice manner diplomatic way the Rohingya crisis can be solved".³⁵ He specified mentioned that, in the year of 1978-79 these muslim citizen who were coming from the former Burma as a Refugee to took shelter in Bangladesh, with the help of Bio-lateral discussion all of them return back to their own homeland and this subject matter will also solved with the help of diplomatic solution. He also specified that "He will also arrange 03 days visit programme in Myanmar coming 21 Nov 1991 and after the end of the visit programme, I will able to say the successful step taken by the Myanmar to solved the problem". He also able to inform the honourable parliament the problem will be solved by the diplomatic way and keep the subject cool headed in the head.³⁶

12. The former foreing minister A S M Mustafijur Rahman was discussed regarding the question of Rohingya crisis on 21 November 1991. The diplomate has given advanced opinion, we hope that the Govt of Myanmar will act neighborhood nation because the Govt of Myanmar not yet decided that they will not sit with the Govt of Bangladesh for discussion regarding Rohingya crisis. Though the matter was not takes in to the international forum but within mean-time huge number of citizen of Arakan already enter in to Bangladesh as a result the Govt of Bangladesh try her best level to pay attention regarding this aspect on different organization and the crisis is not solved through bio-lateral discussion and no respond from the Govt of Myanmar. Then there is no alternative way for Bangladesh to take the matter in to the international forum. Bangladesh still belived that the Govt of Myanmar will show their positive attitude regarding the question of this crisis and they will precede through bio-lateral discussion.³⁷

13. The pre-schedule visit progremme of the foreign minister of Bangladesh was started 21 Nov 1991 and 22 Nov during the visit tennure of Burma the formal discussed with the foreign minister of Myanmar U Ahon Giyo brought in to the notice that huge number of Rohingya of the citizen of Myanmar took shelter in to Bangladesh and urged request Myanmar to return back to their own country. The military rest house "Gonga Yea Tha" in the morning the local time of Bangladesh 9 am bio-lateral discussion was took place and decided that Bangladesh will prepare a list of the Rohingya who were coming and enter in to Bangladesh in the different area of Arakan regime and handed over the list to the Myanmar Govt. With that list they have to hand over the provement and attachment of citizenship and habitants paper and also the reason behind for crossing the border also supply to the Govt of Myanmar. After ward the authority of Myanmar will re-examine the list and will prepare a final list as the principal will return back to Myanmar.³⁸ During this visit it was final list form, refugee will return back to Myanmar and open the door of re-partiation notify to the journalist that Govt of Myanmar have agreed to return back their real citizen and the re-partiation process will start very soon.³⁹ The re-partiation and the crisis of Rohingya process to be an assential thing for them. But poor country like Bangladesh and populated country it was

unbearable and heavy task for us to bear gave them shelter and maintain them. Beside, 21 January in the year of 1992 foreign minister informed Bangladesh journalist organization that last few month this refugee who crossed the border and arrived Bangladesh, home ministry and relief ministry both together will find out the number and before return back to the Myanmar till up to the period they will provide food and military shelter for them.⁴⁰

Table -16: The Arrival of Rohingya Refugee in the Year of 1992. (The Statistics Given as per Camp).⁴¹

Name of the District	Thana	The Name of the Camp	The Number of Refugee Stated in the Camp	Remarks
1. Coxsbazar	Ramu	Dhuo palong	16,957	Construction
		Khachua palong -1	4,790	
		Khachua palong -2	22,659	
	Ukhia	Moricha palong	10,845	
		Holudia palong	7,514	
		Jumapara	394	
		Kutu palong	12,884	
		Balukhali-1	18,881	
		Balukhali-2	9,720	
Teknaf	Shelar Cheba	9,789	Construction	
	Hori khola	2,371		
	Noya para-1	16,470		
	Noya para-2	-		
	Domdomia-1	21,388		
	Domdomia-2	13,715		
2. Bandarban	Naykhachori	Gun Dum -1	24,129	Construction
		Gun Dum -2	16,865	
		Gun Dum -3	8,814	
		Ideal Village	15,032	
		Rongi khali	100	
Total			2,50,877 Person	
(Total = Two lac fifty thousand eight hundred seventy Seven person)				

Source:- Offic of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

14. As per the statistic of the above table Ramu, Ukhia, Teknaf and Naykhachori Thana of the district of Cox's bazar and Bandarban twenty camp two lac fifty thousand eight hundred seventy seven refugees were took shelter in the camp. More than thirty nine thousand two hundred eighty seven refugee were given identity as a relative scatter way different places they establish their permanent habitant outside the camp.⁴² The opportunity of maintenance and take carefully was provided only to those refugee who took shelter in the camp not out side refugee. Bangladesh Govt made arrangement of Relief and maintenance facilities up to 1992 on the month of February.

Table -17: The Relief Distributed by the Govt of Bangladesh in the Year of 1992.⁴³

A. Cash money	=10,950,000/00
B. Food items:	
1. Rice- 490 Matric Ton & 360 Bag	=6,658,000/00
2. Wheat- 240 Matric Ton	=2,400,000/00
3. Milk Powder- 2,000	=3,840,000/00
4. Mug Dal- 100 Matric Ton	=3,000,000/00
5. Biscuit- 2550 Cartoon	= 765,000/00
6. Sugar- 257 Bag	= 38,500/00
7. Tea- 100 Cartoon	= 90,000/00
8. Baby food- 962 Cartoon	=1,154,400/00
9. Macarel- 43 Cartoon	= 41,500/00
10. Tomato Sayas- 108 Cartoon	= 32,400/00
11. Others food items- 5,019 Cartoon	=2,750,000/00
C. Old cloth and Garments = 100 Cartoon	=1,013,070/00
D. Shelter items:	
1. C.I shit 7,793 Bundil	=27,275,500/00
2. Tent 1,232	= 616,000/00
C. Emergency Necessary items (Match, Cooking item etc)	=10,629,770/00
Total	=7,10,72,000/00

(Seven core ten lac seventy two thousand only)

Source: - Offiec of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

15. After arrival of Rohingya refugee from Myanmar on behalf of the Bangladesh Govt necessary arrangement like register them and build camp and start giving relief and maintenance arrangement were made for refugee. In the statistics of the table 11 is clearly observed that in the year of 1992 up to on the month of February Bangladesh Govt spend 7,10,72,000/00 Tk for refugee from his own fund. The relief and maintenance activity was very less as per the number of refugee but even though Bangladesh cordially came forward and extended helping hand towards the refugee with her limited capability.

16. The problem of refugee crisis was not solved quickly as a result of Bangladesh Govt render assistance international world in different fashion and different country include UNHCR, WEP and NGO came forward to gave shelter to the refugee and provided relief and maintenance to the refugee. They also came forward to provide different types of help to the refugee. The maintenance activity and kind help to the Rohingya refugee is mainly the Govt of Bangladesh is deep expression towards Rohingya and kind helping attitude.

17. The relief Ministry of Bangladesh Govt urgently formed "Rohingya Affair Cell" provide shelter for Rohingya refugee and also appointed secretary, joint secretary, vice secretary and assistant secretary for looked after maintance work. To conduct relief work smoothly they establish an office in the Coxs bazar and given appointment one joint secretary as a chief coordinator. The name of the appointment is refugee relief and repartriation Commissioner. To provide support and assets refugee relief and repatriation Commissioner appointed more to additional relief and repartriation commissioner. Senior Assistance secretary or additional deputy commissioner was appointed Camp in charge. Twenty people were appointed as a camp in charge. Senior medical officer was appointed as a

civil sergeant for provide medical treatment. District commissioner looked after administrative side. Among administrative management side provide medical treatment, register refugee, camp management, health care, food distribution, water supply, sanitation, defence service management and other humanitarian activity. For doing this service smoothly more than 1607 person officer and several person were engaged in deputation. For provide defence to the camp 191 Polices 680 Answer. For distribution of food 103 person officer and servant was engaged from the Bangladesh Red Crescent and more than 410 person were doing world for self initiative. Beside these 31 NGO and self initiative voluntary organization provides Economic help and also doing different nursing care activities were conducted in the camp.⁴⁴

Table-18: The List of NGO and Voluntary Organisation and Providing Assitance.⁴⁵

S. No	The List of NGO and Voluntary Organization	Tk	The Amount of Quantaty
1.	Association for Social Advancement (ASA)	Tk	62,75,100/00
2.	Adventist Development Development & Relief Agency (ADRA)	Tk	52,10,000/00
3.	Al Haramine Islamic Foundation	Tk	40,57,000/00
4.	Association for Medical Doctors for Asia (AMDA)	Tk	4,73,000/00
5.	CCDB	Tk	1,52,25,000/00
6.	CARE-Bangladesh	Tk	1,57,45,000/00
7.	Caritas-Bangladesh	Tk	54,95,070/00
8.	Concern-Bangladesh	Tk	1,37,49,371/00
9.	Enfants Du Monde (EDM)	Tk	1,42,32,000/00
10.	Families for Childern	Tk	8,77,500/00
11.	Gono Shasthya Kendra	Tk	8,05,12,366/00
12.	Heed-Bangladesh	Tk	17,20,500/00
13.	Helen Keller	Tk	73,67,904/00
14.	International Islamic Relief Organisation (IIRO)	Tk	8,31,85,782/00
15.	Islamic Relief (U.K.)	Tk	26,42,000/00
16.	Islamic Relief Agency (IRA)	Tk	8,64,000/00
17.	ISRA, Islamic Foundation (Guarantee) LTD. (Pakistan)	Tk	19,50,000/00
18.	Koinonia	Tk	37,40,000/00
19.	Mennonite Central Committee (MCC)	Tk	40,47,978/00
20.	Medicines Sans Frontieres (MSF, France)	Tk	7,85,49,000/00
21.	MSF (Holland)	Tk	10,18,50,051/00
22.	Muslim Aid	Tk	59,65,856/00
23.	OXFAM	Tk	2,11,99,215/00
24.	RDRS	Tk	20,00,000/00
25.	Rabita-Al-Alam-Al-Islami	Tk	1,06,98,004/00
26.	Save the Childern Fund (U.K.)	Tk	2,31,96,000/00
27.	Shapla Neer	Tk	60,36,250/00

S. No	The List of NGO and Voluntary Organization	Tk	The Amount of Quantity
28.	Terre-Dess-Homes (Netherland)	Tk	80,80,500/00
29.	The Church of Bangladesh Social Development Programmes	Tk	1,11,15,000/00
30.	World Concern	Tk	1,01,80,486/00
31.	World Vision of Bangladesh	Tk	58,36,000/00
Total		Tk	65,44,18,213/00

Source:- Offiec of the Refugee Relief and Repatriation Commissioner (RRRC), Cox's Bazar, Chittagong.

18. Above mentioned NGO and voluntary organization with the invitation of Bangladesh Govt came forward to rendered assistance rohingya refugee during the disaster period and provide help at a time 65,44,18,213.00 Tk. Later on under mention NGO will continue provide different render service.

Table-19: The List of NGO Renderd Service All the Time.⁴⁶

S. No	Name of NGO
1.	Al Markazal Islam
2.	Concern-Bangladesh
3.	Gono Shasthya Kendra
4.	International Islamic Relief Organisation (IIRO)
5.	Islamic Relief Agency ISRA (Sudan)
6.	ISRA Islamic Foundation (Guarantee) Ltd. (Pakistan)
7.	MSF (France)
8.	MSF (Holland)
9.	OXFAM
10.	Save the Childern Fund (UK)
11.	Three-Dess Homes (Netherland)
12.	The Church of Bangladesh Social Development Programme
13.	World Concern

19. Beside above mention NGO, Rabeta Alam Al Islami published different Muslim Newspaper, different helping adivities for a prolong time. After taking the responsibility of UNHCR with the request of Bangladesh Govt WEP include different organization and donar help taking care of Rohingya and provide shelter during maintanance and repartition process. Different corner raised demand put the Rohingya crisis into the UN, OIC etc table but the Govt of Bangladesh try to solve this problem bio-lateral discussion. Different Muslim countries including Saudi Arab, Pakistan besides China and include the country of ASEAN the Govt of Bangladesh the situation arrives due to Rohingya crisis. Try to influence the Govt of Myanmar and take positive step to settle the problem.⁴⁷ This is the preliminary step to make the Rohingya crisis into international level. On the other hand the former Bangladesh minister Abdus Salam Talukder given interview to the BBC on 23 January 1992 and said, the flew away rohingya Muslim refugee from Myanmar and return back safely to their own country rigarding this subjet matter to get guarantee from the military Govt of Myanmar and up coming week 28 Janurary 1992. The discussion between the Govt of Myanmar was failed to solve this problem amicable way. The Govt of Bangladesh renders international intervence to the international community. Discussion between two countries were took place in order to solve the crisis. The inhuman torture near the border province of Arakan try to stop immediately other wise the relation between two countries may

detariated. The Govt of Bangladesh announced threat to the Govt of Myanmar, if necessary step is not taken regarding this aspect and it is broadcast from the BBC.⁴⁸

20. Salam Talukder in his statement he said, it is a barbaric activities of Myanmar military to carry out torture the innocent Muslim stay is the border province of Arakan and he hated this barbaric activities. He also said in his statement, it is not only the internal matter of Myanmar Govt, the demand was raised on behalf of the Myanmar, it was not accepted. This Rohingya crisis is not only related to the Bangladesh Govt rather this Rohingya crisis was travelling to the whole Muslim world and Muslim world may re-act this inhuman activity of Myanmar Govt.⁴⁹ If the discussion table failed in coming week, he is not specified what the step was taken by the Bangladesh Govt. He also specified from the ancient history that when the innocent people were ruled over by the military Janta at that moment many strong countries of the open world interfere the matter for ensure the right of innocent people. Bangladesh Govt want to solve this crisis the peaceful manner, but if any military action took place then it is the right of Bangladesh Govt to ensure the freedom and right of citizen of Bangladesh.⁵⁰

21. The red alert announced the Barrister Abdus Salam Talukdar really put the Govt of Myanmar into a great challenge and also bear the proof that Bangladesh Govt is very rigid to solve this crisis. On the other hand third phase of high official flag meeting between Bangladesh Myanmar took place on the City of Munda Township in the Arakan January 24 in the year of 1992. The subject matter of the discussion was Rohingya issue and the authority of the Myanmar raised objection that rebel group of Rohingya by any means are getting shelter in Bangladesh.⁵¹ Bangladesh Govt submitted different paper and prove that their objection was not correct. There after, the main discussion of the subject matter was "Arakan Rohingya fled away continuously in Bangladesh due to the inhuman torture". The Myanmar authority gave opinion in front of the Bangladesh strong opinion replay "Refugee include discuss subject matter will reach to the Rangoon Govt for reconsider the matter because right now we will not able to give discussion regarding this aspect."⁵² The aim and tactics of the Myanmar authority was mainly to solve the Rohingya crisis Problem more delay. The former foreign minister Yangon visit programme and include three stages of the flag meeting on 31 December 1991, 07 and 28 January 1992 and different stages of activities were taken by the Govt of Bangladesh, Myanmar Govt agreed to accept the List of the prove citizenship and on behalf of Bangladesh three stages of meeting with the help of Myanmar diplomat inhabitant in Dhaka handed over 10 Thousand six hundred sixteen the list of Refugee to the Govt of Myanmar. Afterward, the Govt of Myanmar responds regarding this matter later on.⁵³ They were not agreed to give any reply. One diplomat from embassy of Myanmar was called in the foreign minister office and asked him why they were not gave respond to the influx of Refugee and also asked why the influx of Refugee was not stopped? The diplomat was not agreed to give answer immediately, we informed this subject matter to the Govt of Myanmar and they will give answer immediately. But till upto 15 February on behalf of the Myanmar no respond was found.⁵⁴ This is also a perfect example of lack of initiative and made the process of delay of the Govt of Myanmar. The Home Minister of Bangladesh Abdul Motin Chowdhury addressing in front of the foreign journalist on 20 Feb 1992 in the national press club he specified, "Rohingya crisis was not created any disaster situation for Bangladesh but it became the cause of afraid for us." Bangladesh Govt will no intention to fight against Myanmar but the Govt will try her best level to solve this problem even seeking help to the UN regarding this aspect, they were responded well.⁵⁵ The home minister speech it is clearly understand that Bangladesh Govt Rohingya Refugee crisis was not consider any disaster for us rather he considers it become afraid for us only. Because Rohingyas are neighbour Muslim, to break the human right Law against Rohingya it will become automatically deep concern the Govt of Bangladesh. But Bangladesh Govt avoid the tactics of war and try to solve this problem diplomatic way.

22. Bangladesh Govt has taken different stage in different process include different countries, NGO and international organization to discussed this matter. With this process the development/settlement

process was very less. The foreign minister of Bangladesh massive way directly includes foreign mission on 27 Feb 1992. With that aim they started work and within short span of time they will able to include 14 countries of OIC, twenty head of the mission of western union and near the high deplomat thousnd of Rohingya Refuegee taking shelter in the district of coxs bazar and Bandarbon and describe full detail and their distress situation of them. As a result many of the country of the world are agreed to provide Rohingya temporary shelter, food, cloth and medical treatment.⁵⁶ Since on month of March 1992 UNHCR, WEP include different countries NGO, national and international organizations were massive way responded well to solve the Rohingya crisis.

23. The foreign minister of Bangladesh called the ambassador of Bangladesh U Soo Myint in his office and press upon him to stop the inhuman torture of Myanmar. Silent diplomatic processor or secret silent with help of this activities try to solve this problem and fail to solve this problem. The Govt of Bangladesh try to give this problem in the international forum and past of it they discussed this matter different international organization and ambassador of different countries and member of SAARC countries and the member of security council to solve this crisis.

24. As a result the permanent member of security council USA, UK and French show their deep satisfaction for the violation of human right by the Myanmar Govt and the secretary General Butrus Ghali to take necessary action for solving the Rohingya Crisis. He discussed the higher authority and also member of the concern country.⁵⁷ Bangladesh Govt gave necessary instruction to ambassador Humayan kabir who permanently appointed in UN and he try to maintain communication the permanent member of the Security Council and the high official of UN.⁵⁸

25. Rohingyas by born they are the citizen of Myanmar even though the Govt of Myanmar always deny this proposal. Before with the former East Pakistan and Bangladesh were tried to solve the Rohingya crisis. The Govt of Myanmar they return back Rohingya as a citizen of their country but at present certext they deny this statement by a press breefing "Historically there was no nation of Rohingya. The name of Rohingya was given by the rebel group of Arakan regime and after the end of Anglo-Burma war for the first time neighbour country Muslim breaking the Law enter into the Burma, Specially in the regime of Arakan.⁵⁹ The foreign Ministry of Bangladesh deny the statement of Rangoon and give a press realease that the statement of Govt of Myanmar regarding the Rohingya refugee is not the reflection of true statement. Before that in the year of 1978 Rohingya Muslims were compelled to leave their home and during that tenure three lack Rohingya Refuegee took shelter in Bangladesh. After ward the Govt of Myanmar returned back those in this own country as a citizen. This time the security force of Myanmar using their force took off huge number of refugee cotizenship and ownership land certificate even though many of them still broght along with them.

26. The citizenship of the land owner-ship certificate was the key element to get confermation of Myanmar Citizen. Anybody wants to see those certificates as a proff of evidence. The main aim of this statement is not to create confusion regarding the honour of Refuegee.⁶⁰ Special interview was taken by the popular newspaper vorer kagus 13 March 1992 regarding the crisis of Rohingya Refuegee. The foreign minister of Bangladesh Mostafishur Rahman said in his statement "At first we want to solve this Problem with Myanmar by bio-lateral discussion and personally visited Rangoon for discuss this matter.

27. I also invited the foreign Minister of Myanmar to visit Dhaka. After waiting more then two and half month we didn't receive any respond. After wards, finding no other alternative we raised our demand UN and different countries of the world to get the sollution of the Rohingya crisis. The secretary General of UN Butros Ghali Praised us for the Positive and rigid stand of Rohingya. Our demand is very simple, we want international community and UN create Pressure to the Govt of

Myanmar and made compell them to return back their Refuegee in their own home.⁶¹ He also specified that create thension or quarrelling with each other is not the way point of the solving the Rohingya crisis. We will follow and obey the international principal to solve the problem. We seek and demand the help of the Permanent member of Security Council and we are waiting to watch what are the steps taken by the Security Council and also keep open the discussion forum of the Myanmar Govt. We also provide the Refuegee list to the Myanmar Govt with prove and we hope they will return back their citizen with in a short span of time.⁶² The interview given by the foreign minister prove that Bangladesh Govt always hope to establish restoration peace by the bio-lateral discussion. But the Govt of Myanmar is reluctant to this Problem and they are not taking any step with cordially and seriously, as a result Bangladesh Govt bound to take this crisis in the international level.

28. Beside foreign ministry, the former prime minister herself seek and called upon international world specially UN to intervece this crisis and try her all out effort to solve this problem. To make this crisis in order to aim in the international way she meet with the secretary general of UN Butros Ghali on 21 March 1992 in New York and said "Bangladesh is a poor and densly populated country. The economic condition of Bangladesh is not such a state to provide shalter for a prolong time of the citizen of Myanmar. We fail to solve the Rohingya crisis by bio-lateral discussion with the Govt of Myanmar. Now we are compelled to seek international help to solve the crisis."⁶³ Diplomatic step taken by the Govt of Bangladesh in proper channel, the UN secretary General Butros Ghali show his deep unsatisfaction to the Govt of Myanmar and give up hope that all sorts of rendering assistance will provide to the Govt of Bangladesh on behalf of UN.⁶⁴

29. Bangladesh Govt not only return back refuegee in their home country is the only way path to solve this problem rather Govt think that return back their citizen, provide some benift for their irepairable loss and resettle them in their own home is the only one way to solve this problem permanently. Return back Rohingya refuegee their different problem sollution and regarding this aspect seeking political and humanitarian assistance regarding this aspect on 3rd April 1992. The foreign minister of Bangladesh Mustafishur Rahman gave interview in the daily Inquilab Newspaper. He said "we are hope and strong believe that we went to solve this problem by bio-lateral discussion. We belived in principle, that if we can sit on the table regarding the crisis of Rohingya both the country will get relief of this crisis".⁶⁵ There after he specified in the plain language that "return back Refuegee safely, insure their goods security and without any fear so that they can return back in their home, regarding this aspect we want grantee."⁶⁶ He said "minority citizen of any country is forced and compel to bound leave the country as a result minority citizen of this area will never remain safely and as a result devolopment of interpersonnel will remain away and also break the balance of area."⁶⁷ To solve the problem sollution he says "Govt is hopeful to solve the problem". To compel Rohingya to leave their home due to internal political crisis and during the crisis in to the different way regarding this aspect question is raised to him. In reply he says "To give opinion regarding the internal matter of a country is not a wise thing."⁶⁸ Return back refuegee, the Govt fo Myanmar create pressure as a result the situation will rich in such a level, in that case if situation will demand, the use of military force or regarding this matter any discussion took place between USA Govt and the prime minister or him the question was raised to the foreign minister in reply he says "Try to solve this Rohingya crisis problem use of military force, but this process will never guarantee bring peace and to ensure establish permanent peace. So, we shall belive to solve this problem by bio-lateral discussion."⁶⁹ He also said, "In 1978 the Rohingya were taken Refuegee life due to reason or because later on those cause will again repeated they will never think about it. So this time those Refuegee will return back to the Myanmar. The Govt of Myanmar should take necessary step for permanent sollution of them so that once again they should not become Refuegee."⁷⁰

30. The prime minister of Bangladesh made visit programme of New York on 29 March 1992. She meets with the USA president Jorge Bush and UN secretary General Butros Ghali. Besides different sources and different stages the crisis of Rohingya on behalf of Bangladesh tries to place on the UN table. As per that follow up the special representative of UN secretary, under secretary Jank Eliason made six days visit programme in Bangladesh and Myanmar in order to solve the Rohingya crisis satisfactory way. After arrived of Dhaka he said continuous influx of Rohingya Refugee from Myanmar and enters in to Bangladesh. International community is very serious and sad. It is now the problem of local rather it becomes an international crisis.⁷¹ During the visit of Myanmar he meet with the Chief of Army Staff and discuss in the meeting. The Rohingya Refugee should return back as quickly as possible to the soil of Myanmar with the bio-lateral discussion of Bangladesh.⁷² The Myanmar authority informed him they are agreed to return back Rohingya Refugee, if they can proof the citizenship of Myanmar. They also says that with the leadership of foreign minister they will visit Bangladesh as soon as possible.⁷³

31. The invitation was given by the foreign minister of Bangladesh A S M Mustafishur Rahman on the month of Nov in the year of 1991. During this visit tenure of Myanmar and the special representative of UN Eliason given pressure and advice to the Myanmar Govt on the month of 23 April 1992, find no other alternative the foreign minister of Myanmar U Ahon Gia include fourteen member of representative for discussion they arrived in Dhaka in order to solve the Rohingya crisis.⁷⁴ In the year of 1978-1979 Rohingya Refugee return back, with the light of that experience on behalf of Bangladesh some strong recommendation were gave strong emphasis Example.

Firstly: Tri-lateral contract should sign between Bangladesh Myanmar and UN as quickly as possible so that Rohingya Refugee should return back in their own home before rainy season (July- August 1992).

Secondly: The memorandum of understanding should establish between Myanmar and UN for sake of resettle Rohingya Refugee in their own places.

Thirdly: The observation or take care committee should be arranged between the authority of Myanmar, UN and local representatives so that the committee can observe the situation correctly and in near future no situation like similar fashion should arrive.⁷⁵

32. **Initial Stage, Bangladesh-Myanmar Bio-Lateral Discussion:** it was decided that Refugees are inhabitant of Myanmar or at least proof citizenship is enough to return back to the Myanmar. On the behalf of Bangladesh gave proposal UN should directly involve return back and resettle the Refugee but the Govt of Myanmar was not agree with this proposal. After six days different stage of discussion Bangladesh- Myanmar reached in to one opinion that the Refugee who came to Bangladesh and take shelter if they can proof citizenship of Myanmar or any other evidence. They will return back Myanmar and they will resettle in their own home. UNHCR should include during the resettle activities of Rohingya Refugee and already they are attached with these activities and they will look after and maintain this activities.⁷⁶ But the subject matter resettlement of Rohingya regarding this aspect a permanent contract is established and for that reason pressure was created to the Govt of Myanmar to agree upon with this proposal but they failed to agreed upon this proposal. Regarding this issue on 27 April 1992 Monday night discussion was going to broken stage at last Bangladesh agreed upon joint statement or joint announcement next day on the month of 28 April in the year of 1992. Tuesday both country sign on that announcement.⁷⁷ The foreign minister of Bangladesh - Myanmar as per necessary representation took part two times long duration. Secrate meeting meet with each other and after six day end of the long visit programmed they agreed upon a joint statement. The title of the joint statement was **"JOINT STATEMENT BY THE FOREIGN MINISTERS OF BANGLADESH AND MYANMAR**

ISSUED AT THE CONCLUSION OF THE OFFICIAL VISIT OF THE MYANMAR FOREIGN MINISTER TO BANGLADESH FROM 23-28 APRIL 1992".⁷⁸

33. **The Main Part of the Joint Statement Says:** The exodus of people from Myanmar to Bangladesh to be stopped immediately; Repatriation of the Refugees to their original place of residence in honour, safety and dignity; Undertaking of certain confidence building measures such as withdrawal/ cutback of troops from border area/ forward position and Lasting solution of the problem in the sense that there should be no recurrence of such or similar problems in future.⁷⁹

34. **The Statement Above Specified in the Joint Statement:** If we observe closely the Govt of Myanmar and the Govt of Bangladesh were agreed in the same principle that the citizen of Myanmar stop coming to Bangladesh and if any Refugee came to Bangladesh they will take willingly, necessary action to return back and resettle them in their home with the help of UNHCR. But the resettle work initially should be done on basis of the bio-lateral discussion.⁸⁰ After the implementation of joint statement joint journalist summit was arranged in the Govt guest house padma and on that summit foreign minister says, to increase in the interest of helping attitude and remain intake of co-ordinally behaviour of the two permanent neighbor country with that aim this contact was sign.⁸¹ The foreign minister of Myanmar was asked the inhuman torture of Rohingya and replay he said, "The inhuman torture of Rohingya is baseless news. Mainly they left the country mainly with that proveless news."⁸² Given statement in front of the foreign minister of Bangladesh is rethinking of expert person.

35. On the month of 07 May in the year of 1992 Thursday the ambassador appointed in the Myanmar Mustafa Farooq Muhammad and the ambassador of Myanmar appointed in Bangladesh U Moyeminto were signed on behalf of their country with the help of tactical contact on the month of 28 April in the year of 1992.

36. The signed joint statement between both the countries on the month of 15 May in the year of 1992. They started the process of resettle the Rohingya. Given notice from the foreign minister, the process of resettlement will start and it has to finished with in six month and signing this contact resettlement of Refugee with the presence of UNHCR. As per contact after return back Refugee they should provide adequate food to them. If situation demands permit UNHCR will provide food and relief goods and also few amount of money. Bangladesh established ten transite for fromtransfer of Refugee from Bangladesh to Myanmar. With keep pace with them Myanmar Govt also establish five inogration camp to receive the Refugee. Every after one day five thousand Refugee will return beck to Myanmar and during the resettle state any abnormal situation occure to deal with that normal situation one officer was appoint for that reason and both the country is agreed upon with that proposal.⁸³ But during the process of resettlement to render relief materials and economic help without that UNHCR will not pay any role of resettlement process. The statement given by the foreign Minister of Myanmar UNHCR was not satisfy with this joint statement and said Refugee crossing the border of Bangladesh and entered in to the Myanmar. This resettlement will be safely and smoothly, there is no arrangement to look after in that matter in this contact. Besides every day the wave of Refugee enter in to Bangladesh, mean-while the situation will not come in favour of us. It is not possible to resettle the Refugee with in a quick reaction time.⁸⁴ On the other hand the month of 14 and 17 May 1992, Teknaf road and highway rest house the high deligation of the two country arranged two separate meeting and the discussion was took place resettlement list and Bangladesh is not satisfy with that discussion.⁸⁵

37. Mean while resettlement process majority refugee were not agreed upon to return back and create protest against resettlement. Foreign minister of Bangladesh Govt high level stage meeting was held and decision was taken to create the environment of resettle the Refugee.⁸⁶

38. Specially in the year of 1978 agreed minutes signed and later on summit of journalism the foreign secretary of Tobarok Hussain announced it contact and the newspaper of Bangladesh broadcast as a contact and joint statement also called as a contact in the year of 1992. But it is universal truth that treaty means agreements which in the language of international law either parties or both contact countries were bound to obey this contact. But agreed minutes or joint statement was not bound to obey. One party may boey or may not obey, using this opportunity Govt of Myanmar are not showing respect agreed minutes or joint statement police. The return back Rohingya Refugee UNHCR should include in the police but in real aspect Myanmar Govt was not agreed upon with this police, as a result resettlement processes were delayed.⁸⁷ Bangladesh foreign and home minister failure of two countries meeting at last make plan and give proposal to visit Rangoon for solving the problem of Rohingya after end of the few weeks the authority of Myanmar.

39. Informed us diplomatic level "We are really sorry, during this tennure we will not remain in the country, you can send another time representative we don't have any objection." In replay Bangladesh said "We are not ready to send another time representative of our country."⁸⁸ Mainly the real situation of Myanmar, how many Rohingya called along with minister will travel and stop there journey using this tactic Myanmar Govt gives this proposal. Joint statement was done due to resettle of Rohingya even though maximum Rohingya was not agreed to return back their home due to afraid of facing inhuman torture. They want security the presence of UN representative during the process of resettlement. Bangladesh Govt regarding this aspect showing positive attitude but the Govt of Myanmar was not responded well. For that reson the foreign minister of Bangladesh A S M Mustafishur Rahman on the month of 30 September 1992. General assembly of 47 session devastating cyclone severely damage of Bangladesh and the Refugee coming from Myanmar are consider as a burden for Bangladesh and also declared that at present more then two lac seventy thousand Rohingya are staying in Bangladesh and it is the duty of Bangladesh to keep intake the honour prestige, security of Rohingya and keep the process of resettlement intake. He also said "The Refugee left their home due to inhuman torture and put them forced and it will become difficult task to once again return back and resettlement them. During the process of resettlement to ensure the presence of UN beside both the countries should go forward for bio-laeteral discussion."⁸⁹

40. Bangladesh – Myanmar 8th meeting was organized by the Govt side on the month of August 22 in the year of 1992 between the district commissioner of Chittagong Muhammad Umar Farooq and immigration and the leadership of manpower department director general U Mong Aung.⁹⁰ On that meeting, to see the situation of Arakan in own eyes the Govt of Myanmar gave permission to visit Arakan.⁹¹ On that meating another decision was decided that restriction impose upon the movement of Rohingya to room around here and there and there will be refrain and during he prayer time microphone can be use in the Mosque. This order will be imposed on the month of 01 September in the year of 1992. But during repatriation time involvement of UNHCR of this question Myanmar Govt will reconsider matter.⁹²

41. After the end of the meeting on the month 02 October 1992, the foreign minister of Bangladesh said the journalist international organization showing interest and inspiration regarding the Rohingya Refugee should return back Myanmar voluntary and as quickly as possible. He also said "The presence of huge refugee in Bangladesh the whole over the world is anxious and they want repatriation should take place as quickly as possible and finish it with a short span of time."⁹³ The importance of Rohingya crisis was pay attention to the international forum, The address given to the general assembly and discussion with the UN general secretary Butros Ghali include other important person all of them are agreed to help us all types of support to solve this crisis immediately.⁹⁴ The foreign minister also said "Rohingya repatriation process to wash out their safety security and fearness

the presence of international community is essential and the awareness is spread out massive away and day by day getting popularity. It is the duty of UN discuss with the Govt of Myanmar for the interest of Rohingya.⁹⁵ in the meeting of Myanmar foreign minister U Ahong Gia said, though the role of UNHCR is not showing one opinion with Yangoon even though Mr Giyas personally favour the role of UNDP and he don't believe to make the plan reality as a Master plan.⁹⁶ He was discussed the Rohingya matter with the different foreign minister besides he also requested vice prime minister of china to compel or agreed upon the Govt of Myanmar during the repatriation/resettlement process the presence and rule of the UN.⁹⁷

42. The Govt of Bangladesh to solve the Rohingya Refugee crisis permanently different activities carried out continuously and to ensure during the repatriation process. The presence and role of UN on the other hand Myanmar Govt adopted different tactics to refrain from to make the plan reality.

43. Bangladesh has taken decision to sit discussion with Myanmar in order to return back Rohingya in their own country, try their all effort made it expedite and also involve UNHCR to resettlement process. High official 10 meeting was held 24 October 1992. On behalf of Bangladesh Muhammed Umar Farooq and on behalf of Myanmar U Mong Aung presided over the meeting.⁹⁸ The decision was taken on the meeting that to watch the resettlement process in their naked eyes the journalist of Bangladesh with concern officers without permission they can visit that place.⁹⁹ But on the meeting the representative of Bangladesh remembered Myanmar on the month of 28 April 1992 signing the joint statement, the representatives of UNHCR and the ambassador appointed in the Yangoon, create tremendous pressure to give the opportunity to visit Arakan, But the Myanmar authority adopt different tactics and avoid the real thing said the matter is taken in to consideration. Afterward indirectly during the process of resettlement to agree upon the presence of the representative of UNHCR Bangladesh adopt a tactics, the officer who are serving in the UNHCR in the Bangladesh among them some of the officer and alternative officer during the visit of Myanmar they included them in their visit programme and seek permission to visit their programme. The authority of Myanmar announced 10 November 1992 within this time the subject matter will informed of us but 19 November 1992 with in this time there is no replay found regarding this aspect.¹⁰⁰

44. Bangladesh-Myanmar twelve meeting was held Chittagong court building on 30 December 1992 regarding the Rohingya Refugee resettlement repatriation process. The meeting was held and took part on behalf of Bangladesh side district Commissioner of Chittagong Muhammed Umar Farooq and 10 officers and on the other hand on behalf of the Myanmar director U Mong Aong and 08 representatives were present on that Meeting.¹⁰¹ During this discussion the security list of Myanmar made easier as per list given by the Bangladesh. Every resettlement process increase the number of person, resettlement should occur at regular interval, made necessary correction to the security list, if necessary field worker of the field should increase discuss regarding this aspect and reached in to agreement.¹⁰² The Govt of Myanmar was not agreed during the resettlement process involvement of United Nation even though UNHR is performing her duties accurately and provide the Rohingya Refugee for maintenance and took the responsibility of getting treatment. But high commissioner Sadak Ugata expert on Refugee on 23 December 1992 Said on his statement the Rohingya were forced to Arakan and next day the spoke man of foreign office of USA and the permanent member of UN were supported this statement against the Govt of Bangladesh and during that moment UNHCR also against them and don't provide support, as a result return back of Rohingya refugee became uncertain.¹⁰³ The foreign secretary of Bangladesh Riaz Rahman raise doubt about this statement and said "The present resettlement process is totally willingly stage, no Rohingya was send back for his willingness rather these who want to return back to Myanmar only send back to them in their country Myanmar."¹⁰⁴

45. The refugee and concern and the officer of UNHCR office stayed in Bangladesh regarding this subject matter the behavior and attitude of normal stage turn in to critical stage. To solve this crisis in preliminary stage on 14 January 1993 a meeting was organized by the chairman with the foreign minister of Bangladesh A S M Mustafijur Rahman and high official of Bangladesh.¹⁰⁵ There after he also attended several meeting with the meeting UNHCR with the director of Asian Bureau Blatter and also arranged meeting different officer with different stage. As a result the relation of officer of Bangladesh and UNHCR became normal stage.¹⁰⁶ Besides the foreign minister of Bangladesh and during his visit programme he arranged meeting with state department and the high official of UN and ensure return back of Rohingya refugee is willingly.¹⁰⁷ The high commissioner of UNHCR Dr. Sadako and the foreign minister of Bangladesh Riaz Rahman signed an understanding contact and discussed regarding the safe and willingly return back to Myanmar on 12 May 1993 Wednesday.¹⁰⁸ As per the memorandum of understanding the UN Official entered in to Rohingya Refugee camp independently and they keep sharp lookout. Those Refugee stayed in the camp they are return back to Myanmar as per their own choice independently. Besides signing of memorandum following subject are specified.

Firstly: Bangladesh and UN both are given priority to Rohingya Refugee return back Myanmar willingly and they are independent to express their view.

Secondly: These Refugee want to return back for their smooth conduct of resettlement, If necessary UN will help to Bangladesh Govt.

Thirdly: The active length of the memorandum was one year and if there is no notice from any side even though at the end of the year the memorandum will automatically renew for one year.¹⁰⁹

46. Before leaving after finishing four day visit programme on 15 May 1992 and processed the head office of UNHCR Geneva Dr. Sadoka Oggatta, a summit was arranged for journalist in the Seraton Hotel. The food, shelter and treatment of Bangladesh Govt arranged for the Rohingya Refugee was admired by the Dr. Sadoka Ogatta.¹¹⁰ He was also meet with the prime minister of Bangladesh and said "The Rohingya refugee of Bangladesh is much better than the refugee of other places of the world."¹¹¹ He also praised Prime Minister regarding her initiative and concern about Rohingya Refugee. The Prime Minister reciprocate and think to direction of UNHCR and said despite of thousands of problem and sacrifice of Nation even though due to humanitarian reason takes the burden of Refugee provide shelter and other facilities as much as possible but uncertain time huge amount of refugee provide shelter on behalf of Bangladesh is painful. The return back of refugee as quick as possible, he seeks made necessary arrangement help from the UN.¹¹² The mass communication, the relentless effort of Bangladesh Govt and the international pressure due to this reason the home minister of Myanmar Lt General Mia Thin to make the repatriation process quickly he arranged four day a visit programme to Bangladesh and arrived Dhaka 24 May in the year of 1993. During this visit discussion was took place. Rohingya repatriation, the principal of border and also massive discussion of improvement of relationship between two countries.¹¹³ During his departure he meet with the journalist and said "Both the Govt try to repatriation process of Rohingya as quick as possible but it is not possible to say exact time frame of this process."¹¹⁴ He also said "The last man of Rohingya will be repatriated and this will be a permanent and sustainable solution of the Rohingya crisis."¹¹⁵ He also replay regarding the question of UNHCR and said "The Govt of Myanmar gave invitation to Dr. Sadika Ogatta of Refugee high commissioner of UN and she will visit in her own suitable date."¹¹⁶

47. The Refugee of Rohingya and the Govt of Bangladesh raised their strong demand despite the Govt of Myanmar was long time against the motion of the presence of UNHCR on their home land and

patronized the process of repatriation. Later on the month of May in the year of 1993 the leader of Michel Pistoly along with high commissioner of Dr. Sadika Uagdar with a mission July 1993. They visited Myanmar. After completion of their visit the Govt of Myanmar agreed upon the presence of UNHCR in Myanmar. Regarding this aspect a memorandum was signed between Myanmar Govt and Bangladesh, as a result during the repatriation process involvement of UNHCR long outstanding dispute came to end.¹¹⁷ UNHCR implemented two years long programme and smooth conduct of this programme. They establish and UNHCR offices near the border city of Mondu. At the same time near the border city Budhichong and Rathethong also brought under this programme.¹¹⁸ UNHCR took decision that they will implement these programme three stages for repatriation and rehabilitation of Rohingya Refugee.

Firstly: Five welcome centers were established by the Myanmar Govt and this welcome center will receive the repatriation of Refugee from Bangladesh.

Secondly: Every Refugee should be resettling their on land.

Thirdly: Each repatriation area with the initiative of UNHCR conduct different project of community development.¹¹⁹

48. Beside finally decision was taken every family after resettlement in Myanmar with the help of UNHCR and world food programme provide food for two month and resettlement Refugee should return back their lost property and also return back their identity card.¹²⁰ The foreign minister of Bangladesh Mustafishur Rahman welcomes this joint statement and said "it is the right decision of Myanmar Govt to sign contact with UNHCR which Bangladesh Govt wanted this cherished desire. Signing this contact not only solve the Rohingya Refugee crisis rather it will also help the development of relation between two countries."¹²¹

49. Signing joint statement by the Govt of Myanmar showing positive attitude to resettle their citizen. As a result Refugee and indigenious community, international mission created hopeful environment. But even though they continued gave pressure and create torture among local and resettle Rohingya Refugee in Arakan and it was published in the newspaper within one week massive way. Since twenty December in the year of 1993 more then 20/25 Alim Emam to wipe out their hair and beard spread out in the media. Specially the city of Mudung, Kuyarbill Zame Mosque Imam Moulana Ziaul Hakim (70) was caught red handed to the Myanmar authority, creates inhuman torture and wiped out hair and beard. Besides Mufti of Miyazan pur Darul Ulim Senior Madrasa Moulana Sultan (90), Moulana Sirajul Haque (60), Moulana Jafar Ali (65) includes others. The news of inhuman torture was spread out massive way.¹²² One side the inhuman torture of the Myanmar Govt, on the other hand provides ration, Shelter and other facilities to the Bangladesh. Rohingya Refugee camp once again resettles Refugee in the Myanmar once again cross the border of Myanmar and coming to Bangladesh for take shelter in the camp.¹²³ To stop this influx of Rohingya Refugee, the soldiers of Border Guard made intensive patrol to stop this influx of Rohingya Refugee in Bangladesh-Myanmar Border. At the same time on behalf of Bangladesh Govt create attention to the Myanmar authority especially in the Arakan domain to create employment for Rohingya Refugee and also improved the economic condition of Rohingya.¹²⁴ As per statement of the high official of foreign minister UNHCR high commission taken over the duty of return back or resettle the Rohingya Refugee. Most of the Refugee was willingly return back to their country. UNHCR established camp in the Myanmar border July 1994, as a result resettlement of Refugee gets momentum but later on the Govt of Myanmar showing different reason made the process delay.¹²⁵ Showing the disease of plaeg September 1994 the authority of Myanmar stop the resettlement process, later on UNHCR high commission try their best level to start this process but the Govt of Myanmar was not agreed upon in the security clearance and

made the process delay, as a result return back Rohingya Refugee in their home become more delayed process. More than sixty thousand Refugee were waiting for the security clearance of the Myanmar Govt, as a result the resettlement process became more delayed method.¹²⁶ The list of the resettlement of Rohingya as per month is shown in the table:

Table-20: The List of Rohingya Refugee as per Month¹²⁷

S. No	Month/Year	Family	Number of People	Number of Family	Total Population	Remarks
1.	September' 92	11	49	11	49	
2.	October' 92	35	167	46	216	
3.	November' 92	226	932	272	1,148	
4.	December' 92	1,063	4,814	1,335	5,962	
5.	January'93	2,630	12,116	3,965	18,078	
6.	February'93	803	3,647	4,768	21,725	
7.	March'93	196	750	4,964	22,475	
8.	April'93	89	415	5,053	22,890	
9.	May'93	715	3,045	5,768	25,935	
10.	June'93	453	1,929	6,221	27,864	
11.	July'93	825	3,611	7,046	31,475	
12.	August'93	705	3,081	7,751	34,556	
13.	September'93	885	3,930	8,636	38,486	
14.	October'93	1,274	5,798	9,910	44,284	

S. No	Month/Year	Family	Number of People	Number of Family	Total Population	Remarks
15.	November'93	1,403	6,232	11,313	50,516	
16.	December'93	362	1,575	11,675	52,091	
17.	January'94	119	515	11,794	52,606	
18.	February'94	103	418	11,897	53,024	
19.	March'94	102	459	11,999	53,483	
20.	April'94	298	1,357	12,297	54,840	
21.	May'94	19	80	12,316	54,920	
22.	June'94	106	444	12,422	55,364	
23.	July'94	760	3,592	13,182	58,956	
24.	August'94	1,088	5,400	14,270	64,356	
25.	September'94	2,706	13,927	16,976	78,283	
26.	October'94	2,379	12,143	19,355	90,426	
27.	November'94	4,807	24,913	24,162	1,15,339	
28.	December'94	3,776	19,505	27,398	1,34,844	
29.	January'95	3,527	17,965	31,465	1,52,809	
30.	February'95	2,793	14,399	34,258	1,67,208	
31.	March'95	3,074	16,156	37,332	1,83,364	
32.	April'95	14,446	7,349	38,778	1,90,713	
33.	May'95	208	1,124	38,986	1,91,837	
34.	June'95	119	659	39,105	1,92,496	
35.	July'95	27	129	39,132	1,92,625	
36.	August'95	32	185	39,164	1,92,810	

37.	September'95	82	412	39,246	1,93,222	
38.	October'95	173	932	39,419	1,94	
39.	November'95	166	882	39,585	1,95,036	
40.	December'95	234	1,312	39,819	1,96,348	
41.	January'96	88	485	39,907	1,96,833	
42.	February'96	29	152	39,936	1,96,985	
43.	March'96	15	76	39,951	1,97,061	
44.	April'96	69	318	40,020	1,97,379	
45.	May'96	438	2,328	40,458	1,99,707	
46.	June'96	388	1,982	40,846	2,01,689	
47.	July'96	235	1,300	41,307	2,04,295	
48.	August'96	226	1,306	41,307	2,04,295	
49.	September'96	264	1,498	41,571	2,05,793	
50.	October'96	1,052	5,664	42,623	2,11,457	
51.	November'96	863	4,693	43,486	2,16,150	
52.	December'96	601	3,243	44,087	2,19,393	
53.	January'97	665	3,485	44,752	2,22,878	
54.	February'97	644	3,257	45,396	2,26,135	
55.	March'97	489	2,684	45,885	2,28,819	
56.	April'97	42	246	45,927	2,29,065	
57.	May'97	75	401	46,002	2,29,466	
58.	June'97	8	46	46,010	2,29,512	
59.	July'97	11	60	46,021	2,29,572	
60.	August'97	4	19	46,025	2,29,591	

S. No	Month/Year	Family	Number of People	Number of Family	Total Population	Remarks
61.	September'97	5	29	46,030	2,29,620	
62.	October'97	6	34	46,036	2,29,654	
63.	November'97	9	57	46,045	2,29,711	
64.	December'97	9	55	46,054	2,29,766	

50. More than five thousand refugee everyday interval return back in the home country and repatriation will be terminated with in six month but due to various hidden reason it was not completed up to June 2000. If you carefully observe in the table you will see that though the repatriation was started on the month of September in the year of 1992 but only five thousand nine hundred sixty two Refugees were return back in there home. The number of return back Refugee as per table was 45,129 and 82,753 in the year of 1993 and 1994. Similarly in the year of 1995, 1996 and 1997 number of refugees from the initial stage was 61,504; 23,045; 10,373. With this similar fashion from initial year to 1997 year total number 2,29,766 Refugees were return back to their home country.

51. In the table more specific think is that, though in the end of 1994 year return back refugee 1,34,844 and in the end of year 1995, 21 September total number of Refugee 1,93,038 was supposed to be return back to their home but in reality 57,049 Refugee were waiting for the approval for the Myanmar Govt to return back their country.¹²⁸ In the year of 1996 month of December 2,22,878 Refugee return back and on the month of 08 January in the year of 1997, a high level delegation meeting was took place and decision was takes that rest of 33,709 person will return back and their

repatriation will be terminated 31 March in the year of 1997. But within the year of 1997 2,29,466 Refugee return back their own home, but afterward a long time repatriation process took place steady form and it become almost stop.¹²⁹ Myanmar becomes the member of ASEAN and everyone was hope that Myanmar will open out for his limited area and enter in to open world. Myanmar will act and involved responsible activities and constructive work which will create democratic environment in their international politic and also improved the situation of the human rights and will show the right path to solve the Rohingya problem permanent solution.¹³⁰ But, it was not turn in to reality. On the other hand beside 495 batch 48,000 and two families total number 2,29,466 Rohingya Refugee were repatriated on 22 July in the year of 1997, but the authority of Myanmar showing the cause of the contact between Bangladesh and Myanmar is over and stop the repatriation of Refugee one sided decision was taken by the Govt of Myanmar.¹³¹ Bangladesh Govt try her best level and look different activities to continue the repatriation process on but their was no positive respond was found. On behalf of the Myanmar authority afterwards meeting was arranged between two countries in the level of foreign minister regarding the repatriation of Rohingya on 12 November in the year of 1998 and on that meeting the Govt of Bangladesh create pressure to the Myanmar authority but even though Govt of Myanmar maintain slow process for repatriation of Rohingya Refugee. On that meeting foreign minister Abdus Samad Azad and the then register foreign minister U Ahong Guoa repatriation of Rohingya Refugee during dry season (on the month of April 1999). On replay of that request foreign minister said more then two lac Rohingya Refugee were received by the Myanmar Govt. At present the number of Refugee remain rest will not effect the relation between both countries.¹³² The statement given by the Myanmar authority taking no responsibility regarding the repatriation of Refugee creates tremendous pressure in the diplomatic level. Sixteen month three days after long period the authority of Myanmar as per police since 25 November in the year of 1998 every week each batch decision was taken fifty person Refugee repatriated as a result only 400 Refugee return back in their home country since 22 April 2000.¹³³ In order to make the repatriation process more fairly on behalf of the Govt of Bangladesh different situation different process continuous discussion with the Myanmar Govt even though their was no fruitful result is discovered by the authority. 21,000 Refugee taking shelter in the camp among them 7,000 Refugee got the security clearance regarding rest of the 14,000 Refugee role of the Myanmar authority is silent and they are deny to gave the citizen of Myanmar. Seven high delegation member of Bangladesh authority 14 and 15 January in the year of 2000 visited the capital city of Yangon and discuse with the Myanmar authority more then two days even though rest of 14,000 Refugee, Myanmar authorities was not agreed upon to give the citizen of Myanmar. Afterwards frequently they were receiving request of Bangladesh authority finding no other alternative the Myanmar authority gave hope they will the matter to the Govt of Myanmar. These attitude bears the symptom that they will not return back 14,000 Refugee. On the other hand the maintenance and repatriation activities of Rohingya Refugee was continued with the help of European Union, USA, Japan and other international organization UNHCR provide financial help but suddently they stop their activities in the year of 2000.¹³⁴ UNHCR and other reduce their officer/servants in to half two reason behind for stop the activities of UNHCR.

Firstly: The failure of Bangladesh Govt, on the objection raised by the official of UNHCR, the subject matter of repatriation of Rohingya Refugee was not taken in to important issue by the Govt of Bangladesh. Even though there was no fruitful discussion between Bangladesh-Myanmar for a prolong time.¹³⁵

Secondly: Shortage of Inadequate found or the donar country was not agreed upon to provide financial support.¹³⁶

52. During this situation 2,67,00,000 taka budget was approved by the UNHCR for 21,000 Refugee in the year of 2000. But next year it will become different for approved of Budget.¹³⁷ UNHCR gave

opinion that rest of the refugee should shelter in Bangladesh. Regarding this aspect they gave proposed by oral in the year of 1997 on the month of January and on the month of April rest of the Refugee will be officially resettle in Bangladesh. But the Govt of Bangladesh always refuses this proposal. But the UNHCR gave opinion that rest of the refugee should settle in Bangladesh. Regarding this aspect they gave prepared by oral I the year of 1997 on the month of January and on the month of April rest of the refugee will be officially resettle in Bangladesh. But the Govt of Bangladesh always refuses this proposal.¹³⁸ But the UNHCR was not satisfy with this proposed. To stop the activities of UNHCR, regarding this aspect the high official of foreign minister inform and breadcent the news. That UNHCR was taken the responsibility of Rohingya Refugee with the request of the Bangladesh Govt. But stop the activities of UNHCR they were not inform the Govt of Myanmar. Flustration of repatriation activities he said, the Govt of Bangladesh tried her best level to maintain communication different process with Myanmar Govt. Foreign minister of Bangladesh Abdus sanl Azad said, No force were impased upoun the Rohingya refugee for repetriation process but to day or tomorrow all of them have to return back to their own country.¹³⁹ The Govt of Bangladesh will not take any initiative to resettle them in Bangladesh and regarding this aspect no question should arise ¹⁴⁰. After lot of discussion, it is proved that, Bangladesh Govt with the help of diplomatic effort, The Myanmar Govt returns bact Rohingya Refugee (who were coming in the year of 1978) with a short span of time but on the country Rohingya these who enter in Bangladesh in the year of 1991. The Govt of Myanmar were relectant to return back. From the very begaining the preblem Bangladesh Govt try her best level in the diplomatic way to solve the problem. Myanmar Govt is bound to return back Rohingya Refugee due to international pressure but Govt is reluctant showing different causes to give discharge coetificate. At last, "The Refugee should return back in their home country" with this view, Bangladesh Govt try to made this problem international and also involved UNHCR to solve this problem amicably. But UNHCR started work with the aim of solve this crisis as qieck as possible but this crisis remain unsolved deu to lack of interest of Myanmar Govt.¹⁴¹

53. Govt of Bangladesh gave her view regarding the crisis of Rohingya:

Firstly: Rohingyas are the inhabitants of Myanmar since hundreds of year and they are the citizen of Myanmar by birth. To took away the fundamental rights of the Rohongya is unlawful, Unjustice and also the express attitude of autocracy.

Secondly. Rohingya have the rights to get their proper respect as the citizen of Myanmar gets respect of human rights, to lead life of indepandly and get the security of life and matereals. But forced them wiped out from their own house with different kind of torture is conseder gross violation of human rights.

Thirdly. Rohingya people these were forced to left the Myanmar due to humanitarian reason, they get shelter in Bangladesh temporary as per internatinal rule.

Fourthly. Bangladesh is a small country though it is over populated, suddenly created tremendous pressure regarding arrived of Rohingya Refugee and its Socio-Economic condition is deprived. It is needles to say that Refugee crisis should be solved permanently.

Fifthly. With the help of Bio-lateral relation to solve the Rohingya crisis delay due to the autocracy behaviour of Myanmar as a result UN and international organization were involved with this matter. As a result the Refugee crisis is not internal or bio-lateral rether now it become an international crisis.

Sixthly. Rohingya Refugees there who are taking shelter in Bangladesh, all of the Refugees have to return back in Myanmar. There is no doubt regarding this matter, international help should be continued.¹⁴²

54. It is needless to say that repatriation process reached into such a condition, as a result of UNHCR stop their activities then all the responsibilities will be handed over to Bangladesh Govt. So on behalf of Bangladesh Govt immediately bi-lateral discussion with Myanmar Govt should be continued and take necessary steps to UNHCR for repatriation of Rohingya and it is mandatory to keep engaging UNHCR till up to the end of repatriation process.

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CHAPTER: TWELVE

RESPONSE OF THE STATE

“We came to Bangladesh because the Burmese army took our land, our cows and everything we had. If I go back after all this time, they will put me in jail or shoot me. Here, at least they do not say anything.”¹

14-year old refugee woman in Bangladesh

1. The role of the Government of Bangladesh (GOB) is critical in tackling the Rohingya refugee Crisis. As a host country Bangladesh is in a position to facilitate or constrain measures to mitigate vulnerabilities of the Rohingya refugees in camp and non-camp areas. The existing government policy identifies voluntary repatriation as the only durable solution available to refugees, ruling out the possibility of local integration. However, so far, the major thrust of the response of the GOB is to ensure access to basic services for the Rohingyas through the active participation of the UNHCR and other implementing partners. It is often complained that while the GOB allows the donors to assist the Rohingya refugees who live in official camps, it prevents the international community from accessing undocumented refugees. Against this background, the main objective of this chapter is to understand the initiatives taken by the Bangladesh government in providing support to the Rohingya refugees living inside and outside the camps. The chapter will also focus on the various steps the government has initiated against the unlawful activities of the refugees, bilateral dialogues to resolve the Crisis including the Crisis of voluntary repatriation, the need for implementing the refugee law and governmental policing of the undocumented refugees.

2. **Facilitating the Delivery of Basic Services:** Immediately following the arrival of the Rohingya refugees, the GOB took different steps to provide basic needs and to ensure minimum living standards to the refugees. In this context, five ministries are mainly involved: Ministry of Home Affairs; Ministry of Food and Disaster Management; Ministry of Health and Family welfare; and Ministry of Foreign Affairs. These ministries mainly provide workforce and keep an eye on the refugee situation. All kinds of financial support are provided by the UN agencies and various international donors. All staffs of Bangladesh government work under the Refugee Relief and Repatriation Commissioner (RRRC) of the Ministry of Relief and Disaster Management. At present there are 118 staffs collaborating with the funding agencies.² Main responsibility of GOB in the camps is overall coordination under the office of the RRRC, a Joint Secretary of the government. He works under the Myanmar Refugee Cell under the Ministry of Food and Disaster Management. Two Camp in Charges (CICs) at the level of Assistant Secretary and other staffs work under the RRRC. In the camps CIC coordinates the work of all international organisations, non governmental organisations, security forces, Ministry of Health staffs and camp committees. A breakdown of the responsibilities of these ministries is given in annex.

3. **Shelter:** GOB set up 20 camps in Cox's Bazar and Bandarban during 1991-92 influx to accommodate the Rohingya refugees. At present there are only 2 camps (Nayapara and Kutupalong) which accommodates around 23,000 documented Rohingyas refugees.³ The sheds for the refugees are built under the supervision of GOB and funded by the UNHCR.

There are 826 sheds in two camps where 4956 families are accommodated, as per shed contains 6 families. The camps are not enclosed and are easily accessible, and as one report mentioned: "Housing provided in the camps is extremely basic (There are no permanent structures). Long bamboo sheds with plastic or aluminium roofing are subdivided into several small compartments containing

Table-21: Accommodation of Rohingya Refugees in Two Camps

Type of Refugee Sheds in 2 Camps	Kutupalong	Nayapara	Total
Total No. of Refugee sheds	395	431	826
Newly constructed sheds	187	30	217
Under process new sheds	100	04	104
Total old sheds	208	401	609

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit form 3-6 March, 2016.

One living area with an adjacent kitchen area to house are consider a single refugee family, regardless of family size".⁴ According to the WFP vulnerability survey in 1999 the huts, "are small, crowded and inadequate for healthy living."⁵ From the beginning the GOB built houses on temporary basis, they maintain their temporary, emergency setup character. Though they can hardly survive a monsoon season, they are repaired once every few years. In between the repairs, the refugees manage the houses by taking the doors and partitions from thelatrines or collecting strong plastic to fill in holes.⁶ Thus, the conditions of housing for the Rohingyas are in bad shape and they can hardly live in this pathetic situation. When asked about improving their shelters, the authorities generally argue that better living conditions would counteract their drive to repatriate.⁷

4. **Food Support:** General food ration is distributed to all registered refugees. Since May 2002, fortnightly distribution has been implemented. Besides, there is Supplementary Feeding Programme (SFP) for malnourished children under 5, pregnant and lactating mothers, Therapeutic Feeding Programme (TFP) for severely malnourished children under the age of ten years, low birth weight and premature babies with their mothers and other serious medical patients. The office of the civil surgeon selects participants, for SFP and TFP, school snacks programme where each student gets 50 gm of locally produced fortified biscuits for each day of attendance up to 250 school days a year, Food for Training (FFT), where adolescent girls and women receive rice allocation for attending skill training activities, kitchen garden and for the production of non food items (mosquito nets, clothing soap, embroided items), Food for Work (FFW), where members of extremely vulnerable refugee families get chance to work for food within camps. All food programmes are jointly funded by the World Food Programme (WFP) and the UNHCR with close collaboration of the GOB.

5. According to the WFP, each registered Rohingya refugee, irrespective of age, receives 6 kg 300 gm rice, 560 gm lentils, 280 gm edible oil, 140 gm salt, 140 gm sugar and 700 powder foods fortnightly. Food sanctioned by the WFP is distributed in the camps by Red Crescent Society. In 2008, the WFP allotted 3873 metric tonne rice, 327 tonne lentils, 180 tonne edible oil, 80 tonne salt, 92 tonne sugar and 405 tonne powder food items for the Rohingyas.⁸ Some non-food items are also provided to the refugee families like soap (1-3 persons : 6 pieces per month, 4-6 persons: 8 pieces per month, 7 above: 10 pieces per month), Compressed Rice Husk—CRH (2 bags per family per month), Kerosene (1 litre per family per month).

6. **Health Support:** In the recent past, MSF-Holland and Concern Universal took the responsibility for providing health support in the camps. After their withdrawal in 2003 and 2004 respectively, the Ministry of Health (MOH) of the GOB, through the office of the Civil Surgeon has been providing curative health support for the entire refugee population. MOH services include Out-patient Department (OPD), In-patient Department (IPD), reproductive health care, immunisation, family planning, annual deworming, Selective Feeding Programmes (SFP) etc. Besides this, there are health education activities in the camps on hygienic promotion, nutrition and reproductive health targeted to preventive health care. All refugee children under 10 are immunized, and vitamin A is also distributed to prevent health problems resulting from nutrient deficiencies, including night blindness.⁹

7. **Educational Facilities:** Since mid-1996 the GOB allowed formal schooling in some camps except Nayapara, where it started in January 2000. There are different types of basic education for different age group like Play ground 4+, Pre primary 5+, Primary 6+, Non-formal 12+ and adult literacy program. Education programs are funded by the UNICEF and implemented by Program for Helpless and Lagged Society (PHALS). There are also school snacks programme, which was launched in May 2002. Its positive impact is evident from the increased net enrolment rates (92 percent in 2005 compared to 88 percent in 2002) and attendance rates (currently 88 per cent compared to 76 per cent in 2002), which led to an expansion of the programme in 2004.¹⁰ According to another estimate, there are 20 schools in the camps where about 9 thousand students are enrolled. Each camp has 10 schools.¹¹ The curriculum of primary and pre-primary education is largely based on textbooks approved by Bangladesh Textbook Board. In addition, they study a book in Burmese language.

Table- 22: Basic Education Facilities at Two Refugee Camps

Name of Schools	Kutupalong	Nayapara	Total
No. of schools	9	8	17
No. of students	3343	3968	7311

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit from 3-6 March, 2016.

8. Thus, the Rohingya refugees merely survive through the provision of basic health care, nutritional services, safe drinking water, and sanitation facilities. The GOB has employed its bureaucratic machinery for facilitating the delivery of these services, where local NGOs and international governmental and non-governmental organisations are involved. One of the critical questions as pointed out by Imtiaz Ahmed is that: Does the GOB bear the economic cost of the presence of the Rohingyas? Referring to the report of the US Committee on Refugees, Ahmed states that Bangladesh has borne little of the cost of caring for the refugees. Apart from US \$2.5 million that Bangladesh spent on relief prior to the UNHCR involvement, the entire relief operation has been funded by the UNHCR, donor governments, and NGOs. It is even argued that the UNHCR relief operation has led to a net financial gain for the Bangladesh government and its citizens, as it has increased employment.¹² The idea of 'burden' or 'gain' does not hide the fact that the Rohingyas are in dismal situations in the refugee camps. The basic services which are to ensure minimum living standards are far short of fulfilling the requirements. Even the delivery of basic services as sanctioned for them remains poor and ill-managed.

9. **Maintenance of Law and Order:**

a. **Security Inside the Camps:** The 1993 Memorandum of Understanding (MoU) between the UNHCR and the GOB stipulated that the government was primarily responsible for "safety and security of the Myanmar refugees in the camps and outside and the UNHCR is here to assist the GOB for these purposes and for discharging its international protection mandate"¹³ The Camp-in-Charge (CiC) is primarily responsible to ensure security in the camps and they are assisted by the police and Ansar. In the past, it was a difficult task to maintain security because of poor number of security personnel. In fact, several unwanted incidents occurred in and outside the camps. It is alleged that some of the registered Rohingya refugees are involved in illegal activities. Incidents such as arrest of militants have also taken place. Arms were also recovered from the houses of refugees. They have formed criminal groups in the nearby hills as the camps are constructed without walls.¹⁴ Now the situation has improved due to the increasing of the number of security personnel. Moreover, there are camp management committees, block committees and security volunteers involving the refugees living inside who work for maintaining law and order under the supervision of the CICs.

Table- 23: Status of Security Personnel in Two Camps

Name of the Organization	Kutupalong	Nayapara	Total
Cox's Bazar district police	25	15	40
Ansar	44	98	142

Source: CICs of Kutupalong and Nayapara Refugee Camps during the field visit from 3-6 March, 2016

b. **Trouble-Makers and Trouble-Shooters:** The experience of having refugees is not pleasant for any society. The case of Rohingya refugees is no exception. The place where they have taken shelter after arrival is one of the poverty prone areas of Bangladesh. Because of the mountainous location and lack of availability of cultivable land, most of the people depend on day labour. This creates pressure on the job market and simultaneously makes the eco system vulnerable. Immediately after the influx, the forest department of Cox's Bazar reported that the Rohingya refugees had destroyed forest resources worth Tk. 13.5 crore.¹⁵ In a separate report they claimed that the refugees had destroyed forest resources worth Tk. 740 million, damaging natural forest of 2,021.11 acres and new plantation of 91.05 acres.¹⁶ In contrast, the degradation of law and order situation is another anxiety for which the illegal Rohingya migrants are mostly blamed. The RRRC Office at Cox's Bazar reported in its letter to the Ministry of Home Affairs and the Ministry of Foreign Affairs that the illegal Rohingyas are creating various social problems in Cox's Bazar and Bandarban. Police Superintendent of Cox's Bazar, Mozammel Hossain, told the media that the Rohingyas have destroyed the harmony of the peaceful city, Cox's Bazar. He also said that they are not only illegally capturing the trees and land but also degrading the law and order situation.¹⁷

a. **Dealing with Undocumented Rohingyas:** There is no specific data regarding the number of unregistered refugees in Bangladesh. It varies from 200,000 to 330,000.¹⁸ The government administration often makes a list of undocumented Rohingyas living in Cox's Bazar. For example, in July 2002 the Ministry of Home Affairs asked the District Administration of Cox's Bazar to take necessary steps to prepare a list of unregistered Rohingyas. Consequently, preparation for making the list started from October 2002.¹⁹ But the exact number is still unknown. According to local sources, more than 50,000 unregistered Rohingyas live in Ukhiya and Teknaf Upazilla and the number of unregistered Rohingyas living in different parts of Cox's Bazar will not be less than 1,50,000.²⁰ GOB has no special policy to deal with the undocumented Rohingyas. According to the RRRC, these people are not refugees; they are illegal migrants of Myanmar as per the MoU signed between Bangladesh and Myanmar in 1992 which stipulated that Bangladesh would not recognise any other Rohingya as refugee. In spite of this, GOB gave shelter to more than 14,000 Rohingyas in an unofficial camp known as 'Taal' (dumping spot) situated very close to Teknaf. In June 2008 these unregistered Rohingyas were shifted to another place named "Leda". Whether they are in Taal or Leda, their living conditions are extremely poor. They do not have access to basic services for their survival. Two international organizations titled Islamic Relief and the Handicap provide them minimum with health facilities. The place is very congested, unhealthy and unhygienic. According to Ayub Majee (one of the Shed leaders), 29 unregistered Rohingyas died²¹ in the Leda camp within two months of its establishment. Most of them died due to pneumonia, fever, odema, malaria, asthma, starvation and lack of proper medical facilities. The unregistered Rohingyas are often blamed for many illegal activities like terrorism, cutting trees from the forest, engaging in day labour activities and many others. Since there is absence of monitoring from the government over these people, they can move around freely.

b. **Prevention of Sexual and Gender-Based Violence:** Sexual and gender based violence is a major concern for the Rohingyas living in the refugee camps. Women are generally victims of different types of torture at the hands of members of law enforcing agencies. Besides refugee men, including Mahjees, as well as local villagers are known as perpetrators. Rape is very common, both within and outside the camps. Women who collect firewood in areas surrounding the camps, female heads of household or young girls whose fathers/ husbands are in detention are particularly at risk of rape and kidnapping.²² The field visits clearly reflect that women and children always remain scared of violence. Hence, the GOB has responsibility to prevent the occurrences of sexual and gender based violence in the camps. Particularly, the role of CIC and law enforcing agencies is critical for reducing gender related violence.

10. **Dis/Solving the "Refugee Problem":** Like any other host nation, Bangladesh has often shown reluctance to deal with the challenge of tackling the Rohingya refugee Crisis on her own. Even the GOB has been hesitant to bilateralise the Crisis. To Bangladesh, regional and global initiatives are preferable to resolve the Crisis on the long term basis. However, there is no doubt that a short term solution to the Rohingya refugee Crisis hinges on measures taken at national and bilateral levels. While the short term measures taken at domestic level are discussed in the preceding section, here the focus is given on bilateral and multilateral initiatives.

a. **Bilateral Agreements and Dialogues:** High official meetings between the two countries are held regularly to resolve the Crisis. The first major high level official meeting was held between the two countries in 1992 when they signed MoU. Another significant meeting took place on 28 February 1994 regarding the repatriation of Rohingya Refugees, where the Myanmar authority gave permission to another 11,382 Rohingyas to return. Later, 135,000 Rohingyas were given permission to return to Myanmar. Bangladesh submitted a list of 250,877 Rohingyas to Myanmar. In this meeting both countries agreed to build a Bailey bridge near Tumbre border so that Rohingyas could return home by walking to their own country. Following the meeting, 2,36,599 Rohingyas got repatriated, but more than 20,000 Rohingyas stayed back in Bangladesh. Though the Foreign Minister of Bangladesh visited Yangon in 1999, there was no progress on the repatriation process. In 1999, Bangladesh Government requested the visiting Foreign Minister of Myanmar about the importance of repatriation of the rest of the Rohingyas. Subsequently, the Myanmar Foreign Minister said that all the Rohingyas would be repatriated during the next one and a half years. The repatriation process, however, could not be restarted. On 13 January 2000 Bangladesh sent a team of high officials to Yangon. During the meeting Myanmar showed interest in receiving back only 7,000 Rohingyas, whereas the 21,000 of them were residing in Kutupalong and Nayapara camps. During the visit of the UNHCR Commissioner in Bangladesh on 27 May 2008, the latter emphasised the implementation of the MOU signed by the three parties i.e. Government of Bangladesh, Government of Myanmar and the UNHCR. The visiting UNHCR Commissioner also said that this Crisis could only be resolved through the implementation of the 1992 agreement. The new Grand Alliance government led by Awami League²³ has already initiated a process to deal with the Rohingya refugee Crisis. As part of this process, the Foreign Minister of Bangladesh, Dipu Moni, visited Myanmar on May 16-17, 2009. At the end of her visit, the Foreign Minister informed the media that military leaders in Myanmar admitted that they (Rohingyas) are Myanmarese and agreed to take them back. She further mentioned that Myanmar government sought a list from Dhaka on the number of Rohingyas living in Bangladesh as part of the repatriation process.²⁴ The Foreign Minister emphasised that Bangladesh was in touch with Myanmar and the UNHCR to stop further inflows of the Rohingyas. However, the GOB is of the view that the refugee flow would not stop unless Myanmar authorities guaranteed "qualitative change" in the Arakan state the place where most Rohingyas live in Myanmar.²⁵ This only reflects the positive approach of the new Government in Bangladesh on the issue of Rohingya refugee Crisis.

b. **Voluntary Repatriation:** Voluntary repatriation is a key element in resolving the refugee crisis. Though the 1951 Convention is silent on the question of voluntariness, the UNHCR Handbook on Voluntary Repatriation states that: "the principle of voluntariness is the cornerstone of international protection with respect to the return of refugees. A person with a well-founded fear of persecution is a refugee, and cannot be compelled to repatriate."²⁶ A Memorandum of Understanding signed between the GOB and UNHCR in 1993 stipulates that the UNHCR should provide protection to refugees from Myanmar and cooperate with GOB to ensure their safe and voluntary repatriation. The GOB has explained its reluctance to integrate Rohingya refugees in the country for the fear of a large refugee population.²⁷ The first major repatriation of the Rohingyas took place in 1978 as an outcome of a bilateral agreement signed between GOB and GOM on 6 June 1978.²⁸ During the second spell of influx of the Rohingyas in 1991-92, Bangladesh granted temporary asylum to the refugees and called on the UNHCR to assist in the provision of humanitarian aid. On 28 April 1992, GOB and GOM signed a Memorandum of Understanding (MOU) on a repatriation scheme. Both the parties declared that there would be no forceful and unsafe repatriation. In reality, it is alleged that the repatriation was not voluntary. Under the MOU nearly 35,000 refugees were repatriated by November 1993. In November 1993, UNHCR also signed a MOU with GOM which allowed the agency's access in Myanmar to promote the repatriation and monitor the reintegration of Rohingya refugees. After the unilateral withdrawal of Myanmar from the repatriation process, Bangladesh Government continued its effort to restart the process and complete repatriation through diplomatic effort. In June 2002, an inter-ministerial meeting decided to repatriate all the Rohingyas by 3 June 2003. The meeting also decided to establish army outposts on the border in addition to the BDR to prevent the influx of the Rohingyas.²⁹ On the ground, the Rohingyas are opposed to the repatriation process on account of their fear of persecution by the GOM upon their return. They strongly resisted such moves by the governments and the UNHCR and partly succeeded on some occasions. As a result, the whole repatriation process turned into largely involuntary in nature. By 1996, refugees' reluctance to return home was reinforced as increasing numbers of Rohingyas including those previously repatriated were returning back with stories of persistent tortures and abuse. But the repatriation programme continued. It is alleged that some 350 refugees, mostly women and children, were rounded up overnight at gunpoint and deported in July 1997. This set off a 14-month long strike by the refugees, who even boycotted humanitarian services, which stopped the repatriation process.³⁰ Despite several attempts by GOB and the UNHCR, around 21,400 registered Rohingya refugees are still living in the camps. The UNHCR formally proposed to GOB to resettle these refugees in third countries.³¹ GOB refused the offer of increased assistance and resettlement packages. Then the UNHCR threatened to end its operations within the camps unless GOB started to resettle at least 5,000 Rohingyas under the UNHCR status determination prosecution. The GOB argued that the resettlement of 5,000 refugees would not bring a solution to this problem. Further talks took place between Bangladesh and Myanmar and an announcement came that GOM would re-open its border for the repatriation of 7,535 refugees who would be repatriated in a group of 400. As the repatriation resumed in November 1998, the Myanmar authorities had introduced a new set of restrictive, bureaucratic conditions and procedures, much to the consternation of Bangladeshi authorities. Myanmar also refused to accept 7,000 previously "cleared" refugees, and embarked on a new round of re-verification. Since then, repatriation has slowed down to a trickle, with only 454 families (2,740 individuals) sent home between January 1999 and December 2001.³² In early 2002, the Myanmar authorities verbally agreed to accept approximately 5,000 cleared refugees. Among them, according to the UNHCR, the majority are prepared to return home. The remainders have attached conditions to their return. Last repatriation took place in 2005 when only 92 Rohingyas were repatriated. Now most of the Rohingyas are more interested in resettlement in third countries than repatriation.

Table-24: Year Wise Repatriation from 1992 to 2008 (May)³³

Year	No. of People Repatriated	Year	No. of People Repatriated
1992	5962	1999	1128
1993	46129	2000	1323
1994	82753	2001	283
1995	61504	2002	760
1996	23045	2003	3231
1997	10073	2004	210
1998	106	2005	92
Total			2,36,599

Source: Refugee Relief and Repatriation Commissioner's Office, Ministry of Food and Disaster Management, Dhaka

Although the Rohingya refugees have expressed their strong reservations for going back to Myanmar, GOB maintains its policy of repatriation. Negotiations are currently underway for possible tripartite meetings between the GOB, the Government of Myanmar (GOM) and the UNHCR on the issue of voluntary repatriation. Iftekhar Ahmed Chowdhury, Advisor to the caretaker government (CTG) in Bangladesh, emphasised the need for holding a trilateral Bangladesh, Myanmar and the UNHCR dialogue to create a condition for voluntary return of the refugees. The current political regime in Bangladesh has been continuing the same policy on the tripartite agreement for repatriation of the Rohingyas.

c. **Resettlement Programme:** The use of resettlement as a strategic tool to provide durable solutions to vulnerable refugees was first employed by the UNHCR in 2006.³⁴ This has included the identification for resettlement of extremely vulnerable refugees with compelling protection concerns. Both the GOB and the UNHCR agree on this point that the problem can be mitigated if the Rohingyas can be resettled in any other country. It may be mentioned that twenty-three refugees were resettled to Canada in 2006 and a further 79 in 2007.³⁵ Seventy eight refugees 28 adults and 50 children were identified by the UNHCR as a priority group for resettlement. Both Bangladesh and the UNHCR are also closely working on this issue. For Bangladesh, any solution to the Rohingya refugee problem must not be based on the fact that the GOB would declare the Rohingyas "refugees" and be allowed to settle in Bangladesh permanently. This position has been renewed by the GOB time and again, and is still the current policy of the government. Needless to mention, such policy contributes to the statelessness of the Rohingyas. Another dimension of the resettlement programme is that it enjoys strong support from the Rohingya refugees. They have expressed their strong desire to settle in the third world countries, particularly the developed nations. While talking to a student of class five in a school at refugee camp, the student told that he wanted to learn English to settle in a third country.³⁶

d. **Border Fencing:** The proposed barbed wire fencing along the Myanmar-Bangladesh border as part of the ruling military regime's plan to curb the movement of Rohingya minorities living in the region is a major challenge to resolve the Rohingya refugee problem. Myanmar's military government, in fact, plans to construct a barbed wire fence about 50 miles in length, along the border with Bangladesh.³⁷ It was reported that since 14 March 2009, the Myanmar authorities had reinforced military presence in the border town of Maungdaw, in western Burma, to provide security to the fencing project along the Bangladesh-Myanmar border. However, the GOB finds the border fencing a violation of the bilateral accord between the two countries. According to the bilateral agreement, neither Bangladesh nor Myanmar can fence

along the border or mobilise troops along the line without cause.³⁸ Interestingly, at the official level, both Bangladesh and Myanmar are silent on this issue. The GOB has not officially acknowledged the development of such an issue which has created newer tensions and uncertainties.

11. **Legal Dimensions:** Absence of a more supportive and proactive role by GOB lies with legal constraints regarding the Rohingya refugees in Bangladesh. In fact, Bangladesh does not have any domestic or national law which can cover the issue of asylum seekers and refugees. In Bangladesh, foreigners irrespective of asylum seekers or simply visitors are treated under some old laws (e.g. Passport Act, 1920; Naturalisation Act, 1926; Registration of Foreigners Act, 1939; the Foreigners Act, 1946; Bangladesh Citizenship (Temporary Provisions) Order 1972; and Extradition Act, 1974)¹ which are inadequate to meet the needs of the Rohingya refugees. This is particularly caused by Bangladesh's refusal to be a party to the UN Convention Relating to the Status of the Refugees, 1951 or its 1967 Protocol.

12. However, Bangladesh recognised 258,000 Rohingyas as 'refugees' in 1991 through an executive order. The remaining 200,000 Myanmar nationals (including Rohingyas) who are not registered as 'refugees' are considered 'illegal foreigners' or 'economic migrants' by GOB. Nevertheless, Bangladesh is a signatory to various international legal documents like the Universal Declaration of Human Rights (UDHR), International Convention on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and signatory to the Charter of the United Nations, which ensure the state responsibilities of the refugees. Hence, the country is committed to the principle of non-refoulement by becoming a party in the light of the above mentioned international documents. The Constitution of Bangladesh also guarantees the rights of the refugees and the responsibilities of the state. Article 31 of Bangladesh constitution ensures the right to protection of law, right to life and personal liberty, safeguard to arrest and detention, prohibition of forced labour, protection in respect of trial and punishment. All of these are equally applicable for people living inside the country.⁴⁰ Due to the absence of legal framework; there is a Crisis of coordination among the relevant departments regarding the treatment towards refugees. It is also difficult to understand and monitor the status of incoming and outgoing of the refugees.

13. **Emerging Challenges:** The Rohingya refugee Crisis has already turned into protracted refugee situations and it has been worsening in absence of effective short-term measures and long term solution. As far as the role of GOB is concerned, several challenges may be considered for further thought on the Rohingya refugee Crisis.

a. **First,** One of the challenges comes from Bangladesh's relations with the UNHCR on the question of the Rohingya refugee. Although the GOB has been closely working with the UNHCR for ensuring minimum living standards of the Rohingya refugees, particularly in the camps, it has refused to entertain some proposals suggested by the UNHCR. For example, in 2003 UNHCR took a decision to phase out its support for the 20,000 refugees remaining in the camps and forwarded to Bangladesh Government a "self-sufficiency plan", wherein the UNHCR proposed to integrate the Rohingya refugee population with the local Bangladeshi community. On September 2004, Bangladeshi authority rejected the self-sufficiency plan. In 2005, the

UNHCR presented again a plan to the GOB that proposed temporary stay and freedom of movement of Rohingyas.⁴¹ The GOB has not accepted this plan too.

b. **Second**, Bangladesh is criticised by international rights groups such as Human Rights Watch for its role in the Rohingya refugee Crisis. Brad Adams, Asia Director at Human Rights Watch, says, "The Bangladeshi government is ignoring its obligations to protect Rohingya refugees and permit international relief agencies to assist with the humanitarian needs of Rohingya refugees."⁴²

c. **Third**, given the continuing entry of the Rohingyas to Bangladesh, it assumes a major challenge for this country to guard its 657 km long border with Myanmar.⁴³

d. **Fourth**, it is a challenge for a country like Bangladesh to ensure the delivery of basic services and to provide minimum living standards to thousands of registered and unregistered Rohingyas. GOB needs to address the problems of adequate food, sanitation, healthcare facilities, livelihoods and personal safety. It has been revealed in a survey that 58 percent of the refugee children and 53 percent of the adults are chronically malnourished.⁴⁴ Surveys conducted since 1992 have consistently found unacceptably high rates of malnutrition among the adult and children refugees. Almost none of the refugees are receiving his or her full ration.⁴⁵ Some allege that GOB tends to believe that free food can be an incentive to remain in Bangladesh and thus food has been used as a tool of coercion and intimidation in the past.⁴⁶

e. **Fifth**, response of GOB may consider the social dynamics of the Rohingya people in Bangladesh in general and refugee camps in particular. Early marriage and pregnancy is a common feature in the camp life of the Rohingyas. The average age of marriage is 14 years; average age of first pregnancy is 16 years, and 10 percent of births result in low weight babies.⁴⁷ There are high rates of birth and pregnancy in the camps, even in recent years the birth rate has outnumbered the rates of death and repatriation combined. A major source of anxiety for the Bangladeshi authorities is the rising number of Rohingya population in the camps. MSF and Concern started wide-ranging family planning programmes in the camps in order to control the birth of Rohingyas.⁴⁸ Subsequently, MSF and Concern left. During the field visits, it was found that most of the refugees have complained about the services provided by the Ministry of Health (MOH) and they wanted the return of MSF-Holland and Concern

f. **Sixth**, the continuous presence of the Rohingya refugees creates an economic challenge for the GOB. Although documented Rohingya refugees have no legal rights to work outside the camps without permission, everyday they go outside the camps to work as day labourers, fishermen, salt field workers and rickshaw pullers. The administration could not stop such unlawful practices. What is of more concern is that camp officials are bribed to engage in income generating activities by the Rohingyas living in camps.

g. **Finally**, the GOB faces a dilemma in maintaining law and order in the refugee camps and outside. The law enforcing agencies are employed to ensure security and safety by punishing the criminals or trouble makers. In reality, some of the members of law enforcing agencies get involved in criminal acts in the forms of rape, bribery and intimidation. Consequently, the experience of violence and coercion over the years have fostered an environment of fear and distress among the refugees.⁴⁹

14. **Conclusion:** The preceding discussion demonstrates that generally the Rohingya refugees are portrayed as a burden to Bangladesh. The GOB often argues that there has been no tangible benefit from hosting them, only a drain of its limited resources. Despite this general perception, over the years the GOB has been involved in short-term and long term measures to address this Crisis. Apart from the

management of the two refugee camps located in Cox's Bazar, Bangladesh has been active in bilateral and multilateral processes. Bangladesh has been closely working with Myanmar and the international community for its permanent and durable solution. Bangladesh shows strong support for multilateral initiatives in resolving the Rohingya refugee Crisis on the long term basis. For instance, Bangladesh has been supporting the Bali process to resolve this Crisis. The Bali process was originally set up at the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Bali in February 2002.⁵⁰ Bangladesh is involved in negotiation process for implementing the tri-party MoU signed in 1993, which enables the complete repatriation of the Rohingya refugees. On the other hand, continued bilateral dialogue between the GOB and GOM remains on the table. With a thrust on "Look East" foreign policy and active participation in the regional arrangements of BIMSTEC and ARF, Bangladesh can induce Myanmar in constructive engagement, and keep striving to resolve the problem with an active and concrete support of other regional countries.

15. What is of particular concern for the future is that laws governing refugees and asylum issues in Bangladesh remain the same which poses a major constraint for a more proactive and supportive role for Bangladesh. Besides, as the field survey reveals, there is a lack of awareness about the Rohingya Crisis among the government officials and more so about their responsibilities in dealing with the Rohingyas. Since there are several ministries involved in the management of camps, the officials often find it difficult, if not unwilling, to coordinate their activities and to ensure better delivery of basic services for the Rohingyas.⁵¹ This can largely be attributed to the absence of well defined policies on the part of the government regarding the treatment of the Rohingya refugees.

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CHAPTER: THIRTEEN

THE IDEA OF INTELLECTUAL/AWARENESS PEOPLE: (1978-1994 & 1995-2016)

1. **The Idea of Rohingya:** Problem regarding Bangladesh and Bangladesh awareness people very much related. It is not possible to find out solution of Rohingya crisis without the idea of awareness people. We will get lot of Refugee regarding the nation of Arakans Rohingya in Bangla, English and Urdu language but you will never get the idea of awareness people. For that specific reason to know the idea of awareness people some specific questionnaire were made. With the help of questionnaire and interview I will get the real picture of different class awareness people. I made a full question.¹ I divided the whole class into eight classes and take five people from each department and take interview total 40 person.²

2. **The Subject and Classification of Question:** There are lots of question raise in the interview to find out the following thing:

1. To introduce Rohingya origin.
2. The torture of Myanmar Govt to Rohingya.
3. Arrival of Rohingya in to Bangladesh.
4. Internal situation of Rohingya, Breaking of human rights.
5. Arrival of Rohingya and the socio-economic condition of Bangladesh to mitigate the crisis.
6. To solve this problem permanently what are the actions should be taken by Bangladesh and International Agency.
7. Beside this specific question, expert opinions are also taken into consideration and attach with it.

3. **What Type of Citizen Rohingya In Arakan?** Muslims were start living in Arakan since in the century of seven and eight. The word Rohingya is applicable since in the century of fifteen. The new capital was established in 1433. The citizens of Mohong were called Rohingya. The Muslim citizens were coming from Bangladesh and India in the regime of British company in course of time were also considers Rohingya. So among the citizen of Rohingyas, few Rohingyas were living more than hundred years.

4. The revolution/liberation war escapes Burma from the regime of British. The citizen of Rohingya provided whole hearted support to their leader Aung Sun but the people of Rohingya did not get their own right before independence. The ruler of Burma showing different course, they will never consider Rohingya to the son of sail rather they consider themselves as an inhabitant of Arakan.³

5. In reality Rohingyas were understand their position in the eyes of ruler of Burma. They started their fight for their own right by means of own style. In that moment in 25 September 1954 Prime Minister U Nu adopts a political tactic and announced Rohingyas Indigenous Ethnic Community.⁴ More than three million Rohingya Refugee took shelter in Bangladesh due to in human torture by the ruler of Burma in 1978-79. Bangladesh Govt and international community were taken positive step for Rohingya Community, as a result Burmese rulers military Leader N Eu were put under tremendous pressure and Govt of Burma fallen into the trap. Then Govt of Burma adopt another tactic and their aim was to destroy the Rohingya refugee for that reason they revised discrimination citizenship law and implement this law against innocent Rohingya people. In this law they categorize into three groups. They are citizen, associate and naturalized. Rohingya people those were entered in to the

Burma after 1823, they will consider naturalized citizen and they will apply for citizenship in a new application from in 1982.⁵

5. In that law in the fourth provision Burma Govt adopted more policy. Any community whether they will consider the citizen of state will not consider law ministry. This will consider Govt policy decision organization council of state.⁶ Rohingya community will consider as a floating citizen of Burma with the help of this law. Rohingya considered this law as a black law. These laws deprived Rohingya refrain from acquire property, business not took part in the election and not to join in the Defence Service. Even this black law also deprived then not attends any meeting and taken all sorts of facility they suppose to get as citizen of Burma.⁷

6. The newspapers, electronic media and Govt of Bangladesh, international community and the world are considering Rohingya communities are the permanent citizen of Burma. Regarding subject of the citizen of Rohingya, several questions were asked in the educated person to test the idea of awareness people of Bangladesh.

7. Important thing "you are considering what type of citizen of Rohingya in Arakan?" In this question regarding for the citizenship of Rohingya the researcher are consider four answers. These are example (a) By Birth (b) Marital aspect (c) Immigrant (d) Not consider citizenship. Govt Burmese and educated person among two people remain silence to give their opinion. For that reason "no remark" Column is attached in the answer script.

8. Important fact that, answer given 40 person among 38 people gave opinion that Rohingyas are the citizen of Arakan by birth. As a result 95% awareness people are the favour in the opinion of citizen of Arakan. Most of the answer given person in surprise rather asked researcher counter question, why he asked Rohingya citizenship question after a long decade? If any person lawful way stays in a country more than five years he/she considers the citizen of that Country. Besides by marital aspect or immigrant things are also taken into consideration to become a citizen. History of Rohingyas is more than thousands of years today raising the question regarding the citizen of Rohingya is really miracle and unjustified. But Govt of Myanmar and the inhabitants of Mog in that place are consider Rohingya "kulla" (foreign) and immigrant (coming from Bangladesh and India) for that reason they are not given Rohingya the full status of citizenship of Burma.⁸ If the question raise from research and the answer was very simple Language that it is the one side decision was taken by the authority/military Govt of Burma and the local Mog inhabitant which is Consider violating human rights Law. It is also consider inhuman behavior of the Burmas Govt and hated by the international world community. Some Rohingya migrated from Bangla or Chittagong but that history was ancient since 600 hundred years ago during the regime of Normikla and some of them entered in the Burma during the establishment regime of British in 19 century. That time also passed over hundred years ago. That's why in present situation, Rohingyas are the citizen of Arakan by Birth.

9. The Inhuman Torture of Rohingyas in Different Causes by the Military Govt of Myanmar. The history of inhuman torture of Rohingyas was found since ancient period in 1785. The king of Burme Raj Bodpaya during the time of occupied Arakan by the inspiration of the king. Most of the Arakan people welcome the Burmese force with the help of Band. But on the Country Burmese force were created inhuman torture to the Arakan.⁹ Who were seeking for independence? They announced "forgive and surrender to the Arakan", but later on they killed surrender innocent Arakan people.¹⁰ The relation between the local Mog and Rohingya was very friendly and close upto 1930 years. In the year of 1937 home rule was established by the British administration and the change was raised against Muslims for religious aspect of Goutom Budho with the help of Govt. Local interested Mog Society created torture to the Muslim and killed more than one Lac Rohingya Muslim and 5 Lac Rohingyas were compelled to

leave the country.¹¹ Since that time before independence devastating riot between Mog and Rohingya started and military Govt for the sake of his interest, eradication of Rohingya. The Myanmar Govt with their master plan created havoc and erected Arakan Muslim from their own home with the help of inhuman torture. They (Govt) re-established Mog in the Arakan area collected from different area. Local and re-establish Mog, the soldier of Mog with direct support from Govt created massacre to the Arakan people. They carried out murder, rape, hayjaik and forced labour to the innocent Arakan.¹² Myanmar Govt creates strick restrictions to the movement of Rohingya even Rohingya can't move from one Thana to another Thana without the permission of Govt. It becomes a normal phenomena arrest without guilty, torture, murder and abduct. High tax are imposed only the production of agriculture by the Rohingya. If Rohingya failed to extra tax they destroy deposit food crops. The military arrested men, women and innocent baby for their own interest and forced them to carry out forced labour without payment. The military also capture their food gain and rape the young women. They also destroy hundreds of Mosque and Madrassa.¹³ They also give inspiration local Mog for rioting against innocent Arakan. The pages of religious book are used for preparing filter of cigarette.¹⁴ The religious value of Islam was presented in the Radio and television in the different way. They destroyed history of Rohingya, Muslim Culture and Monument.¹⁵ They are also destroyed wiped off thousands of year nursing the simple of name Bangla Language, Fersi Language.¹⁶ Home and abroad Magazines, Newspapers, International Broadcast, Rohingya coming from Arakan, Interview was taken from them and also different source raise the same subject matter.¹⁷ Inhuman treatment carried out by the military Govt of Myanmar to the Rohingya. Different papers are also raised the same question in different argument to the Govt of Myanmar create torture to the Rohingya people.

10. As a researcher I asked more than 40 people regarding this aspect, among 39 people agreed by military Govt of Myanmar created inhuman torture to the Arakan people and they agreed with this complain as a ture fact which become 97.5% percentage among awareness people. Only one person (Govt Buricate) in his statement he utter that it is partially true. He also stated that the torture news of Rohingya's people given extra momentum to the journalist. That news was published by the journalist without investigation and proof by the indigenous paper and outside media. He mentioned that torture were carried out by the military Govt was published in the news paper is not fully correct. It is partially correct, on the other hand 39 people their statement they are tiling that torture was carried out by the military Govt was published in the media. It is not the real picture just a partial picture of that place. The military Govt of Myanmar imposed strick restriction upon journalist and the member of media. As a result their member can't gater the real picture of the field level. The news of torture which is published in the newspaper but in real senaria is more devastating then that.

11. **The Rohingyas are Frequently Coming to Bangladesh From Arakan:** The people of Arakanis when ever facing any problem, they are taking shelter in Bangladesh due to neighboring country of Arakan. The King of Normikla lost his regime by the King of Burme Roj in 1406. Took shelter in Bangla and he stayed in Bangla more than 24 years. Afterwards the egarly willingness of Sultan Jalaluddin Shah and with the help of Sultan Normikla recovered his lost regime.¹⁸ In 1785 the King of Burme Raj ones again occupied Arakan. Millions of Arakan independent fighter took shelter for the save of their life took shelter in Bangladesh. Among them almost every one the lost Arakan King Gha Thin and his son Sin Pian under his leadership they try to become united and took shelter in the hilly area of Chittagong and fought for recover their lost regime for a long period of time.¹⁹ During the regime of company and British most of them return back to their home. But afterwards in the year of 1942 mass massacre occurred and more then five million Rohingya afried of their life against took shelter in Cox's Bazar and Bandarban in Bangladesh.²⁰ Later on in the year of 1985 Mog soldiers and local Mog Community with the help of Govt felt in to the tries of innocent Rohingya afraid of their life for the safety of their life fled away from Burma to Bangladesh the then East Pakistan. High official meting was took place between Govt of East Pakistan and Burma and finally Burmese Govt agreed to return back

Rohinga Refugee. In their statement they mentioned same Mog in Akiab created this problem.²¹ In similar fashion in the year of 1974, 1978 and 1991-92 in the sequence of 10 thousands, 3 Million and two and half Million Rohingyas in the cruel torture of Burmas Govt they fled away from this own parents house and happy family and took shelter in Bangladesh. Again bio-lateral talk took place between these two countries with the agreement of Burmese Govt they return back their own country. Though Myanmar Govt showing their political rights and social value in the society by the agreement and return back their country but in reality they carried out continuous in human torture to the Rohingya.²² After long period of torture Rohingya fled away from Arakan to Bangladesh as a Refugee. On the country Myanmar Govt gave fault to the Rohingya for smuggling. What about idea regarding this subject matter carried out by the awareness people of Bangladesh? For that reason question was asked to the awareness people. Rohingyas are coming from Arakan to Bangladesh what are the reason behind it?

12. In this question very interesting thing to note that among 40 persons are disagreed to their opinion that Rohingyas are coming from Arakan to Bangladesh due to the Myanmar Govt autocracy and torture. Opinion of awareness percentage is 100% community one Govt Burucate, one journalist and one professor specified in their statement that Rohingya's are also taking part in the smuggling. Few of the Rohingya's are showing the cause of torture and engage themselves in the smuggling. Basically this smuggling is carried out competent corrupted higher authority. They used Rohingya issue as a tactics and engaged themselves in the smuggling. This smuggling authority is very powerful authority their grass root is very strong and they are leading very dangerous life and stayed in Bangladesh outside the country. Most of the expert person in their opinion they mentions smuggling is not carried out by the Rohingya rather in reality smuggling is carried out in the field level by the interested Burmese Mog community with the base of Rohingya.

13. The researcher (myself) along with a journalist of Cox's Bazar inspects the Rohingya's Refugee Camp. The researcher takes interview few of Refugees. Abdul Zabbar, The old man at the age of seventy five starts crying to see the Researcher. In his statement he says he has having one son like researcher but his son was killed by the Mog soldiers without any reason. Afterward the researchers enter into the small room to see the condition of the life style of Rohingya. Enter into the small room one women try to escape her. The interview was taken by the middle age woman she is the house wife of that home. Her son newly got married and her (son's wife) lived in that room. She also informed the researcher her family consists of ten members. This small room is not enough space for living ten members. The researcher asked the women how you could lead your family life (ten members) with in this small room. In reply she says we don't have any alternative we bears unbearable pain to lead our life. Meanwhile one old woman come in front of the researcher and asked me you get tremendous pain to see the condition of our life style. But, even though we are happy like anything. The two reasons behind it, one of the reasons is that we can sleep here safely without any disturbance nobody will come and kill us. Another one of the reason is religious aspect and that is we can offer our prayer in the Holy Mosque without any interruption. When I was writing this answer one of the Imam says, "If someone gets opportunity to ensure his life safely and security of his property, nobody loves to leave his own house and memorable village and takes shelter as a Refugee into other place." Rohingya's left their country and become Refugee due to inhuman torture of Govt; Myanmar has crossed over all the history in the mankind.

14. **Violation of Rohingya's Human Right:** Since her birth different stage of like all decades, entire Country and entire person in the world should pay proper mark of respect and honour to Human Rights.²³ Nobody can deprived these Human Rights without deprive of the justice.²⁴ But the Govt of Myanmar doesn't boder about universal declaration of the Human Right and they carry out inhuman torture to the innocent Rohingya people. Universal Declaration of Human Right under section 3 specified.²⁵ Everybody has the equal right of live, Independence and personnel security of human

being, in section 5 & 6 specified. It is totally forbidden to anybody inhuman torture, inhuman behavior or compelled to put under punishment.²⁶ Everybody has equal right in the eyes of Law, in section 8 specified. Everybody has the equal right to get justice through the National High Court if rule of Law or our basic rights and broken by any act. It is totally forbidden any one to arrest, solitary confinement or inhuman torture.²⁷ In similar way section 19, 20, 21, 22, 25 & 27 it is specified Greater Assembly, Govt Right, Social Security, Wages of Labour, Exercise own believe & cultural things which are urgent require for lead a life.²⁸ But military Govt of Myanmar in their own desire they deprived Rohingya's basic right. Which is contrary to human rights? The military Govt don't bother about the UN international Law & Universal declaration of Human Right. Regarding this aspect Amnesty international reports opinion "UNHCR now has a field presence both in Bangladesh and in Rakhine State where they monitor human rights violations against Rohingyas."²⁹ Monthly Dowat-Amesty international reports "The Rohingyas are a Muslim minority from the Arakan state in Myanmar. They are apparently fleeing because of human rights violations committed by Myanmar armed forces that have intensified the level of operation in Arakan state."³⁰

15. The Rohingyas are deprived from their own home (Parents House) frequently and afterwards take shelter in Bangladesh as a Refugee. As a result they become helpless people. Deprivation basic right (Food, cloth, accommodation, education, treatment etc) is a great violation of human right. What is the opinion of the awareness people of Bangladesh? Regarding this matter is an important factor for us. Every citizen in the state at least has equal right to fulfill their basic demand as per UN universal declaration of human rights. Are Rohingyas not deprived of their right due to deprived from their own home?

16. Among 40 people, 39 people in their answer say that Rohingyas are deprived from their own land as a result their human rights are violated. The percentage among answer given person is 97.5%, only one person who is believer in the religion of Buddhism, he has not put any remark in his reply answer. He also asked to give the opinion of Rohingya crisis, opinion regarding Rohingya crisis Colum he mentions Myanmar is not war or riot is not going on Myanmar. So there is no question raise about Rohingyas are coming to Bangladesh as a refugee. These who are coming in Bangladesh they are coming for their own interest and they use the torture of Myanmar Govt as a cause. So he is not observed any subject for violation of human right. Among answer given other person strong believe that, whatever cruel act so far done by the Myanmar Govt, it is obviously violation of human right. One person among profession in his opinion says "If we left all the cruel act of Myanmar Govt but only consider the act of Citizen Law in 1982. With the help of this Law the behavior was shown to the Rohingya, it is enough to prove the violation of human right. The Govt of Myanmar showing inhuman behavior, which is not expected by the world among learned professor says, Human Right slogan increase in the world country injustice and cruelty rate are also increase in the world. Politics, Diplomatic & Business principal are started at such a high rate. Among all the things human rights are washed away. As a result Rohingya Refugee near at home to say something about Rohingya, to thing something about them nobodys have having time and opportunity.

17. **Absence of Democracy is the Main Reason of Rohingya Problem in Myanmar?** Democracy is the famous and acceptable procedure for conduct of any modern state in the world. The language of President Abraham Linkon, "Democracy is Government of the people, by the people and for the people".³¹ But, the language of prof. seeley- "Democracy is a form of Government in which every one has a share in it."³² Men/Women get opportunity and established his/ her basic principal of right with the help of democracy; Most of the country in South and South East Asia are practice Democracy even though Myanmar is slightly differs from the Democracy. For a long period time Myanmar Govt is ruling by the military with the symbol of sociology. As a result human rights are frequently violating.

18. Burma establish as an independent state in the 4th January in 1918 in the name of Union of Burma. Initial stage the conduct of the state was Democracy. Democracy was not last for a long period of time. The chief of Army Staff Ne Win come into power without bloodshed. Military coups on 02 march in 1962 and destroy democracy completely. The General ruled over Burma more than 26 years with the help of autocracy. His ideology was fashibad. Mass people and students of Myanmar become outburst due to autocracy and their demand was establish democracy in Myanmar. The daughter of Revolution Leader Aung San and his daughter Aung San Suki return back in the country on the month of April in 1988 and start fight against autocracy and try to establish Democracy in their country. She established NLD with the help of former prime-minister U Nu and two retired General Aung Guy. They arrange several meeting taking risk of their life.³³ Establish democracy and fight against autocracy, revolution turn into crucial stage and the state become unstable. To make the state stable General Saun Luin took over the state and tries to establish autocracy by killing of thousand of civilian people.³⁴ Strick compliance of military Law can't help General to keep his military power intake. General left his power to Mong Mong who is known as representative as civilian. He is the member of Burma Socialist Program Party (BSPR).³⁵ Mong Mong promised to establish Election Commission and registration of political party. But this promise can't help Mong Mong to save his power and his situation become day by day more worser then earlier and finding no other alter way again he handed over power to the Chief of Army Staff Soo Mong.³⁶ General adopted different style of hated tactic and killed more then ten thousand people he become successful to demolish the revolution. The rule of BSPP ended with the head of Soo Mong General ruled over the Myanmers with the advice of Ne Win. He is ruling over the state with the help of state Law and Order Restoration Counsel (SLORC).³⁷

19. Economic and political pressure and internal revolution pressure General Song Mong is bound to announced Election on 27 may in 1990. After 30 years later election was held in the myanmer and in that Election very famous leader Aung Sun Suki the leader of revaluation and her party elected in the election and her members win more than 90% seats. After, the election was over but power was not handed over to the elected Aung Sun Suki. Instead handed over power to new elected party, rether BSPP and General adopted new style and showing deferent causes. They arrested Suki and keep her in the solidary confinement.³⁸

20. Rohingya Muslims want to escape free from harass arrested environment and for that reason they can't their 100% vote in the favous of Aung Sang Suki's NLD and her name is the Symbol of Democracy. In their secrate meeting and confidential advice infavor of Muslim Party National Democratic League for Human Rights (NDLHR) and NLD gets most of the 26 seats in the Arakan. Then the autocracy military Govt adopt another strategy to take control in arakan, they reduce the number of seat in the Arakan, Omitted the name of Rohingya from voter list. Arrest the probable winner of the election. Create violation in the votter center. Despite of taking lot of strategy even though five member of the NDLHR party elected in the election gttng 100% vote in their favour.³⁹ After seeing the result of Election the autocracy military Govt, become more angry upon the inocent Rohiongya. As a result the Govt carried out the operation against Rohingya.⁴⁰

21. The absence of Democracy after independence is the main root cause of Rohingya crisis. According the idea of different magazine and news papers regarding this aspect survey was carried out the awarness people of Bangladesh.

22. The absence of Democracy after independence is the main root cause of Rohingya crisis. Answers given 23 people, rest of 57.5 percentages among 40 people are in the favor of motion. Rests of 17 person percentage 42.5 are in against the motion. According to the favour of motion opinion, the military Govt of Myanmar establishes autocracy instead of gave coverage in the symbol of Socialism. They gave priority of their own administration instead of the right of mass people. The opinion against

Muslim also influence upon Rohingya. Mean-while the absence of Democracy is the main cause for Rohingya can't gather together and fight against the Govt to establish their right. Myanmar remain far away from the free world weather due to absence of Democracy. As a result very few people know about the internal matter of Myanmar. As a result Democracy can bring them in the light of independent.

23. Partial opinion given in the favour of motion specially educated person poet, Literature Columnists & Politicians says, the absence of Democracy is the partial cause of Rohongya crisis. Rather the absence of Human Rights and rule of law are the main root cause of Democracy. Beside the opinion against Muslims Autocracy also cause of Rohingya crisis. There are many Democracy countries in the world, where minority people are insulted by the majority people due to absence of Human Rights and rule of Law. In this regard Isrieel can be the perfect example.

24. **Rohing Refugee Coming to Bangladesh, Socio-Economic Condition is Under the Real Threat**

Due to: Universal declaration of Human Right under section 14, it is specified:- (a) Every body has the equal right to take shelter in to another country to avoid torture and insult in to own country. (b) Offences in nature of non political or the aim and principal of UN regarding this aspect have no right to claim this right.⁴¹ Bangladesh has to faces this crisis due to Rohingas are facing inhuman torture and frequently coming to Bangladesh are taking universal declaration of Human Right. Bangladesh herself having over burden with population, Socio-Economic condition of Bangladesh becomes poor due to destroying forests and cultivate land require for building house.

25. The Socio-Economic condition of Bangladesh is facing challenge or not? Due to Rohingas are frequently coming to this country? Regarding this question answer given in the favour of motion 23 people among 40 people, and percentage become 57.5 and answer given against the motion 16 people and one person didn't give his opinion.

26. Among the favour of motion, one person of Govt burucate given his opinion, finding no other alternative Rohingas are frequently coming to this country and international law has given the right of innocent Rohingyas. As a result Bangladesh Govt has no right to forbidden the Rohingyas who are frequently cross the border and coming to Bangladesh. But, Bangladesh was over burden with her huge population. Number of unemployed person increases a lot. Time and again Rohingyas are frequent by coming to Bangladesh and create extra pressure to us. Those who are tacking shelter in the relief camp they are leading their life with the help of international community. But those who fled away from the camp or again return back to Bangladesh. They lead their life in the Cox's Bazar, Teknaf, Ukha and Chittagong hills track or different places give the identity of their relatives or they arrived earlier given the identity of Rohingya establish their house/home and become the citizen of Bangladesh. They are not getting any job destroying the forest and also involved in different type of social unfair. As a result Socio-Economic conditions of Bangladesh are facing tremendous challenges.

27. The researcher try to find out the Rohingya carried out survey in the field level in the area of Chittagong, Cox's Bazar, Ukhiwa and Teknaf. The researcher was taking interview with a Rickshaw puller when he was ridding the Rickshaw. The name of the rickshaw puller was Abdul Alim and his age is 18 years. In his interview the rickshaw puller informed the researcher that his father was killed by the soldier of Mog in 1991 as a result he was came to Bangladesh with his two brothers, sister and his widow mother. Finding no other alternative, at present they are living in the hilla Thana of Teknaf. The researcher asked the rukshaw puller when he will return back to his country? In reply the rukshaw puller says can he find his father after return back Myanmar? Rather it is better to stay here. How they maintain their family? In reply he informed the researcher, he pulls the rickshaw & his mother and brother maintain cows and goat. Now they are leading a very peaceful life here. The researcher while

travelling in the largest sea beach of Cox's Bazar and buying some goods which is prepared from Rohingya and discussed with a vendor/seller and the name of the seller is Farid and his age is 13. After long discussion with him it was discovered that the seller is the man from Myanmar. This matter was also discussed with a journalist in Cox's Bazar. He said, this situation will be continued until the permanent solution of Rohingya.

28. The researcher was also discussed with another journalist. He informed the researcher that when repatriation was started from their Refugee return back from Myanmar were not permitted in the camp. Since then Rohingya are frequently coming in Bangladesh. All of them establish their home in the different hilly area. Local Chairman/Members help Rohingya to establish their house with aim to increase their votes.

29. One of the renowned politicians in his expert opinion informed. The researcher partial influence socio-economic condition of Bangladesh due to influx of Rohingya, we have to bear this mentality as a neighboring state. But this problem will be solved permanently. When, the Rohingya crisis will end. One of the officials of NGO said there is no risk of socio-economic condition of Bangladesh; rather Bangladesh will be benefited with the help of foreign country. But Bangladesh Govt should adopt strike principle for the establishment of Rohingya permanent resident.

30. **The Style of Rohingya Crisis:** Among whole over the world community, Muslim community are facing tremendous crisis in the recent decade Kashmir, Palestine, Bosnia, Chechnya, Kosovo among all world international crises. Rohingya crisis is important crisis for us. Myanmar Govt claims that Rohingya crisis is their internal matter on the other hand Bangladesh Govt reject that claim of Myanmar and it is an international crisis. It is related with Bangladesh and rest of the Muslim world react the Rohingya crisis.⁴² International world consider Rohingya crisis international problem. What ideas are possessing of our awareness people in the society to check back that idea question was raised, what type of Rohingya problem? In reply teachers, Journalists, Poet, Literature and Religious person consider Rohingya crisis is a bio-lateral issue of Bangladesh-Myanmar and they also specified it is an international crisis remarkable that, 12.5% among awareness society is specified internal matter of Myanmar. Some of them says, Myanmar alone can solve this problem. Establish rule of law, Justice, human rights with broad minded concept of Myanmar authority works. There is no need of involve Bangladesh and international authority to solve this Rohingya crisis. The opinion of 7.5% awareness person in their concluding remark says it is a bio-lateral issue of Bangladesh-Myanmar. Among them one learned person in his remark, says if Bangladesh sit with Myanmar with more favorable friendship and also take more initiative for bio-lateral discussion between both countries then positive thought may arise the Govt of Myanmar.

31. 70% among them who took part in the survey. They consider the matter as an international. Their opinion problem of Rohingya is an ancient nature. After independence of Bangladesh in 1978 return back refugee. It seems to be the problems will not occur in near future. But in reality Govt of Myanmar create havoc among the innocent Myanmar as a result Rohingya again came back to Bangladesh. The problem was bio-lateral since 1978. At present it becomes international crisis. Bangladesh-Myanmar tries their best level to solve this crisis permanently but all their effort goes in vain. UN, OIC, all over the Muslim Ummah United together and create pressure to the Govt of Myanmar or this crisis will not solve without interfaith of international body.

32. "Bangladesh-Myanmar crisis is bio-lateral and international" given opinion among 10%. According to their opinion, though the crisis hangs on Bangladesh shoulder, so it is the crisis of Bangladesh. International world also gradually involved with this crisis. It becomes international crisis.

Bangladesh can't escape this crisis. That's why the crisis considers Bangladesh-Myanmar Bio-lateral and International.

33. **The Role of Bangladesh to Solve Permanent Rohingya Crisis:** Always Bangladesh bears the problem of Rohingya, so Bangladesh Govt takes positive step to solve this problem. Preliminary Bangladesh Govt gives threat to Myanmar Govt for arrival of Rohingya.⁴³ Bio-lateral discussion⁴⁴ and international intervene⁴⁵ are also taken into consideration for solve this problem. The role of Bangladesh Govt and initiative taken for that reason are admired⁴⁶ by the UN and different agencies of the world.⁴⁷ What are the opinion posses of Bangladesh awareness people to find out this answer among 17 person or percentage 42.5% gave opinion that mainly role of Bangladesh should get priority to solve this problem. Most of them opinion is that, UN and other international agency should work together to establish Human Rights for Rohingya. Those agencies are work only for Rohingya take temporary shelter, Maintenance and provide all sorts of support for leading the refugee life. But Bangladesh has to take positive initiative and asked all sorts of supports from other agencies to solve this crisis permanently. This problem will represent in front of the UN and other International agency in order of priority to investigate this problem. Regarding this aspect also give encourage to the Muslim country and also involve OIC & other international agency together create pressure to the UN to solve this crisis.

34. One of the columnists in his remark, the role of Bangladesh, says though Bangladesh is always victim due to Rohingya crisis. That why it is the duty of Bangladesh to take more initiative to solve this problems permanently. The military leader of Myanmar was hardly boder about the world opinion. The opposition leader Nobel Prize winner Aung sung Suki remain arrested for a prolong period of time. The whole over the world showing their negative attitude and create pressure to military Govt for keeping arrest of opposition leader but SLORC military hardly boder about this matter. Myanmar Leaders ruled over the Myanmar in their slye. So Bangladesh Govt should talk to Myanmar Govt directly regarding the aspect of Rohingya crisis. On the other hand 57.5% percentage people in their opinion say the role of Bangladesh to solve the crisis is consider a supporting role. In ther opinion Bangladesh is a small developing state. Bangladesh bears the Rohingya crisis. This country state does not have enough power without supporting role. Bangladesh can put this crisis in front of OIC, UN and other international agencies with great importance. Beside Bio-lateral discussion among the Govt of Myanmar tries this best level to solve this crisis.

35. One of the learned professors in his opinion says the role of Bangladesh to solve this crisis will supporting role but as a matter of importance it must get priority willingness of Bangladesh Govt. The rest of the world and shelter given by Bangladesh are not taking this crisis serious way like Palestine crisis, Bosnia crisis as a result this crisis becomes serious in nature inside and outside of Arakan and Bangladesh. If Govt of India world not play supporting role of UN them our people would fall in danger. If Govt of Pakistan would not support Afganistan, then the fate of Afgan people will become more dangerous then expected one. Neighboring countries beside Bosnia, if they render support Bosnias people more helpful attitude then tragedy of Bosnia would not turn into so disastrous condition. So Bangladesh should pay mark of respect of Arakan's Muslim, Keeping in mind having historical, Political, sociological, economical, Religious and Thousand years of Relation.

36. **The Principle of Rohingya by the Govt of Myanmar on the Country the Master Plan of Destroying Muslim Community:** Today the map of Muslim world is disaster. Bloodshed, Murder, Rape and Inhuman torture the existance and life of Muslim are facing Challenges today's context. It becomes curse to introduce himself as a Muslim and the name of Islam. It become surprise the role of UN, EC, OPEC and other international organization remain silence to watch the Rohingya crisis. On the other hand Muslim state & international Muslims organization are differing in their different opinion

and classification. They are busy with their give oil on their own machine. As a result existence of a Muslim due to severe aggression is under tremendous threat. Arakan is the rare example for this incident.⁴⁸

37. To suppress and remove Muslims of Arakan the military Govt of Myanmar (SLORC) try their best level and utilize all sorts of effort not only military aggression to destroy Rohingya Muslim. Blockade was given in the political, Economic, Social, Cultural & Religious field, that step was stronger during 26 years regime of Ne Uin. They don't want to give Identity the citizen of Rohingya rather they announced them stateless.⁴⁹ History of thousand years gave evidence that Arakan is the home land of father. The Govt of Myanmar to destroy Muslim competency bound them forced labour, wiped out from their own land, band their land, Impose restriction upon business, Communication, Murder, Rape, Extortion, Destroy Mosque, Madrasa. Through this way they are busy to destroy the Rohingya.⁵⁰ In reality the principle of Myanmar Govt is the master plan of destroying Muslim community? This question was also raised to the awareness people of Bangladesh. Among them 90% people in their reply the Govt of Myanmar principle is the master plan of destroying the Rohingya Community. Most of them showing argument that, Myanmar Govt has wiped out Rohingya from their own home land and bring Mog from different places and establish Mog in the Rohingya's homeland.

38. One leaned professor regret his opinion. After independence Myanmar Govt is try their best tactics to wipe out rohingya. They adopted different strategy these who wants freedom made them free arms, stop broadcasting, Islamic and in the language of Rohingya programme. Then in their master plan they want to completely destroy Muslim with the help of operation Dragon in 1978. But positive step was taken by the Bangladesh Govt and successful diplomatic step and international pressure Myanmar master plan was not turn into reality. They compelled to return back Rohingya. After wards to destroy Muslims community in please wise they adopt citizenship law in 1982 and washed out thousands of year history made them homeless in their own land. They have taken of all the right of citizens and carryout inhuman torture and send the Rohingya outside of the country. That place was established by the Mog. From this evidence it is clear to say that the principle of Rohingya is the deep master plan of the Govt of Myanmar. But one of the bodhish Journalist, Columist and one of the politicians is defer from this opinion. Their justification was that not only Rohingya Community but other Community also inhuman torture under the military Govt. So the principle of Rohingya can't say the master plan of destroying Muslim community.

39. **IS the Military Operation in the Style of Bosnia and Cosovo Necessary for Prevention of the Myanmar Govt Principle?** Bosnia and Cosovo wiped out Muslim strategy is the most debatable issue in the nineteen century. The drunks soldiers enter in to the soldiery confinement place. They carried out inhuman open fire or use of different type of weapon for killing of innocent people. They also arrested thousand of women in the solidary confinement and carried out mass rope and inhuman torture for killing innocent women.⁵¹ The fate of Arakan's Muslim is similar condition. To stop this inhuman torture, UN and other international agencies, Ex European community (EC), NATO should carry out operation like Bosnia and Cosovo.⁵² To prevent the principle of Rohingya of Myanmar Govt is their any necessity for carry out operation like the style of Bosnia and Cosovo? This question was raised to the awareness people of Bangladesh and this was the last question to awareness people.

40. Survey report estimate that 22.5% people opinion says the style of Bosnia and Kosovo military operation is necessary for stop the principle of Rohingya by the Myanmar Govt.' According to their opinion inhuman attitude towards the Rohingya carried out by the military Govt of Myanmar. As a result military operation is urgent for stop the principle of Rohingya. Muslim world and OIC both together in the light of real picture if agreed, UN to carry out military operation against Myanmar military Govt then the situation will come infavorable condition.

41. Survey report also estimated that 75% people opinion says "military operation is unnecessary for settlement of Rohingya crisis". Almost every body of them in their statement says observer in favor of UN should send to the Myanmar to observe the present situation and imposed strick diplomatic effort and ensure direct intervence of UN, regarding Human Right of Rohingya should take care of Myanmar. At the same time OIC and Muslim state both together create pressure to the Myanmar Govt. So that they establish Rohingya's is the citizen of Myanmar and get prevalence all sorts of rights of citizen.

42. **Short Brief Opinion of Awareness People Regarding Rohingya Crisis:** Ten Questions was asked to awareness people of Bangladesh with an aim to what are the view/opinion posses to know the fact. The question was "What is your views regarding Rohingya crisis? Please tell us shortly in brief? One Colum is open in the introduction. With that discussion carline question explanation is given with that question beside other rest of the opinion that's also specified here.

43. Rohingya issue is a national minority community and international Human Rights. The military Govt (SLORC) with the help of tactics try to hidden the internal crisis and expression of new idea of military community. Besides the law and order sutuation of Bangladesh destroyed by neighbouring country. It is also consider as a part of international conspiracy. The character and ancient style and history of Myanmar provide that Rohingya's are separate nation and they are the owner of separate Land. During the departure of British, giving the independence of Myanmar, It was necessary to gave announced home land of Arakan as a separate state or it should attach with the province of East Pakistan. This problem will not occured if it was done like way. Myanmar Govt with their master plan created such a situation Rohingya's are bound to leave this country. Last but not the least, to asked question among awareness people to solve this crisis totally what is your suggestion? In their reply they have given different advice. Their advice was categories into their group. This description given below:

Firstly. We can't dreane to solve the Rohingya crisis permanently without the egarness and willingness of Myanmar Govt. So without applying military power Bangladesh-Myanmar blo-lateral discussion like Palestine, Ireland and Chittagong hill troupe can reah in to the peace agreement. Still now Rohingya's can't prepare any military intervention adopting military power to solve this problem permanently is not possible for example Srilanka, Kashmir, Bosnia, Chesnia etc. To avoid bloodshed and destruction, consider human rights, Blo-lateral discussion in peaceful environment should solve that problem. If reqrire Rohingya can take help the international world. Considering this aspect Arakan can get independence. To pay mark of respect of independence of Arakan is better option for Myanmar Arakan and Bangladesh.

Secondly. What is the outstanding Demand of Rohingya? Regarding this matter Election Participated by majority of the people arranged by UN, before getting Independence. They can render help international community like East Timur. Muslim state takes this matter without most care as per international Refugee convention Law and represent this subject in the General Assembly and Security Council activity. Then it is not possible for UN to ignore this subject.

Thirdly. In this opinion to solve this problem permanently regarding this aspect to establish independence Arakan state. In this care following duties have to be accomplished:

- a. Rohingya with their brave and patient remain in general discipline they will create favorable environment in their country left the opinion of leaving country.

- b. To improve the rohingya life style at first arranges mandatory education for a long term plan. Regarding this aspect, Muslim states should they to extend helping hands towards Rohingya.
- c. Rohingya have to started their own foot and forget their discrimination again each then are to be United and take long term plan.
- d. Gain energy fremrest of the friendly country fight for Independence and Muslim states have come forward with helping attitude.
- e. Rohingya these are staying outside stage try to bring attention of each of the Govt regarding Rohingya crisis.
- f. The role of Pakistan for Kashmir and the role of India for liberation war of Bangladesh like wise Bangladesh should play active role for bring independence of Arakan.
- g. Try to arrange whole heated support from UN, international organization and Human Right.

Above mention statement can bring permanent solution of Rohingya crisis.

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CHAPTER- FOURTEEN

DURABLE SOLUTIONS

1. Durable Solutions Recognized by UNHCR:

The UNHCR defines a durable situation as:

“a solution that allows refugees to "rebuild their lives in dignity and peace. There are three solutions open to refugees: voluntary repatriation; local integration; or resettlement to a third country in situations where it is impossible for a person to go back home or remain in the host country. “(UNHCR, 2011)”

So, we see that there are three situations recognized as "durable solutions" by the UNHCR. They are -

- a. Local Integration;
- b. Voluntary Repatriation;
- c. Resettlement to a Third Country.

2. **Local Integration:** Local integration is the process in which refugees settle permanently in the host country¹. Local integration refers to instances in which host countries accept refugees and develop solutions to integrate such individuals to become nationals or have designated rights within the host country. When voluntary return to their home country is not possible, refugees can sometimes settle with full legal rights in the country to which they have fled (also known as the country of first asylum). This is local integration.

3. However, for a series of political and practical reasons, local integration is not a common solution. In fact, some countries even discourage this practice, conceding to refugees nothing but temporary and restricted asylum conditions² and discouraging their self-reliance in order to have them leave the host country as soon as possible, even if their origin country is not safe³, thus promoting early repatriations.

4. **Features of Local Integration:** In order to achieve a durable solution to refugee crisis, the process of local integration should involve three inter-related aspects: legal concessions, economic progress, and social and cultural adjustment.⁴

a. First, the host country will have to make a series of legal compromises granting refugees basic rights and a status that is progressively closer to that which the State assures its citizens. The most important aspects are: access to chief public services such as health care and education, right of entry to the labor market, and the capacity to acquire and sell possessions. In the long run this process should allow the refugee to have a permanent residency status, and sometimes, even the State's citizenship.⁵

b. Furthermore, the host country should stimulate self-reliance of the refugees during the integration process. This should include measures like promoting integration in the local labor market, facilitating land access in rural areas, recognizing equivalence of academic or professional diplomas, and the concession of legal rights (such as right to property and other economic and social rights) that enable refugees to provide for themselves without outside assistance. As refugees become less dependent on government and humanitarian aid, they should be able to develop a sustainable way of life, contributing to the host country's economy.⁶

a. The latter aspect, which is also the most complicated one, involves a social and cultural integration process. This requires from the refugee an ability to adapt to the local community, but at the same time demands that the community is ready to embrace these refugees without any discrimination or exploitation towards them.⁷ The process should not result in an acculturation of the refugee group but rather in an environment of tolerance, non-discrimination, and diversity.⁸

5. For these reasons, local integration is only achievable if there is a favourable atmosphere in the host country that allows the development of such a process. A preparation of the refugees is also necessary. Their understanding of this process and of the mechanisms of local integration, as well as their awareness of their rights and responsibilities in this process, is essential to avoid loss of their cultural identity and still be able to integrate into the host community.⁹

6. **Barriers to Local Integration:** A great obstacle to local integration as a solution for refugee crisis is the lack of political will of many host states. Indeed, many countries consider refugees a "burden", and not capable of any meaningful social and economic contribution. Moreover, they are seen as a threat to national security.

7. The first obstacle, the perception of refugees as a temporary inconvenience to the host country because they rely heavily on government and international assistance, creates the sentiment that if locally integrated refugees are not able to sustain themselves without the outside assistance that was available in the camps, they will consequently become a permanent burden to the host country.¹⁰ In most instances, the host country lacks the economic capacity to support the integration of large numbers of displaced persons. Countries visited as part of the international case studies (Thailand, Syria, Kenya and Ecuador) all were reported to have over-subscribed health, social and/or educational infrastructure, and also suffered from high unemployment that would be further exacerbated if refugees were allowed to enter the job market.

8. Economically integrated refugees cannot only be self-reliant but furthermore are most likely to contribute to the development of the host country if the opportunity to integrate exists.¹¹ Nevertheless, certain host countries place refugees in a much inferior position concerning their legal rights, than that assured to their nationals, thus prohibiting their freedom movement, the buying and selling of certain possessions and, in some cases, even denying access to the local labour market.¹² In situations like this, it is almost impossible for the refugee to re-establish and have a sustainable life in the host country. As a result, they become marginalized in the host community/society.

9. Another argument that host governments use against local integration is national security. Refugees are often construed as a threat to the host country's security - there is a suspicion that they will bring crime and violence into their country of refuge. There is also a fear that in engaging in the process of local integration, the State might lose control of the movement of people under their jurisdiction, including some armed elements along with refugees. The latter situation, which has plagued the stability of refugee and IDP camps in the Eastern DRC¹³, generally holds true in situations where ex combatants and former child soldiers are thought to have "infiltrated" a given group of refugees. In other situations, like for Burmese refugees in Northern Thailand, a tense political climate can also contribute to the isolation of refugees.

10. These types of considerations regarding refugees and national security create rumor and suspicion that surrounds refugees and most often increase the environment of animosity between the refugee group and the local community and at the same time can also play a role in the creation of legislation with discriminatory content, such as the ultimatum given to several refugee groups in Kenya¹⁴, or the Tanzanian Refugees Act of 1998.¹⁵ Confronting these Crisis, refugees feel, in most

cases, unwelcome in the host countries. This feeling of not belonging that the refugee might face in the new community of the host country will work against the integration process.

11. Besides that, there is discrimination against the refugees who are considered dangerous and, at other times, seen as taking away jobs or surcharging a public infrastructure.¹⁶ This lack of belonging to the host country and the fear of discrimination¹⁷ are great obstacles in the way of local integration for refugees who often prefer to return to their home country as soon as they deem it safe, or live with the hope of being resettled in a third country.

12. **Propriety of Local Integration- When?** As demonstrated above, local integration demands a series of conditions in the host country that will allow the refugee to assimilate fully. In order for local integration to take place, it is fundamental to have the participation and willingness of the host government. Preliminary conditions that need to exist before local integration can take place include involvement and cooperation of the host government, adequate foreign aid, receptiveness of the host population, an economic context that allows for the refugees to be self-reliant, and finally, the complete legal integration of the refugees into the society.

13. Local integration is most likely to be a successful and durable solution for refugees when they share a language, culture or an ethnic origin with the host community. This is, for example, the case of a group of Burundians being integrated in the Tanzanian region of Kigoura, a region with which they share strong linguistic and cultural similarities, thus easing the process.¹⁸

14. In the same way, when refugees present specific skills that are needed, or move to areas where land is available, or if they attract investments and resources, their integration is more likely smooth process. Informal, "de facto" integration occurred in the case of self-settled refugees in Uganda, who received support from local communities in the beginning of their activities and are now recognized for their contribution to the community's economic development.¹⁹ This is also the case of Angolan self-settled refugees in Zambia.²⁰

15. It is also crucial to consider refugee perspectives and opinions before pursuing a process of integration into the host country. Some hope to return home as soon as possible (particularly for cultural reasons), and will not establish themselves in the host country permanently. The same will happen with refugees who harbor the hope to be resettled in a third country.

16. Finally, local integration is best used in conjunction with voluntary repatriation and resettlement policies. Because, as stated above, local integration is a complex process which requires a significant degree of political commitment, a propitious environment, and a strategic policy framework allowing for genuine integration, it is often adopted once the refugee case load are diminished.²¹ The large-scale integration of refugee populations could de-stabilize the host country. For example, it was noted that local integration of the large number of predominantly Muslim refugees in Northern Kenya could lead to political unrest with a predominantly Christian South. Similarly, Syria was seen to be unwilling to integrate large numbers of Iraqi refugees (including Christians and Shia Muslims) in a predominantly Sunni Muslim country. A policy promoting local integration is thus most likely to succeed when the refugee caseload is low, and when the refugees remaining behind have opted for this solution. This process can only succeed if refugees can enjoy the same rights as citizens, and do not face discrimination.²²

17. **Voluntary Repatriation:** Voluntary repatriation means a self-decided return of a refugee to his/her country of origin when conditions permit. This is the favorite of the three "durable solutions" available to a refugee. Increasingly established as the most viable solution for refugees, repatriation is the most frequently employed solution to a forced migration situation, primarily for reasons of durability: returning, if possible, to the pre-conflict status quo. Repatriation is used as a tool for the

stabilization of a post-conflict country. Beyond reasons of political stability, according to some, the reintroduction of previously displaced populations "enhances family units and national identity of returning refugees."²³ However, now the question is how far or to what extent the repatriation of displaced persons will be considered as the "best" solution to a prolonged refugee situation?

18. While there are many practical considerations that would discourage many refugees to option for the local integration or resettlement in a third country, the sense of 'place' is a driving reason for many of them to return home. Regardless of the actual conditions in countries of origin or the homeland, the mental image of the refugees regarding that place becomes a driving force for them to take the decision of return. Place or "sense of place" as defined by the anthropologists Feld and Basso, is the emotional feeling of connection to a geographical location.²⁴ So during the time of taking a decision about voluntary repatriation, the subjective feelings of the concerned refugee should be taken care of by the host country and the UNHCR.

19. Within the domain of international human rights law, repatriation is consistently promoted by international human rights organizations, and is transitioning from a 'customary law' to a hard law. The Universal Declaration of Human Rights cites, "Everyone has the right to leave any country, and to return to his country."²⁵ While repatriation is generally defined, voluntary repatriation is not established as clearly in the annals of the UN. Two principles that guide parameters for repatriation are: the refugee populations should neither fear persecution, nor be refoules where they may suffer harm. The fear of persecution must be well founded. Yet, when refugee status is revoked, the 'objective' security conditions of the home country ultimately prevail almost ignoring the subjective feelings of the concerned refugees. While there is no concrete international law norm for the voluntariness of repatriation, we must then examine more closely the current standard operating procedures that are in place with regard to voluntary repatriation.

20. Repatriation is not an option if it is not voluntary. Forced repatriation is merely another forced migration, albeit to the land of origin. "Forced repatriation is tantamount to expulsion, which is expressly forbidden by the Refugee Convention and international custom."²⁶ The UN High Commission on Refugees states,

"No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts, including adequate information from the governments of their countries of origin, expressed valid objections... shall be compelled to return to their country of origin."²⁷

21. At the point at which a group of refugees no longer becomes tenable in their host environment, how then, to encourage re-entry into their host countries? Voluntary repatriation is generally considered as the most satisfactory and durable solution. But contradictorily it is ultimately the solution over which the UNHCR, individual States and the international community have the least control.²⁸

22. The UNHCR encourages and facilitates voluntary repatriation; but the question is at what point the promotion stops? Every decision to close a camp and encourage the return of the refugees therein walks a fine line between promoting repatriation and refoulement. If gently inducing refugee populations to re-enter their home countries does not work, how, then, to encourage the re-entry of migrated populations? At what point does this become forced if the refugees are not ready to return home? The role of the UNHCR is to give the refugee an opportunity to voluntarily return home with the UNHCR's assistance before he or she ceases to become a refugee. Returning refugees are obliged to sign a statement stating:

"This information is intended to give you in broad outline, the gist of the agreement reached and the procedures to be followed to facilitate your return. THE DECISION IS YOURS AND YOURS ALONE and it should not be influenced by instructions you may have received by anyone else."²⁹

23. The UNHCR has moved from facilitating migration to actively promoting it, supporting this policy shift with a number of legal safeguards. Refugees who refuse to return during an organized voluntary repatriation would not be subjected to individual status re-determination until the conditions in their me country necessitate applying the cessation clause.³⁰

24. Given that the status of refugee is based on feelings of fear and anxiety, before repatriating refugees, the UNHCR has to formally establish the level of apprehension within the group with regard to returning home before promoting repatriation. For example, in the case of Mozambican refugees in Malawi, they had to measure whether there was a "pool of refugees who had a well founded fear of persecution should they return to Mozambique."³¹ It remains to be seen, however, to what extent one can establish 'fear of persecution' quantitatively amongst refugee populations, and with what means. Previous comment about the feelings of refugees usually being ignored and the decision being based on objective determinants: is there an elected government in place? Has the violence subsided?

25. **Timing of Repatriation:** What the above underscores is the extent to which timing is essential in repatriation. The cessation clause may be applied if the refugee "has voluntarily re-availed himself of the protection of the country of his nationality" or if "the circumstances in which he was recognized as a refugee cease to exist"³²; the latter is known as the 'ceased circumstances' clause. Once the reasons for 'fear of persecution' cease to exist, refugee status may legitimately be terminated.³³ currently; there are no concrete guidelines as to when and how cessation clauses can be applied when the situation in the homeland is relatively peaceful. However, most repatriation does not begin and end with the application of a cessation clause. In many refugee situations, the UNHCR will organize intermittent repatriations, and encourage earlier voluntary repatriations.

26. **The True Challenge of Repatriation, Reintegration:** Repatriation is not a simple "mission accomplished" at the time at which the refugees re-enter their country of origin. The essential problem is that of determining to what extent NGOs, the UNHCR and various other organizations continue their participation after the refugees return home. In the case of Mozambique, the refugees returning in spring 1994 returned to a country coming back from the brink of disaster. The deadline for complete reintegration was set for exactly 2 years later, in June 1996, with lofty benchmarks for 'completed' reintegration, such as re-establishment of a functional agrarian economy. Can reintegration be measured by any such quantitative benchmark?

27. Legally speaking, the voluntary rendition of the refugee to their home country is enough to assume that the bonds between citizen and country are re-assumed. Technically speaking, the UNHCR defines reintegration as the process "that should result in the disappearance of differences in legal rights and duties between returnees and their compatriots and the equal access of returnees to services, productive assets and opportunities."³⁴ The UNHCR has outlined the steps of the reintegration process using the four R's: Repatriation, Reintegration, Rehabilitation and Reconstruction. The stages of repatriation are much more complicated, and the repatriation of refugees is a complex, socially transformative process for the refugees and society itself.³⁵ While life may never be completely the same for these refugees, the use of the 4 R's, which complements and fits into a broader development strategic framework, is the best way to ensure long- term stability for the reintegrated refugees.

28. Yet, while voluntary repatriation is difficult, there is no easy answer to a protracted refugee situation, and voluntary repatriation has increasingly become the international norm for post-conflict

refugee solutions. Taking this into account, the timing, and execution of repatriation seems to walk a fine line between following the needs and desires of refugees, and the needs of their country's reconstruction. Refugees are more than a tool in the reconstruction of a country, and thus it is imperative to prioritize the well-being of these individuals when examining solutions to prolonged refugee situations.³⁶

29. **Resettlement to a Third Country:** Instances where neither integration nor voluntary repatriation is possible, resettlement to a third country is the third solution recommended by the UNHCR to resolve refugee crises. Local integration and resettlement are applied when circumstances having caused the initial flight are still affecting the country of origin, and seem insoluble in the short or medium term.

30. **What is Resettlement?** When resettlement occurs, refugees are transferred from the country in which they found refuge to another country which agrees to welcome them. The UNHCR generally gives priority to individuals with a high protection need, as well as women and highly vulnerable families.³⁷ In some cases the UNHCR, in collaboration with relevant countries, can also resettle groups or specific categories of refugees. This kind of resettlement is generally recommended for populations that are victims of protracted situations, and when neither repatriation nor local integration seems possible. Resettlement was used for the first time by the UNHCR in 1956 when some 2,00,000 Hungarians found refuge in European countries.³⁸ In the 1970s, it was also the preferred solution for the majority of approximately two million refugees in Thailand from Vietnam, Laos and Cambodia, the majority of them being resettled in the United States.³⁹

31. **Dynamics of Resettlement:** The UNHCR proceeds to resettlement based on the willingness of host countries. Only a small number of states take part in UNHCR resettlement programs. The United States is the world's top resettlement country, while Australia, Canada and the Newzeland also provide a sizeable number of places annually. In recent years there has been an increase in the number of countries involved in resettlement in Europe and Latin America. Even if many countries agree to receive refugees temporarily when a crisis occurs, fewer than 20 countries actively participate in resettlement programs in collaboration with the UNHCR by admitting every year a pre-defined number of refugees. Of the 10.5 million refugees of concern to UNHCR around the world, only about 1 per cent is submitted by the agency for resettlement. The resettlement country provides the refugee with legal and physical protection, including access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals. It should allow for refugees to become naturalized citizens.⁴⁰

32. Since the resettlement program began six years ago, the UN refugee agency has been interviewing refugees and referring them to resettlement countries for consideration. Once the refugees are accepted by resettlement countries, IOM conducts health assessments, organizes cultural orientation courses and transports the refugees to their new homes. The acceptance rate of UNHCR's referrals in Nepal by resettlement countries is the highest in the world - at 99.4 per cent of total submissions. The United States has accepted the largest number of refugees (66,134), followed by Canada (5,376), Australia (4,190), New Zealand (747), Denmark (746), Norway (546), the Netherlands (326) and the United Kingdom (317).⁴¹

33. A number of steps are involved from the time a case is submitted to a resettlement country to the time of departure. Resettlement countries interview the refugees, medical examinations must be done, exit permits issued, cultural orientation conducted and travel arrangements made. Resettlement is a life-changing experience. It is both challenging and rewarding. Refugees are often resettled to a country where the society, language and culture are completely different and new to them.

34. **Issues and Challenges of Third Country Resettlement:** Resettlement is both a durable solution and a fundamental tool of protection. It is sometimes the only way to effectively guarantee the

physical and legal protection of refugees. By agreeing to resettle refugees, host countries also accept to share the burden of asylum. Shunned by the international community in the past, resettlement as a durable solution has recently benefited from renewed interest.⁴² Given its limited reach, partners (and especially the UNHCR) are increasingly placing an emphasis on the "strategic use"⁴³ of resettlement. The strategic application of this policy can have positive consequences on the broader, overall process of dealing with a particular protracted refugee situation.

35. The effective implementation of resettlement to a third country presents a number of challenges. First of all, successful resettlement depends on the capacity of resettled refugees to integrate in the host country. Resettled refugees must be able to adapt themselves to the life, culture and socio-economic structures of the host country (they must, for example, take care of themselves after a certain adjustment period, which implies an ability to take on a wage earning activity). This also suggests that a minimum level of education is necessary (we can easily imagine the challenges faced by an illiterate resettled refugee in a host country, who has to learn the language to be able to integrate the labor market).

36. In addition, vulnerability⁴⁴ is not the priority in the American, Canadian and Australian resettlement programs - selection criteria are based on an individual refugee's ability to integrate into the host country. The prospect of resettlement sometimes incites refugees to renounce voluntary repatriation, leaving them hoping for resettlement, as they have seen dozens or hundreds of their peers be extended what they construe as a privilege. This hope can occasionally be a source of considerable tension between refugees and the staff of the UNHCR. Frustrated by long delays or the refusal of their application, refugees sometimes resort to violence against the UNHCR staff and its partners, by protesting in front of UNHCR offices, or blocking the access to offices in order to force authorities to resettle them, as in the case of refugees from Sierra Leone in Conakry.⁴⁵ These acts of violence prevent refugees with a real need of protection from gaining access to these offices. Resettlement can also lead to tensions within refugee communities. It is common for refugees that opted for local integration or repatriation to claim to have done so because they were considered as an obstacle to the resettlement of the group to which they belonged. It often happened that certain refugee who had opted for local integration or voluntary repatriation moreover claimed to have received threats because they were considered as an obstacle.⁴⁶

37. For all the reasons listed above, resettlement can be logistically difficult, on a local and international level. It is often used to supplement frequent means of integration or repatriation, the latter of which is the most commonly used solution.⁴⁷

38. **Conclusion:** At present, there are no clear guidelines as to when the cessation clause can be applied: only that it may, ostensibly arbitrarily, be applied once the situation in the home country is safe and stable. Considering the upheaval involved in closing a refugee camp, there be safeguards involved to ensure that the cessation clause is not applied arbitrarily. It should only be applied when the economic situation in the home country is truly stable and able to absorb and handle the influx of population, and when the refugees themselves are ready. This comes beyond the objective assessment of the security situation in the home country, i.e. whether violence has subsided, if there is a democratically elected government that has established authority over all regions of the country, etc.

39. The essential problem is that the means and methods used to decide the future of certain refugee camps lack the input of refugees on an institutional level. Most often decision regarding the fate of the refugees and refugee camps is given by a tripartite commission of the UNHCR, the host country and home country. In order to ensure the sustainability and relevance of a solution to protracted refugee crises, genuinely representative refugee voices should be included in the negotiations that go into this critical decision.

40. Thus, when looking at any of the 'solutions' to a refugee situation, the three do not exist in a vacuum, nor in opposition to each other. Used in unison, they simultaneously encourage integration to those individuals who have developed solid economic ties to their host country, to facilitate rehabilitation for former combatants, and repatriate those who are truly ready to return home. Given the diversity of protracted refugee situations, relevant institutions should adopt a more flexible decision-making process, one that actively incorporates the voices of the refugees themselves. The human rights of the refugees must be upheld when choosing a solution.⁴⁸

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4. "The Executive Committee, Acknowledges that the process of local integration is complex and gradual, comprising three distinct but inter-related legal, economic, and social and cultural dimensions, all of which are important for refugees' ability to integrate successfully as fully included members of society; and notes that refugees' understanding of these dimensions may need to be facilitated through proper counseling and advice"; UNHCR. Conclusions on Local Integration, Executive Committee-2005. Available online at: <http://www.unhcr.org/excom/EXCOM/4357a91b2.html> last access on June 7th, 2008.
5. Ibid.
6. Ibid.
7. Non-Refoulement and Rohingya Outcry: Dissection & striking a Balance, Edited Hossain Ahmed Shuvo. Page 59-72
8. See UNHCR, Local Integration, Global Consultations on International Protection. EC7GC/02/6, 4th Meeting, 25 April. 2002. Available online at: <http://www.unhcr.org/protect/PROTECTION/3ccd64536.pdf>: last access on May 28th. 2008.
9. See UNHCR, Local Integration and self-reliance. Standing Committee, EC/55/SC/CRP.15, 33rd Meeting, 02 June 2005. Available online at: <http://www.unhcr.org/excom/EXCOM/42a0054f2.pdf> last access on May 28th. 2008.
10. See DICK Shelly, "Liberians in Ghana: living without humanitarian assistance". New Issues in Refugee Research, Working paper n. 57, February 2002. Available online at: <http://www.unhcr.org/research/RESEARCH/3c8398f24.pdf> last access on June 7th, 2008.
11. KIBREAB Gaim. "The Myth of Dependency among Camp Refugees in Somalia 1979-1989", Journal of Refugee Studies, vol.6, n. 4, 1993, pp. 321-348.
12. See HOVIL Lucy, "Self settled refugees in Uganda: an alternative approach to displacement". Journal of Refugee Studies, vol. 20, n. 4, Oxford University Press, 2007. pp. 599-620 and HARREL-BOND Barbara and VERDIRAME Guglielmo, Rights in Exile (Studies on Forced Migration), New York, Berghahn Books, 2005.
13. According to a 1997 UN report. "The complexity of the problems was due to the suddenness and massive scale of the influx of refugees as well as its composition. The people who fled Rwanda were a mixture of refugees that included former politicians, soldiers and militiamen who had taken an active part in planning, organizing and carrying out the genocide in Rwanda." Refugee Camp Security in the Great Lakes Region, UN Inspection and Evaluation Service, April 1997 <http://www.unhcr.org/publ/RESEARCH/3ae6bcfd0.pdf>
14. Refugee status determination Watch, Foreigner registration crisis grips UNHCR office, 11 July, 2005. Available online at: http://www.rsdwatch.org/index_files/Page2170.htm last access June 8th. 2008.

15. See KAMANGA Khoti, "The (Tanzania) Refugees Act of 1998: some legal and policy implications". *Journal of Refugee Studies*, vol. 18, n. 1. Oxford University Press, 2005. pp. 100-116.
16. HOVIL Lucy, Self settled refugees in Uganda: an alternative approach to displacement, *Journal of Refugee Studies*, vol. 20, n. 4, Oxford University Press, 2007, pp. 604-605.
17. "My movement is limited because some Ugandans view refugees badly"* Ibid, p. 605, "As recent public meetings have shown, most Liberians strongly oppose local integration. We fear that once UNHCR leaves, we will lose our strongest advocate and our position in Ghana will become much worse." - Excerpt of the Liberian refugee women communication. *Liberian Refugee Women with Refugee Concerns, Buduburam Refugee* ("amp. On February 8, 2008. Available online at: http://www.equalitytrumpet.org/refugee_women_protest.html last access June 7th, 2008.
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23. Chande. 122.
24. Feld, Basso. "Senses of Place" (School of American Research Advanced Seminar Series. Seattle: University of Washington Press. 1996.)
25. UDHR. Article 13. Paragraph 2
26. Hammond, 120.
27. UNHCR, Note on Voluntary Repatriation, 27 August 1980. www.unhcr.org.
28. Stein, 269.
29. Zieck, 436.
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31. Zieck, 415.
32. Ibid.
33. "The Cessation Clauses: Guidelines on their application." UNHCR, Geneva. 1999.
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35. Ibid.
36. Ibid.
37. <http://vwww.cerium.ca/La-reinstallation-des-refugies>
[http://www.unhcr.fr/cgi-bin/texis/vtx/protect?id=45be06712;](http://www.unhcr.fr/cgi-bin/texis/vtx/protect?id=45be06712)
http://www.Minfpa.org/swp/2006/french/chapter_4/repatriation.html
38. "UNHCR. "Lives of Hungarian Refugees." <http://www.unhcr.org/cgi-bin/texis/vtx/photos?set=hungarianrefugees>
39. "From Vietnam, Laos, and Cambodia: A Refugee Experience in the United States." by Jeremy Hein. *International Migration Review*, Vol. 30, No. 4 (Winter. 1996), pp. 1107-1108.
40. <http://www.unhcr.org>

41. Refugee resettlement referral from Nepal reaches six-figure mark. News Stories, 26 April 2013. By NiniGurung in Kathmandu, Nepal.
42. <http://www.aidh.org/Refug/chiffres-2005.htm#8>
43. Idem p16; <http://www.international.gc.ca/foreignpolicy/human-rights/refugees-fr.asp> In an attempt to prioritize the needs of refugees, the UNHCR and its partners use the criteria of vulnerability. Vulnerable refugees who most often fall under this criterion are orphans, young mothers, widows, and the elderly.
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45. <http://www.cerium.ca/La-reinstallation-des-refugies>.
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CHAPTER- FIFTEEN

A CASE STUDY ON ROHINGYA REFUGEE

1. **Introduction:** At present the Muslim community in Northern Rakhine State of Myanmar, known as the Kohingya, is faced with systematic and endemic discrimination. This discrimination formed a serious refugee problem in Bangladesh. Basic and fundamental human rights were being denied to this population by the Myanmar Government. Measures taken against this population include the restriction of movement, limitations on permission to marry, and forced labour. This tendency was triggered by the recent sectarian violence in the state this month and the army opened fire which allegedly killed Róhingyas, according to Human Rights Watch.



Fig: 28- Kutupalong & Nayapara Refugee Camp

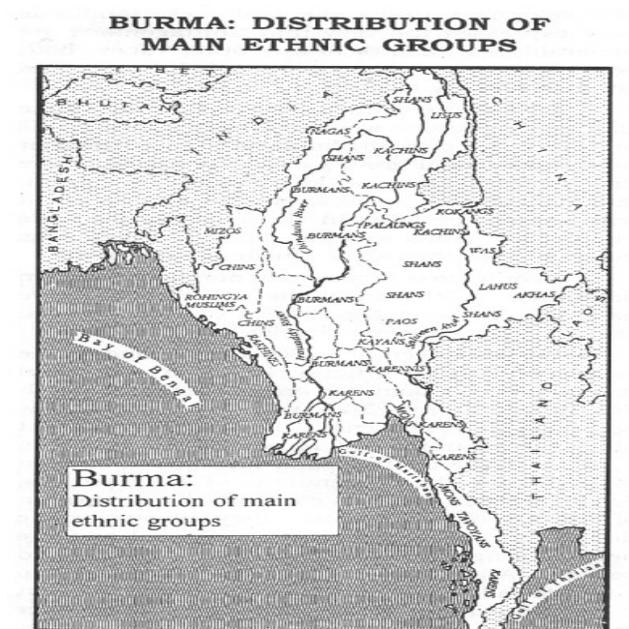
2. **Rohingya Muslims of Arakan:** In the last part of the 18th century, Arakan faced fierce political crisis due to factional fights and in the turmoil that followed the Burmese king Bodawpaya conquered Arakan in 1785 A.D. and annexed her to his Burmese kingdom. By that time the neighbouring kingdom of Bengal had already passed to the control of the English East India Company. Burma was soon to feel the brunt of the English rule. It happened as follows. In 1760 Chittagong was ceded to the English and there were border clashes between the two neighbours - English of Chittagong and the Burmese king. In the first Anglo-Burmese war of 1825, the English occupied Arakan, according to the Yandaboo treaty Burma ceded Arakan, Tenasserim, Manipur, Kachar and Jaintia to the English and promised to pay Taka one core to the English as war indemnity. The English laid the foundation of the town of Akyab in the same year at the confluence of Kaladan River. Akyab now became the capital of the English occupied Arakan.



Fig: 29 - Current Livelihood Activities in Kutupalong Rohingya Refugee Camp

3. Mr. Robertson who was a district magistrate of Chittagong was appointed the first civil ruler of Arakan. He assessed the condition of Arakan and sent a report to the governor general of India. In this report he said that Arakan had great potentials of growing agricultural commodities, particularly rice. Arakan had huge quantity of fallow land, and the forest-land also remained unutilised. The Arakanese

or Burmese were lazy; they were not accustomed to hard work. Moreover the Society was matriarchal, in which females mostly did outdoor works. So Robertson suggested that to cultivate lands and to grow rice and other agricultural commodities, farmers from Bengal particularly Chittagong should be sent to Arakan and settled there. Mr. Paton succeeded Robertson as the ruler of Arakan. He supported Mr. Robertson's opinion about importing Muslim agriculturists from Chittagong to Arakan. In his report we get important evidence about Muslim population in Arakan. He gives the population figure in Arakan as follows:¹



Source: Burma Debate

Map-3: Distribution of Main Ethnic Groups

Maghs 60 thousand, Muslims 30 thousand and Burmese 10 thousand were living in Myanmar. So on the date of the conquest of Arakan by the English, there had already been living 30 thousand Muslims and these 30 thousand Muslims were living Arakan from before, now their descendants and successors have increased by leaps and bounds.

4. We have got here a starting point to get the number of Muslims in Arakan, it is around the year 1825 and the number of Muslims was 30 thousand that is 30 percent of total population. Then another wave of Muslims was migrated into Arakan. This time they were encouraged to go there from Chittagong by the English rulers² because their settlement was essential to encourage agricultural. A report says:³ "After the land has been got into working Chittagonians are recognised as the most-capable of development and some Arakanese landlords have expressed the view that Chittagonians are preferable as tenants to any other races, both because they are willing to pay a better rent, and because they try to improve the land."

6. It may be mentioned here that those Chittagonians who went to Arakan during this time, included both Muslims and Hindus; the later were professional groups and they started there their professional trade like gold and black smith, milkmen, money lenders, grocers and so on; it will be evident later in these pages that the number of Hindus who entered into Arakan was much smaller than their Muslim counterparts. In order to get the correct number of Muslim population in Arakan in the British period, we have got to obtain the help of Census reports. These are not, however, readily available.

7. We have seen above that according to the report of British official, in 1826, the total population of Arakan was only one lakh, of which 30 thousand i.e. 30% were Muslims. Now according

to 1911 Census, in the Akyab district alone, the number of Muslims increased to 1,78,647.⁴ The 30 thousand Muslims of Arakan of 1826 were the descendants of early settlers, Arabs, Persian, Mughals etc. With the occupation of Burma by the English, they encourage the foreigners mostly farmers from Bengal and the neighbouring district of Chittagong to come and settle in Arakan. The object of English was to cultivate fallow lands and extract resources. But it is surprising to note that though the number increased, in the 1911 Census also, the number of Muslims was only 33%. It means that not only the Muslims increased, but the people of other religious groups also increased. Taken an over-all view, the increased was not due to import of the Muslims by the British.

8. The Muslims of Arakan are divided into Thambaikya, Zerbadi, Kamanchi and the Rohingyas. The Rohingyas are the most predominant, they form about 80% of the Muslim population of Arakan. In 1981 Census, the Burmese government declared that all Muslim groups of Arakan were foreigners and they were divided as follows:⁵

Table-25: Dividation of Muslim Groups of Arakan

Chittagong Kollar (Rohingya)	1,86,327
Bengali Kollar	15,586
Indian Kollar	3,587
Uriya (of Orissa) Kollar	3,527
TOTAL	2,09,027

9. Kollar means foreigners, probably; the word was derived from Kuli, labour. This is however, a wrong calculation, the Burmese Government deliberately distorted the figure to show that the number of Rohingya was very small. In 1978, when more than 3,00,000 Rohingyas entered into Cox's Bazar District of Bangladesh, to escape from Burmese torture, it was known that the number of Muslims in Arakan was 10 lakh or one million. In 1992 the Human Rights group of Asia Watch of U.S.A. reported in one of their bulletins that there are 14 lakh Rohingyas in Arakan.⁶ In fact it is not possible to ascertain the exact number of Rohingyas in Arakan due to suppression of facts by the Burmese government. But we may accept the figure supplied by the Asia Watch and U.S Committee for Refugees that the number of Rohingyas of Arakan is 14 lakh in 1992.

10. Arakanese Muslims, i.e. Rohingyas mainly settled on the fertile banks of the rivers, Lemru, Kaladan, Mayu, Mangan and Naf. Naf River is the border between Bangladesh and Arakan, so the Rohingyas settled on the Arakanese side of the Naf.

11. Rohingya left their own house, land, prepay and try to take shelter in The land of Bangladesh what ever necessary Things they receive in their hands like Boys, haripatil box etc. Due to, gross violation of human rights, in human torture only option remain to survive their life. Among them Most of them are women, young laddy and old man. The symbol of frustration, anxious, fearness, demoralization is clearly understood to see their face. The arrival of Rohingya is started in the year of 1978 from Tcknaf, ukia and the striat of Ramu and it turn into the massive influx refugee in the year of 1991 and left their country mandatory.⁷

12. Few Rohingya refugees arrive in the year of 1984 in this courtuy but it turn into massive influx refugee in the year of 1991-1992 duc to wipped out Rohingya Refugee operation. References were resettle in the 21 Camp in the hilly district of Chittagong hills track and near the sea coast district of coxs bazaar. Among eighty Thousand Rohigya Refugee 75% of them build their houses in the district of Chittagong hill track and the cox's bazaar. Among them twelve thousand Rohingya Refugee were

engaged in fishing in The hilly area of coxs bazaar, Ten thousand in the Ramu thana, Six Thousand in the teknafe Thana, ten thousand in the Nihong chori. Eleven Thousand in the different area of Bandorbon district and fifteen thousand Rohingya Refugee in the desert area of moheskhali thana.⁸ Some illegal activities like cutting of trees, day labor, collection of firewood and few of Rohingya Refugee are engaged in the smuggling near the border area. As a result fight between Rohingya Refugee and the local people to be continued due to occupation of land cutting of trees, free day labour, angling and smuggling in the district of chokaria, Moheskhali, gorakghata & Big Moheskhali and in the district of coxs bazaar Boudhanakhola, Shiyalaphar Kolotoli and Himshori etc. For this reason meeting and complain against Rohingya were raised against Rohingya refugee in the coxsbazaar, ukia and Ramu district. They raised voice against Rohingya and demand they should repatriate in the peaceful way and before repatriated they should remain in the Refugee camp.⁹

13. Regarding this matter, question was raised to an office of coxsbazaar, Relief and Repatriation commissioner office in his reply he informed me that more than thirty seven thousand refugee are staying outside camp. Question was raised whether they are getting relief or not? In this question he replies "somebody may get relief or somebody may not get relief. Materially, those refugee who are staying outside why they are not bring inside the camp? In this question he replies that those Rohingya who are staying outside the camp they are consider as a zabor or portable Refugee. Today they are staying here tomorrow they will stay other places. Try our best level to bring them inside the camp.¹⁰ The refugee relief and repatriation commission office, coxsbazaar in month of July in the year of 1999 report says that more than they are not agree to settle inside the camp. One lack fifty thousand Rohingya refugee was in the district of chillagong hill track. Coxsbazaar Thana. They are staying in the remote area, hilly area plain land and Coxsbazaar near the sea-coast and establish their houses and become inhabitant of the above mention district.¹¹

14. Beside Rohingya refugee are engaged in different job in the Teknaf including construction of Barri bad with low wages only 200/300 taka. As a result contractor are benefited but the local labor are facing great loss of their wages.¹² As a result different places anti Rohingya or anti Burma voice are raised to stop the great loss of local labour and lead this anti voice different organization are established. Rohingya are forced to return back their country but on the opposite side border security force are killing with gun and create an inhuman situation.¹³

15. The Rohingya refugee repatriation process is continuous and it started in the month of April in the years of 1992 with the help of joint statement by Bangladesh- Myanmar. Repatriated Rohingya many of them are not getting well being life they are once again along with other new Rohingya once again mima khali, Chowdhury para, Jaliapara, Mogpara and Nayapara border area enter into Bangladesh frequently.¹⁴ Local Chairman/Member try to increase their vote. They gave shelter to the Refugee and prepare their voter ID. As a result they purchase the land and establish the permanent house.¹⁵ Like this way in front of the human torture every year thousand of Rohingya Refugee arrived Bangladesh and establish their permanent house. As a result the poor and over burdened population will create pressure on Economy of Bangladesh and the situation of Bangladesh is deteriorated due to over population. To solve the Rohingya Crisis permanently this situation will be continued and so far Bangladesh of southern will turn into a small one and stayed in the own country as a foreigner.¹⁶ That's why to solve the Rohingya crisis try to take more international emergency step govt also look after the attention carefully so that they could establish permanent house in Bangladesh.

16. The barbaric inhuman torture picture of Rohingya created sympathy whole over the world as a result different country and organization create pressure different way to the Burmese govt and return back Rohingya in their country and resettle them. Australian Parliament leader Senator Fredrick Michel and including different international organization has gives priority the Rohingya crisis

seriously in the year of 1978 those who are coming as a Refugee. They have given priority to the mutual understanding and create pressure to the Burmese authority to solve this crisis.¹⁷ Australian Parliament leader also specified in his statement that they have personally discussed with the refugee and they confirmed that reference are the citizens of Burma regarding this matter they have lawful documents.¹⁸ In the year of 1991-92 Rohingya facing heavy torture and took shelter in Bangladesh to this incident whole over the world became anxious and few leaders among them, four members of high commissioner (UNHCR) Di Suja, USA, Australia, Chairmen of Local Council of OIC Nasar bin Abdullah bin Hamaden Al Jayaari, General Secretary of OIC Humid Al Gadib, Defense minister of Malaysia Nazir Razzak, Saudi Arab, Turkey, Pakistan, Indonesia, China International human rights organization, Amnesty, Representative of Voice of America Secretary, Special Representatives of UN Secretary General Boutros Ghali General Jack Elanson and thirty-four countries representatives including human rights chief of Diplomatic mission of Dhaka, different countries and organizations express their views and opinions and create pressure on the government of Myanmar.¹⁹ Three members of Hamadan Islamic community went to Cox's Bazaar to see the real picture of the camp and after inspection of the camp returned back to Dhaka and gave special interviews to the daily Inqilab. In their interviews they said, "We become very pathetic, pain and surprise to see the miserable condition of the Refugee hood of Rohingya." We have seen that a Refugee left their own house couldn't bring any property. Only they could take clothes and materials and take shelter in this country. We are statistical to see the responsibility taken by Bangladesh government and respond. The humanitarian call by the different organizations.²⁰ To stop the torture & Corruption against Rohingya international humanitarian organization Amnesty International.²¹

17. Based on London called upon the powerful military Poreishod. One inspection team from organization talked to Rohingya refugees and they confirm the violation of human rights report and Amnesty said their opinion. It is clearly evidence that the aim of Myanmar soldiers is western province of Rohingya compelled them to work as a day labour, carried out in human torture without giving the barricade the villages and arrested the mass of Rohingya compelled then to work as a day labour. Without giving sufficient food carried out in human torture to them. They became weak due to shortage of food and failed to carry heavy weight. They killed the weak people by beating them. Rape is continued in to the houses of innocent women and some of the women were kept arrested in the military camp and rape is carried out to those arrested women.²²

18. The soldier entered into the Muslim villages and occupied the mosque and burn the religious book. Extortion of food crops by the military and give a written order to occupy the land and driven out the village people.²³ Similar type of report prepared by the USA human rights group, which is known as "Asia Watch."²⁴ Initiative taken by the international organization and create pressure to the Myanmar authority as a result to solve the Rohingya crisis become easier.

19. **Rohingya Refugee National and International Help:** At the initial stage Bangladesh government come forward little amount of capability to establish Refugee shelter. Rohingya those who were the inhabitant of Arakan was coming from Myanmar and also urged whole over the world community, to come forward and to extend their helping hand towards Rohingya Refugee. From the initial stage of arrival Rohingya Refugee since in the month of February in the year of 1992 Bangladesh government spend Relief materials and money from their own fund. Afterward since March 1992 UN High Commissioner of UNHCR, World Food Programme, and along with Islamic Development Bank they establish few treaties with Bangladesh government for distribution of food, clothes, shelter centers including other necessary Relief materials.²⁵ From in the month of July in the year of 1992 to in the month of June in the year of 1993. UNHCR has distributed twenty six crore forty two lac eight six thousand two hundred thirteen taka. Relies plastic sheet 1822, Twenty six different type of car, twenty motor cycles, forty five thousand blankets, ten USA hospital wire and ten Rub half one set pat diming machine, twenty nine medicine and sanitary

material.²⁶ UNHCR from their initial stage of activities to since March 2000 within eight years total spend sixty billion USA dollar.²⁷

20. During this time (From in the month of July 1992 to since in the month of June 1993) with the help of world food activities, forty-four thousand seven hundred seventy six metric ton rice, three thousand. One hundred nine metric ton Dal, two Thousand two hundred thirty-one metric ton salt, one thousand nine hundred eight metric ton mixed food, nine hundred sixty-four metric ton dry fish and six hundred ten metric ton sugar was supplied.²⁸ During this tenure Saudi Arabia supplied nineteen thousand forty seven tent, one hundred five metric ton rice sugar milk powder and soabn oil.²⁹ Beside During this tenure French 500 Metric ton food, Indonesia and Thailand nineteen lac fifty five thousand. Four hundred thirty five taka and thirty thousand US dollar, south korea fifty thousand dollar, sweden three lack Dollar equivalent to creanar and from the other organization six crore twenty three lak eighty three thousand one hundred ninety four equivalent money was received.³⁰

21. Private organizations also come forward beside govt. and International organization to help the Rohingya Refugee camp From the Initial stage, total thirty one NGO was actively participated to take part in the activities. There are OXFAM, MSF French MSF Holland, IRO consan and including Rabeta Alam Al Islami NGO also Participated to build up sanitation, treatment and also provide help to education.³¹ Initial stage of Rohingya Refugee Bangladesh Govt. Takes over All the Responsibility and expenditure of Refugee and also urged the international organization to come forward and helped the Refugee for proper maintenance and take care. As a result, Different organization and donor country with the help of UNHCR took all the expenditure of maintenance and Repatriation.

22. **Bangladesh Try to Solve the Rohingya Crisis:** Journalist, Intellectual people, professor, politician and different organization based on the Center of Rohingya crisis arranged seminar, symposium and discussion and also try to discuss in the parliament try to solve the problem of Rohingya Crisis which is get priority very important way in our newspapers. Different columns were also published in our newspapers. Historically we can see that Rohingya Crisis was more ancient than philistine Crisis.³² After the innovation of Islam Aqrib the business center of Arakan Kingdom was influenced by the Muslim. After independence military ruler of North Arakan considered Rohingya foreigner created inhuman torture to them and compelled them to leave the country.³³

23. This incident was not happening only one or two times of last fifty years. At least twenty times inhuman torture were done to Rohingya but Rohingya crisis was not created pay international attention to the whole world like philistine crisis. Though the philistine crisis is equivalent crisis to Rohingya crisis.³⁴ Evidences use their force with aim to compel philistine to leave their houses and try to tarnish the Muslim community as like this fashion myanmar govt and mog also used their force and continued cruel torture and violation of human rights with aim to destroy Muslim community. The state of Israel and the Socialist Myanmar aim is similar to destroy Muslim community. But difference is that to solve the philistine crisis other Muslim countries are very alert but the myanmar crisis they are not alert like philistine.³⁵ Arakan regime inhabitants of Muslim in the south Asia was ancient even though there is no advertisement in the Muslim world. Indonesia, Brunei they are far away from myanmar probably they are not well aware of the Rohingya question?³⁶ Inhuman torture was created to the muslim by the Nasakca soldiers that is defeated the inhuman torture of German Nazi soldiers Though the political situation of isolated Myanmar is shallow knowledge of the international world but Muslim world and other international human rights organization were quite silent regarding the Rohingya Crisis.³⁷ Crying of Rohingya and seek help to them from inhuman torture and violation of human rights goes in vain which showing thumb to the human rights. As a neighbouring country Bangladesh has to tackle the Rohingya Refugee crisis regarding this matter. Bangladesh is very alert

though the poor country like Bangladesh, this matter create tremendous pressure and very UN comfortable situation.³⁸

24. Bio-lateral discussion was held between Bangladesh and Myanmar since in the Pakistan regime. After Independent in the yeas of 1974 ten thousand Rohingya Refuegee come to Bangladesh. Bangladesh govt gives a warning to the Myanmar authority as a result refuegee were return back to the Myanmar.³⁹ In the year of 1978, the govt of Myanmar violated all the international rules and regulation and were killed more than ten thousand Muslim Arakan and also wiped out them from their native land. As a result more then three lacks Rohingya Refuegee were taken shelter in the Bangladesh as a fear of life risk. For different intenational organisation.⁴⁰ They were staying in the Bangladesh as a Refugee and lead a isolated life for a prolong period. After wand a contact was signed between Bangladesh and Myanmar as as a result Rohingya Refuegee could return back their safe haven. The govt to Myanmar was agreed that they are the citizen of Myanmar and they can stay in Myanmar without any burden.⁴¹

25. The whole over the world was fairm belived that the ancient Myanmar govt. will left their earlier principal like hate the muslim communty and showing the respect of Muslim Arakan and will keep Muslim from any kind of inhuman torture and violation of human right. But latter on thir authority not only showing the thumb to the signed contact rathar they were showing negligence to the international rules & regulation.⁴² So by any means Rohingya Refuegee crisis over the border will not be viable option for solving the Rohingya crisis. For this reason the Myanmar Should find out the root cause of the problem and with the problem try to solve the problem Myanmar authority should give Arakan Citizen of Myanmar and also gave guarentee so that they can live on myanmer with safe and security.⁴³

26. This task is not cassy task and It is not possible only for Bangladesh govt, try to bring more awarness to the citizen of Bangladesh, opposite political party and seek help to the international community of the whole world to create tremendous pressure to the Myanmar authority to implement human night for the Rohingya people. Last fifty years Myanmar authorty are continue a systematic geuocide to break this shakle whole over the world should be united and continue create presser Myanmer govt. to establish democracy.⁴⁴ A Seminar was organised in the Dhaka and that seminar It was said that Arakan should become an indepandant proveinec of Myanmar where Rohingya will stay with full dcmocracy and also gave compensate to the Rohingya those who are severly victim by the autocratic govt. Those countries who are selling arms to the Myanmar including china immediatly stop to sell the Arms. Because recently china sells Arms to the Myanmar more than one million dollear, among most of the arms were used against Rohingya to wipped out from Arakan.⁴⁵ Neighbouing Contries of Myanmar can arrange a round table metting and create tremendous pressure to the military govt. of Myanmar to stop all the agression of the innocent people of Myanmar.⁴⁶ Dr Abdul Karim says" In futur Rohingya gain energy, try to chang their fate other wise nobdy can change their fate.⁴⁷

27. To deprive all the rights of minority community is countrory to the Human rights of united Nation. Thousand of Rohingya Muslim as a refuegee those who enter in to the Bangladesh actually they are the citizen of Myanmar. This innocent people nether they are not guerilla nor they are betrayer. They lead a life severe inhuman Condition in the district of Coxs'bazzar and Chittagong.⁴⁸ To return back Rohingya Refuegee with horror and dignity it is not the sole duty of state. It is also responsible for state due to humanitarian reason. This responsibility is not only for Bangladesh but also responsible for Muslim ummah and international organazation.⁴⁹

28. Try to solve this problem permanently not temporary regarding this aspect on behalf of Bangladesh create political Diplomatic pressure or on behalf of Muslim consmunity Islamic organization. Amenest organization and including UN created pressure to solve the crisis of Rohingya immidiately.⁵⁰ Different organizations from home and abroad suggested that with the help of Islamic organization and international organization try to solve this problem amicable but Bangladesh govt strait way go to the biolateral discussion with the Myanmar govt. Instead of international Pursuation.⁵¹ The country Myanmar govt. says the crisis is the internal matter of Myanmar and they try to solve this problem internally. If no response was fond from the govt of Myanmar there will be no alternative way to solve the problem with the help internatonal forum.⁵² Bio-lateral memorerdum on ninth July 1978. the problem was try to solve signing of foreign secretary to Barik Hussain and foreign minister of (MR U TIA OHN).⁵³ foreign minister of Bangladesh A S.M Mustafisur Rohman try his best level to solve the Rohingya crisis problem in the year of 1992. and for this matter the rest house of Army Gangaylio in the Rangoon high level official biolateral discussion between Bangladesh and Myanmar, first secretary General of President General Thin Noynon foreign minister U Aung Jo and foreign matter Aung Cha and high commissioner of Burma on the other hand forign minister of Bangladesh along with foreign secretary A H Mahmud Ali, Additional foreign secretary Abdul Hamid Chowdhury and also the ambassodor of Bangladesh Mostofa Farooq Muhammad was also attend in the meeting.⁵⁴ Myanmar govt. was very strrick to their principle and they were not agreed to give reluctant to any matter of the citizen of Independent Arakan.⁵⁵ During meeting whole day broadcast was continued in the Burmes Radio and called upon Brumes people to be unted. Conspiracy is started to divide the Myanmar. Every body is to come forward to be united. The representative of Bangladesh during the visit of Myanmar this news brought. The frustration of Rohingya people.⁵⁶ Later on Bangladesh- Myanmar biolateral discussing was continued beside UN, OIC and other intonational origanization tried to created intonational pressura to solo the problem high level of diplomacy.⁵⁷ The govt of Myanmar with the respond of International world showing positive attitude to return back Rohingya Refuegee and with this aim. The foreign minister of Rohingya (UJOHN GYAW) on 23 April 1992 will come to six days visit programme.⁵⁸ on 24 April 1992 meeting was held with the representatives of Bangladesh and hope was establish that they will solve the Rohingya crisis with friendship and with this aim they are working.⁵⁹

29. Different newspapers and magazine were given priority to this six days visit programme and they published Colum regarding this aspect specially first day bio-lateral discussion between Bangladesh and Myanmar. The representatives of two countries and the decision of the representatives up to 25 April Myanmar authority agreed that if some portion of evidence is exist that they are the citizen of Arakan and they will return back to the Myanmar. As per Proposal of Bangladesh UNHCR will play the vital role to return back refuegee but the authority of Myanmar was not agreed upon with this proposal.⁶⁰ To solve the Rohingya crisis permanently on behalf of Bangladesh the following subject matter was given priority:

- 1) Try to establish three dimensional contacts between Bangladesh, Myanmar and UN regarding the return back of Refuegee before forth coming rainy season.
- 2) To establish memorandum between Myanmar and UN to establish and settle Rohingya Refuegee in their own indeginious home.
- 3) In near future, there in no unforeseen situation was rise for this reason Authority of Myanmar, UN and local representative an observation or caretaker party was raise.⁶¹

30. The experience of Bangladesh 1978-79 dealing with refuegee govt gave priority to this proposal. During that tennure more than two lak Rohingya refuegee were return back by the authority of Myanmar but afterward they didn't gave any identify to them, they didn't get oppourtunity to go outside of their own acre, and the most important thing is that their children were not permitted to

read in the high school college.⁶² Somebody gauge that the authority of Myanmar also same fashion or similar way return back refugee in the year of 1992. UN was directly involved the clash between Bangladesh and Myanmar during That tennure (1978-79) to present tonsure. Present tonsure is slightly different then earlier one. UN Secretary General Yan Eliyason during his visit (2 to 6) April in the year of 1992 and create pressure to the Myanmar authority as a result they return back the refugee without any hesitation.⁶³ Before that stand on Myanmar authority was" Nothing is rest regarding this matter" Foreign minister U Uhan Giya in his statement, 19 March in the yeas of 1992 Diplomate of Yangon he says, There is no reason to visit in Bangladesh.⁶⁴ Mr Elionson the Representatives of united Nation arranged three times discussion regarding this aspect. Later on Mr Elionson arranged meeting with the secretary of Myanmar to establish Law and Peace. Maj General Khan was present on that meeting, General was informed that he has to discussed The Rohingya matter to Bangladeshi foreign minister and any proof of evidence can represent infront of us, they will be return back to Myanmar.⁶⁵ During the visit of Bangladesh Mr. Eilionson in his statement he gave priority to invent a new Process so that Rohingya should return back to this own home land safely and as quick as possible. Their return back safe home precuts he also mentioned the necessity and the presence of united nation. Mr Elionsong also warned the authority of Myanmar. If the crisis us not salved quickly then the Myanmar authority has to faced tremendous world pressure and this pressure will be Unbcarable. In that ease UN has to do nothing for Myanmar.⁶⁶ Like similar way Myanmar authority was agreed to return back Rohingya refugee due to international pressure and the presence of UN but in reality myanmar authority want to keep UN always outside the problem. But from the precious experience Bangladesh authority always keep focus on Rohingya refugee crisis and try to solve this problem with the help of UN and try to engaged UN to mitigate this crisis.⁶⁷

31. Myanmar was not agreed upon to return back Rohingya Refugee and resettle them in their swept homeland process and also not agreed upon or involved or participated in united Nation at the end of second day meting of Bangladesh Myanmar. On the other hand the pressure of Bangladesh authority, Myanmar Authority finding no other alternative they agreed to participate UN in The repatriaion process, As per discussion on Myanmar was agreed to return back Rohingya Refugee but after return back what are the action will be taken they were not agreed upon with this discussion. They thought that is their internal matter. But in the near future there is on problem regarding this matter for that reason and solve the problem permanantly Bangladesh authority gave priority of UN.⁶⁸

32. **Repatriation Contact:** After taking long driving step of Bangladesh govt and with the help of internetinal originization Myanmar authority was agreed to return back Rohingya refugee 28 April in the year of 1992. On that day with the basis of agreed proposal foreign minister of Bangladesh Mustafisur Rohaman and foreign minister of U Ahang Giya was signed a joint statement. In that statement it was specified that after three week the repatriation process will start and more than two lack refugee will repatriated with in six month.⁶⁹ Joint journalist summits was arranged between foreign minister of both Bangladesh and Myanmar in the state guest house Padma after signing the contact and said" This contact was signed for maintain pace and stability of both neighbour country.⁷⁰ Foreign minister of Bangladesh Mustafishur Rohman Said in his statement" Myanmar govt. has taken all necessary step and stopped the citizens of Myanmar to came Bangladesh and those who arrived in Bangladesh willingly Myanmar authority was agrced to return back, we were also agreed during the repatriation process to seek help from UNHCR. But Primary work of repatration process we will start with the help of Bio-lateral discussion.⁷¹ Foreign minister of Myanmar U Ahong gia was given answar of one question and said" There is on inpotance of number, theose who arrived in Bangladesh they must return back to their indigenous Myanmar. In this regard there is no big obstrucle regarding this aspect. Even though those who can speak the name of Headman in their own area or those who can gave reference from their memory they will also return back their own country.⁷² The foreign minister also denied the question of in human torture of Rohingya Refugee mainly they left the country without any

proof of evidence of torture.⁷³ The foreign minister also speaks about reinforcement of extra soldier in the Border. He said no extra soldier was deployed in the Border rather as per rule only Border police was deployed on duty.⁷⁴ In the press conference observer of Bangladesh was really thinking this type of statement was given by the foreign minister of Myanmar:

Firstly: He was cleverly avoid the number Rohingya refugee with that help he denied to agree all the Rohingya Refugee are not the citizen of Myanmar.

Secondly: It is known to that whole over the world are being informed that Rohingya Refugee were facing inhuman torture by the Govt of Myanmar but the foreign minister without any hesitation he denied this universal truth, rather he was tried to say Rohingya left the house without proof of evidence of or torture.

Thirdly: Reinforcement of police in the Bangladesh- Myanmar border carried out attack in Bangladesh police camp⁷⁵ and created the situation just like a war even though the foreign minister in his statement he denied Reinforcement of police in the Bangladesh- Myanmar Border. The foreign minister tried to prove his country's authority of Myanmar innocent in front of the whole world and high Diplomacy of Bangladesh.

33. **Criticism of the Contact:** The same time, the signing of joint statement or joint announcement in the year of 1992. Two organizations of Muslim Arakan namely Arakan Rohingya Islamic Front (ARIF) and Rohingya Solidarity Organization (RSO) put their demand separately and said at first solve the Rohingya political crisis. The Myanmar Govt have to agree upon the true statement that Arakan Muslim is as important ethnic group of Myanmar and they have to ensure their life properly and honour is their own country. Without this assurance Rohingya will never agree to return back in the Myanmar.⁷⁶ On behalf of the Daily newspaper Janata was communicated to the chairman of Ariful Islam and asked him about his feeling regarding Rohingya crisis.

34. "Rohingyas were compelled to leave their house, due to inhuman torture of the Myanmar authority. This is not a willingly visit programme of their own. We should not force them to go to Myanmar land and face them the harsh reality of life. They definitely return back to their country before that we have to ensure their national rights and safety and security of the life. They wanted the protection under the United Nations High Commission of Refugees.⁷⁷ He stated that he has not had an opportunity to watch the contact sign between Bangladesh- Myanmar regarding the repatriation of Rohingya refugees and their imposed law section. Rohingyas people called Arakan as a holi and they brought a lot of false blame and complain against Rohingya. As a result they lost confidence among the Burmese Govt and they don't want to return back to their own home. They don't want to return back to the holi. Bring blame statement against Rohingya and their nationality was not agreed upon by the Myanmar authority.⁷⁸ If you do not solve this problem regarding the crisis subject matter of Rohingya we can send them to Myanmar but if we can't solve the problem permanently they will again return back to Bangladesh, there is no reason behind it to become a worldwide surprise. Again from the side of the Rohingya statement says we can't become the victim of every year. We are one of the important nations of Myanmar. This universal truth should be recognized internationally.⁷⁹ When the discussion was going on between Bangladesh- Myanmar torture back to their country at that moment more Rohingya refugees than earlier were gathered and took shelter in Bangladesh camps. As per the statistics of the Govt start from before signing the contact and till today signing the contact everyday more than two thousand Rohingya refugees arrive in Bangladesh

35. After hearing this news to see the real picture when the representative of UN made a visit program in Bangladesh during that time the influx number of refugees was reduced,⁸⁰ meanwhile

Repatriation of Rohingya regarding this subject matter a joint statement or joint announcement between Bangladesh and Myanmar was established but Rohingya were afraid of furious things and always run behind them. Most of the Rohingya these who are staying in the camp they loved to stay in the Bangladeshi camp instead of going to Arakan disaster land which is lots of UN certainty. Interview was taken from Rohingya refugee these who are staying in Bangladesh camp in their statement they openly stated that before repatriation in the Myanmar they get guarantee that want to get rid from murder, rape, extortion from the Myanmar military govt and their alliance. Without this guarantee they don't want to return back their country.⁸¹ They also raised demand that to observe the behavior of the military govt and their alliance with the innocent Rohingya. United Nations should send observer in the soil of the Myanmar at least ten years. Other wise the same scenario will repeat just like in the year of 1978. They will return back to the Myanmar with hope but they have to return back from their country just like a Refugee.⁸² On the other hand agreed minutes with the help of joint statement was signed between Bangladesh – Myanmar in the year of 1992. We have declared a bad remark and refugee to take this proposal RSO and the leader of Arif, Secretary General of RSO Saidur Rahman said in his statement, Bilateral contact between Bangladesh – Myanmar was not keep interest of Rohingya. Our demand was before agreement of contact representatives of Rohingya and the UN total four representatives will process.⁸³ He also said in his statement it is well known whole over the world Burmese military is continuous carried out torture to the Rohingya but the foreign minister of Myanmar directly denied this torture and also said it is a propaganda with the help of this propaganda they left the own country. The attitude and behavior of their foreign minister it is clearly indicate that the torture will be continued.⁸⁴ He also stated that in that contact they deny the mediation role of UN and the authority of Myanmar not agreed to give the Rohingya as a status of citizen. Meanwhile those who sold out their indigenous home and property or left their own sweet home and property and took shelter to another country. The foreign minister directly deny to resettle them in the Arakan.⁸⁵

36. The opinion regarding the contact, was different types of views not only Rohingya it was also reflect the intellectual people of Bangladesh. In the Myanmar statement there was no contact sign between Bangladesh and Myanmar for repatriation of Rohingya, though in the Govt side main coverage was given by the media and called it as a contact Infact the announcement was called contact but infact it was not a contact rather it was a joint statement. If any contact signed between two countries they were obliged to carry out the duties of the contact. On the other hand discussion was took place a very important matter of Rohingya refugee crisis. After a long discussion only joint statement will be key tool to solve the problem. Joint statement will not consider as a contact as a result lot of confusion and doubt was created. The Bangladesh govt has created a tremendous pressure to the Myanmar govt so that both the country should sign a contact but Bangladesh govt failed to agree the Myanmar govt.⁸⁶ Lot of debate was took place regarding this aspect specially 27 April in the year of 1992 Monday night, one stage the meeting was going to be abandoned at last Bangladesh was agreed to sign joint statement and signed the joint statement.⁸⁷

37. United Nations extended their helping hand towards Rohingya repatriation process and spent seven million dollars in the year of 1978 -1979. But recent year United Nations was totally denied. Besides the road map of joint statement was some full fact, it should be thinking earlier Myanmar authority had a chance to get opportunity. There was no understanding opinion between two countries rather two side was opposite to each other.⁸⁸ More than two million Rohingya refugee was took shelter in the Bangladesh but even though the foreign minister of Myanmar not specified the number of Refugee and said these who can prove themselves that they are the citizen of Myanmar they will return back. With this diplomatic fashion he avoided the number. The Myanmar authority gave the priority of residential Identity card. The identity card was taken by the Myanmar authority before the start of operation. Myanmar authority will create difficulty it was predicted by the expert

person. It was everybody desired that the myanmer authoirity will not creete any critical srtuation with the help of sampathy, co operation and set an example of good neighbor country.⁸⁹

38. In order to stop the arrived of Rohingya Refuegee from myanmer bout country estaldished joint statement but after 28 April 1992 that policy was not estalished rather broeken by the Myanmar authority every day average two thousand and Rohingya perday and twelve thousand Rohingya per weak entered in Bangladesh. As a result the officer in their opinion they specified they were too much bussy with the new arrived of Rohingya rufegee for their registratrion, they were totally forgotten to repatrotion of Rohingya reguegee and they don,t have any time to think even.⁹⁰ New arrival of Rohingya refuegee in their camplain they spceified that burmes govt continued with their torture including forced labour and other torture. Besides in order to estalbish Refuegee camp and establish them the officer of Myanmar authority demanded money others equipments and created trenandous pressure of Rohingya Rufuegee.⁹¹ MR wiliam B my Lam the embassadar of USA appointed in Bangladesh visited Rohingya camp and also answering the press briefing arranged by the journalist "The contact sign by the Bangladesh - Myanmar reganding repatriation of Rohingya refuegee having both merits and demerits side. If the Repatriation of Rohingya refuegee subject matter was not solved bio-lateral discussion between two countries and if the matter was raised in the United Nation, USA as a perament of UN, must play her vital role to solve this problem "He also specified that before three month ago I saw in my nacked eyes to watch the Rohingya refuegee arrival of Bangladesh. With this evidence proved that the govt of Myanmar was not given priority to this contact or negligency was shown in the lower level to make into practical level.⁹² A press briefing was arranged in the USIS council and said the rale and propercare was taken by Bangladesh regarding Rohingya refueee was praise worthy. He also said mean while this crisis turned into international level and "after signed this contact a door is opened for both side with the help of Bio-lateral discussion to solved this crisis in a peaceful marrer".⁹³ He said in his statement" If the problem was not solved with the help of Bio-latreal discussion the door was open for Bangladsh to take this subject matter into the interational forum".⁹⁴

39. **Refuegee Repatriation:** As per the poliaiy of joint statement since 15 may 1992 Rohingya Refuegee return back to the specified date but practically It was not possible within the day. To start the Repatriotion process Bangladesh took preparation and sent twenty officers to carry out maintanance work and a list was sent to military govt of Myanmar. In reply Myanmar military govt was not sent their list of officer to Bangladesh govt and also established five welcome camps in the Myanmar. They were not informed any thing about this.⁹⁵

40. Beside question regarding principal Political Crisis decision was not given by the Myanmar authority. Rohingya Rofuegee were not interest to return back to the country rather they showing protes against it and arranged protest metting against them in the district of Cox's Bazzar and Teknaf.⁹⁶ Before starting the Repatriation process of Rohingya they demanded guarentee regarding Myanmar govt. Their policy and demand was following:⁹⁷

- a) They have to ensuredthe, main principal right of Rohingya.
- b) They have to declare Rohingya province where msjority of the Rohingya live in that area.
- c) They have to declared rohingya as a separate Nation and also give them recognition.
- d) Repatriation should be done with the close supervising of the United Nation and reganding this question when they confirom that they are Refuegee, and then the repatriation process should start.
- e) Stop violation of Human Rights, Inhuman torture againt innocent Rohingya in the Myanmar. They have to unshured after repatriation process when they return back to the

Myanmar. The Myanmar authority should ensure the life property and honour and also provide them damage occurred during their absence.

- f) Last election, victory was Aung Sung Suki, Handed over the power to the National League for Democracy (NLD).
- g) If Aung Sung Suki invited them, they will return back to their own country.
- h) The government office and other officers were established in the Rohingya Majority area. The Myanmar authority has to ensure that they have to remove them from that area.
- j) Please keep a reserve quota in the Government in the serving and keep reserve for them.

41. The Government of Bangladesh has to ensure their main principal right during repatriation process supervision of United Nations, Stop the inhuman torture done by the Myanmar authority and also look after all sorts of facilities regarding all these aspects. Bangladesh Government showing positive attitude for repatriation process but the Myanmar authority showing negative attitude and they were showing negligence regarding this aspect. As a result Bangladesh Government was not successful for their repatriation process. Even Bangladesh Government gave a proposal to unify the United Nations High Commission for Refugees but didn't get any response and mandate from the Myanmar Government. As a result the foreign minister was not agreed upon with this proposal. But with the pressure of Bangladesh he said "UNHCR will be added later on if necessary."⁹⁸

42. After signing the contact of Bangladesh-Myanmar on 28 April in the year of 1992, once again on 07 May 1992, Repatriation, Resettle and the stop arrival of Rohingya Refugee crisis and signing the contact even though flow of Rohingya Refugee towards Bangladesh will be continued.⁹⁹ Mog peace committee and the military of Myanmar carried out massive massacre against innocent Rohingya like burning of houses with fire, Extortion, Rape and different types of torture. Beside settlement of Mog and military's food was supplied from Rohingya. Totally stop the employment of Rohingya, created obstruction in the business imposed restriction from one place to another and made them in their own houses arrested condition. Rohingya were wiped out from Budidong, Ladat, Pajacong, Lambabil, Aloronoa, Maknoa etc village and resettled The Mog from hilly area and retired Army officer.¹⁰⁰ Eighty Mosques were destroyed in Akayat (EX 12 in Sakkipary, 5 in mabox, 4 in kaba pika, 6 in Aquab, 3 in Budhi Chang) and establish barrack, store house and use them in different purposes.¹⁰¹ As a result Myanmar government always speak against the supervision of United Nations. But Refugees were against the nation of the Myanmar Government and they said without the supervision of UN they will not return back to their own country. They also stated that Myanmar military Government will return back to their country and will create a rift between Mog-Rohingya, and the torture was the part of that as a result arrival of Rohingya Refugee was not stopped by them.¹⁰² After signing the contact between two countries as per the statistics of Government Forty Thousand and as per statistics of private Sixty Thousand new Rohingya Refugees were arrived in Bangladesh. If this motion is continued, UNHCR should play a vital role between these two countries and ensure the willing repatriation of Rohingya Refugee and safety of Rohingya.¹⁰³ Regarding this aspect UN Secretary General Butros Ghali welcomed the signing of the contact on 1st June & 28 April 1992 and during the repatriation on process. The presence of UN and its necessity he wrote a separate letter to Bangladesh Foreign Minister A S M Mustafisur Rahman and the Myanmar foreign Minister U Ahong Gia. After a long time Myanmar Government was not replied to these letters.¹⁰⁴

43. At last on 12 May 1993 in Dhaka UN High Commissioner Dr Sadaka Ogoota and The secretary of Foreign Minister Riyazur Rahman regarding the Refugee safety and ensure willingly repatriation process to help each other they signed a memorandum.¹⁰⁵ With the leadership of pistoly UNHCR on May 1993 Dhaka a mission with High Commissioner Dr. Sadka Guntar made a visit programme to Yangon and after their visit programme Myanmar authority agreed to presence of the UNHCR on Myanmar and signed the Bio-Lateral contact 5 Nov 1993.¹⁰⁶ The main theme of the contact was huge

number Rohingya Refugee within a queck session repatriates to Myanmar and during the repatriate process the UNHCR willsupervise the whole process and help Bangladesh and Myanmar Govt.¹⁰⁷ the policy which was imposed by the Refugee whole over the world incase of Rohingya it was not kept open. Combodia, Philistin and Afganistan Refugee will return back to their home country with henour and dignity but in case of Rohingya Refugee the return back with fear and uncertainly.¹⁰⁸ As a result with the absence of UN Rohingya Refugee showing negative attitude to return back their country and number is increase a lot. They are afraid that they will forced to left the Refugee camp with this fear some of the Refugee left the camp. Near about more than ten thousand Refugee left the camp.¹⁰⁹ Rpatiation process was slow before the signing the contact with UNHCR, on 28 May 1992 Bio-Lateral contact with Bangladesh-Myanmar after three weak every batch at last five thousand Refugee withing six month more then two and half million Refugee will return back to the country, But upto 15 Nov 1993. 104 Batch total forty seven thousand five hundred seventy five Rohingya return back their own country.¹¹⁰ More then fifty meeting was organiesed and meet with the help of Bio-Lateral contact Bangladesh try to expadiate the repatriation process.¹¹¹

44. Some problem lying with survey mainly unwillingness of the Myanmar authority regarding Refugee repatriation, Shertage of preparedness of Refugee repatriation, security clearance was not given by the authority and inhuman torture of Myanmar made the repatriation activites slow.¹¹² Two Refugee camp more than 19, 859 Refugee tack shelter on 22 march 2000. Event was cress six month to eight year. Among 14 thousand Rifuegee Myanmar Govt should not agree to receive them rether they don't agreed to give approval of Myanmar citizen.¹¹³ Cartoon Artist Shishir Votta Chargo in the Daily Vorer Kagoj with the help of Cartoon Picture try to express repatriation procedure in a beautiful manner.¹¹⁴

45. If we look towards the picture of Cartoon, in that picture front portion the man with millitary uniform in his left hand holding and ironbar look like a Alpin and his right hand holding one rope in a loosen condition. On his head he wears a cap and the name of the cap is Burma. In the eyes of cartoonist, he is the millitary janta of Myanmar. In his back there is a big pillar standing with the symbol of Question and the middle portion a big stone rounded with rope where it is written Rohingya Refugee crisis. At the last portion, a person putting a uniform Bangladesh which represent the country of Bangladesh. The Cartoon try to represent the attitude and the behavior of Bangladesh-Myanmar and this will reflect a special cartoon for that.



Fig: 30- Positive Attitude Showing the Govt of Bangladesh & Delay Attitude Showing the Govt of Myanmar Regarding Rohingya Crisis

46. In this sketch picture, try to understand that, Millitary Govt with hand created inhuman torture with the help of iron symbol Alpin. As a result for the safety of their life they arrived in Bangladesh as a

refugee. But the poor over populated people like Bangladesh it becomes a big challenge and tries to solve this problem in different way. Bangladesh Govt with the help of International Community and joint statement establish between two countries. The Military Junta was agreed to return back their citizen in their own home. But it was miracle totally showing purpose. Though they were showing and promise to return back Rohingya Refugee to the whole world but in reality they are not taking any kind of positive attitude and activity. To take the rounded stone with rope is not made tied rather it kept loose is showing the indication that Myanmar authority is showing negligency regarding this aspect. On the other hand Bangladesh, try her level best to make this refugee crisis ended for that reason Military Junta establish a big stone in the middle path of the road. Mainly this big stone act as barrier. The Military Junta has taken few activities like a after signing the contact create inhuman torture of Rohingya in Arakan, Repatriation process the supervision of UN was not agreed by the Myanmar authority. Repatriation citizen was not giving their full right etc. As a result Bangladesh tries his best level with out most sincerity till today they can't become successful.

47. As per the plan of Govt the military and local Mog Community straight way created Murder, Rape, Torture to the Women, Fire burn, Banded the Property, Extortion, Restricted them in the religious activities, Destroy the history and Culture and also wiped-out them from own house and taken out all of their principal rights showing negligence to the international Human Right. To destroy the Muslim Community and established Mog Community brought Mog different area and establish them. Few organizations were doing work for their Independence but they could not establish organizing and Revelation power against Rohingya. Mean-while it is not possible for Rohingya's people to fought against more than three Lac trained soldier and equipped with arms Myanmar military soldiers to get independence more than that it is difficult to advance in the Democratic process.¹¹⁵ In this aspect it is not possible to bear intolerable torture, they left their own house and took shelter in Bangladesh finding no other alternatives. It becomes a practice for Rohingya to lead a life of Refugee. 1974, 1978 and 1991-1992 took shelter in Bangladesh as a Refugee, with the help of international Community Bangladesh Govt send back to their country even though the torture was continued to the innocent Rohingya and no way can stop this torture. That's why they are not coming as a Rohingya return they come home as a source of relatives or when they lead a life as a Refugee they introduced themselves as a class person with that basis they lock the family and establish their permanent house in Bangladesh. Even though these who had come in the year of 1991-92 during the repatriation process, repatriated and local Rohingya among them once again come to Bangladesh and established a permanent house. Relief and repatriation Commissions, source of Cox's Bazar state that twenty thousand register Rohingya Refugee stayed in the camp. More than one million and fifty thousand unregistered Rohingya Refugee Cox's Bazar, Bandarban district hilly area, plain land and the sea beach of Cox's Bazar they established inhabitants.¹¹⁶ The law and order situation of Bandarban and Cox's Bazar was deteriorated for illegal Rohingya and extortion of fish and foreign asset created mass distinction of environment. At the same time they also created problem in job aspect.¹¹⁷ on the other hand mass influx of Rohingya Refugee due to that reason delay also occurs during repatriation process. These who are waiting for registration, before registration they left the camp and mixed with the unregistered Refugee.¹¹⁸ So with immediate step these who are taking shelter in the camp and their repatriation, try to stop Myanmar from doing torture to the Rohingya and also try to stop Rohingya Refugee from Arakan to Bangladesh. To do this act Bangladesh Govt regarding this aspect tries to take more proactive role and also take help from the international world.

48. **Why Rohingya Cross Bangladesh Border:**

- a. 1982 citizenship law.
- b. Language similarity to Bangla.
- c. Attractive Resettlement done by IOM

- d. Same Culture and religious practices.
- e. Easy livelihood from hills and sea.
- f. Easy documentation facilities
- g. Easily absorbable in the societal system.
- h. UN body.
- i. WFP, ILO, IOM
- j. USA, UK, and EU



Fig: 31- 1982 Citizenship Law, Easy Documentation Facilities & Easy Livelihood from Hills and Sea

49. **What Bangladesh has done so far:** It commences with the Bangladesh government’s policy on repatriation and its signing of agreement with the Myanmar government. This is followed by an appraisal of the changing relationship between the host government and the UNHCR, an organization which was invited by the former to help the relief and repatriation of about 250,000 refugees.



Fig: 32- Dialogue Between the Govt of Bangladesh, Myanmar & International Community

- a. Repatriation.
- b. Dialogue between the govt. of Myanmar and Bangladesh.
- c. Try her best level to make diplomatic relation of Myanmar due to Change of regime (Autocracy to democracy govt.)
- d. Put crisis in UN table.
- e. Put crisis in OIC table.
- f. Put crisis in BIMSTEC table.
- g. Put crisis in SAARC table.
- h. Using global diplomatic channels.
- i. Push backs and deportations.



Fig: 33- Prime Minister of Bangladesh Meet with Nobel Prize Winner & Opposition Leader of Myanmar Aung Sun Su Kyi & Autocracy Govt Leader Thain Shain. Un Security Council, OIC HQ

50. **What are the Challenges for Rohingya Refugee Crisis**

- a. No border treaty with Bangladesh.
- b. Rohingya refugees obtain Bangladeshi ID, Passport and Documents.
- c. Get hired for drug smuggling.
- d. Get hired for terrorist activities.
- e. Involved smuggling activities which is matter of security concern.



Fig: 34- Bangladeshi ID, Passport and Documents, Arms Smuggling

51. **Burmese Atrocities:**

- a. Through promulgation of Burmese Citizenship Act 1982, the Rohingya Muslims were deprived of their citizenship rights. They were made stateless. To prepare the voter list for 1989 General Elections, the authorities initiated scrutiny through issue of National Registration Certificate (NRC) and Foreigner's Registration Certificate (FRC) in Rakhine state. The Rohingya Muslims were then put through harassment as the Myanmar immigration authorities insisted on categorising the Muslim inhabitants as "Bengalee Burmese". The Rohingyas on the other hand insisted or being categorised as Arakan Muslims or Rohingya Muslim or Rakhine Muslims. The immigration authorities refused to accept the citizenship application from the Muslim population which resulted in the exclusion of a large number of Rohingya Muslims from the voter list.¹¹⁹
- b. The State Law and Order Restoration Council (SLORC) after the 1988 military take over decided to set up a number of new military cantonments in Rakhine state particularly in the north, where the Muslims are a majority. The authorities acquired homestead or arable lands belonging to the Muslims without any compensation. The Muslims found themselves homeless, when they refused to be rehabilitated in unsuitable mountainous region.
- c. The SLORC has taken up extensive programme of building cantonments and roads linking the cantonments and other military formations in the Muslim populated areas. The army forced local inhabitants to work in those projects with little or no wages at all. The

Myanmar authorities do not provide fresh adequate ration to the troops deployed in the Arakan. As a result they forcibly collect cattle and poultry from the locality at a much below market price. In Rakhine state, more Muslim lands were acquired by the SLORC for construction of cantonments and roads. The surplus land is given to magh convicts and retired Army personnel on attractive terms, an attempt to change ethno-demographic pattern of the area.¹²⁰

d. The Myanmar military authorities have destroyed or desecrated many Muslim places of worship. They have looted their properties, killed the inhabitants and raped their women. The SLORC took away rice from the fields belonging to the Muslims in the border areas to prevent them from selling rice in Bangladesh. The Rohingyas had participated in the democratic movement of 1988. The present military regime has reportedly forced Muslims to pay compensation for government property damaged during the mass upsurge.

The Myanmar government have over the years expressed *concern* over the influx of so-called Bengalees, who were reportedly migrated" into Myanmar 3/4 decades ago and finally settled down in Maungdaw, Buthidong, Rathedong and Akyab. In fact, the allegation is rather not true. The situation of the present day Arakan is not congenial for the outsiders to settle down. Moreover, *the* area does not offer much in the form of land and labour.

52. **Socio-Economic Impacts:**

a. Onrush of Rohingya refugees have already taken its toll on the resource constraint Bangladesh. The matter has put immense pressure on a densely populated country like Bangladesh. Poverty within the region has increased many folds. It has already created socio-economic imbalance in the area causing untold sufferings to the locals. Agricultural lands are being turned into sprawling refugee camps.

b. Refugees allegedly sell rice and pulses rationed to them for buying vegetables and other essentials. Such illegal trading caused price of rice down to Tk. 6 per kg and dahl for Tk 14 per kg. A refugee gets 4.5 kg of rice and adequate quantity of dahl and oil per week. It is reported that a month-old baby gets adult ration. They are believed to be better off here than in Myanmar.¹²¹ A survey based on random sampling was conducted by the Centre among 18 refugees in Dechuapalong -2 camp. All of them told that supply of ration at the camp was adequate.

c. The situation in and around the camps is a hostile one. The locals who live scattered in the villages are scared of the refugees who live together and who in a minute can organise a united attack on the locals. The locals fear that they are being outnumbered by the refugees. It is alleged that thousands of refugees have already slipped out of the camps and settled in the villages and nearby towns, as they all speak the same language and wear similar dress.

d. With Bangladesh and the UNHCR consolidating the relief operation for the refugees, an opposition backed group, Rohingya Repatriation Action Committee (RRAC) has stepped up its campaign against the refugees. Launching a movement of 12 point demands, the RRAC's main focus is against the move to build new camp for the refugees at Jummapara off Ukhia. They complain that the camp would destroy their farms and would encroach upon government-owned forests. Although, there are allegations that the RRAC led by a local leader of a political party is using the refugee situation for political purposes, its movement is gaining momentum.¹²²

53. **Riots in Refugee Camps:**

a. At least five refugees were killed, one hundred injured and nearly five hundred others were arrested following commotions that swept different refugee camps. The riot sparked off following repatriation of 49 Rohingyas to Arakan on 22 September '92. It is alleged that a section of the refugees used fire arms at Dhuapalong camp in Ramu on 24 September and the security forces had to retaliate in self-defence.¹²³ Earlier, agitated Rohingyas assaulted camp officials and on duty policemen. The militant refugees of the Dhuapalong camp also attacked a nearby village and looted homes of some villagers.

b. The refugees leading the agitation demanded that the 49 repatriated be brought back. Their main conditions for repatriation are:

1. The UNHCR must be involved in the repatriation deal;
2. The Myanmar government must accept and declare Rohingyas as an ethnic race in Arakan;
3. Human rights must be guaranteed for the Rohingyas;
4. The Myanmar government must compensate/return confiscated land and other property; and
5. The military rule in Myanmar must end.

c. It is reported that some foreign NGOs and the UNHCR officials were involved in the September 22 demonstrations in Dechuapalong and Dhoapalong refugee camps. The UNHCR promptly denied such an allegation. The UN body, which has pumped in millions of dollar in aid to refugees, was not happy about the repatriation of 49 refugees of the first batch. They wanted their inclusion in the repatriation process.¹²⁴

54. **Role of the NGOs**

a. Initially, there were 28 national and international NGOs working inside the Rohingya refugee camps. With the beginning of the repatriation process, number of NGOs presently stood at 15. The main activities of these NGOs are to provide emergency health care and sanitation, drinking water, nutrition and supplementary feeding, shelter, construction and clothing. They played a commendable role at the initial stage prior to the arrival of the government agencies.¹²⁵ According to an official source, 28 NGOs have already spent Tk 40 crore.

b. The local people, who have formed the RRAC, believe that the UNHCR and the NGOs have ensured a comfortable life for the refugees in the camps. RRAC alleged that there are some NGOs who are campaigning against repatriation for their own interest. According to one RRAC activist, had the UNHCR and the foreign NGOs stopped visiting the camps for seven consecutive days, the refugees would have gone by now.¹²⁶

c. Refuting to the RRAC allegation, a foreign NGO official said that economic facilities were not the main attraction for the refugees. The main reason was that they were afraid of going back to Myanmar

VIOLATION OF HUMAN RIGHTS

55. **Burma (Myanmar) Citizenship Law:**

a. The Rohingyas came to Arakan more than a thousand year ago. They came to settle as the "Sons of the soil" and made significant contributions to her culture and heritage. They became an integral part of Arakan's social, economic, political and cultural life. But the Citizenship Laws passed in 1982, during the oppressive regime of General Ne Win, made the Rohingyas alien in the land of their father, forefathers and ancestors.

Salient features of the Citizenship Laws of 1982 are as follows:

Section 46 of the Law has repealed-

- 1) The Union Citizenship Act 1948; and
- 2) The Union Citizenship (Election) Act 1948.

Hence the right to citizenship will now be solely governed by the 1982 Laws.

56. **Violation of Human Rights by Myanmar:** The Myanmar Government had violated many provisions of the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and their own Constitution in driving the Rohingyas mercilessly out of their hearths and homes. The following provisions of the Universal Declaration of Human Rights adopted and proclaimed by the United Nations have been violated:

Article 2 : Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, whether it is independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3 : Everyone has the right to life, liberty and security of person.

Article 5 : No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6 : Everyone has the right to recognition everywhere as a person before the law.

Article 7 : All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this declaration and against any incitement to such discrimination.

Article 8 : Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him by the constitution or by law.

Article 9 : No one shall be subjected to arbitrary arrest, detention or exile.

Article 10 : Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 15 : Everyone has the right to a nationality nor he be denied the right to change his nationality.

Article 18 : Everyone has the right to freedom of thought, conscience and religion; this includes freedom to change of his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

There is no denying of the fact that the Rohingyas have been deprived of their rights in Myanmar, because of their race, religion and social origin contrary to the provision of Article 2. In Myanmar, they have no security of person and no liberty and they have been compelled to forced labour contrary to Article 3. Men, women and children were subjected to torture, cruel, inhuman and degrading treatment as was widely reported in the international press contrary to Article 5.

Although, Rohingyas were mercilessly persecuted in Myanmar, they did not get any protection of law. They were not given any chance to invoke the jurisdiction of any court of law or tribunal in Myanmar to redress the wrongs committed to them. They were subjected to arbitrary exile. And all were done contrary to Articles 6, 7, 8, 9 and 10 of the Universal Declaration.¹³⁶

By enacting the Citizenship Act of 1982 and in that Act, by not recognizing Rohingyas as racial group, and granting the automatic right of citizenship only to racial groups under the cloak of national", the Myanmar Government, contrary to Article 15, has arbitrarily deprived the Rohingyas of their right to citizenship.

57. **International Covenant on Civil and Political Rights, 1966:**

The Myanmar government in its treatment with the Rohingyas has violated the following provisions of the Covenant:

Article 1 : All people have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 2 : Each state party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 7 : No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 8 (3a) : No one shall be required to perform forced or compulsory labour.

Article 12 : No one shall be arbitrarily deprived of the right to enter his own country.

As a matter of fact, the Myanmar government has denied the Rohingyas their right to freely determine their political status and freely pursue their economic, social and cultural development and consequently they have been denied the right of self determination contrary to Article 1. The Rohingyas have been discriminated because of their race, religion and social origin contrary to Article 2. They have been subjected to degrading treatment contrary to Article 7 and required to perform forced and compulsory labour contrary to Article 8.3(a) and also arbitrarily deprived of the right to enter their own country contrary to Article 12.

58. **Violation of UN Convention by Bangladesh:**

a. Bangladesh is neither a signatory to the Convention relating to the status of Refugees nor it has ratified the same. There was however, a general observation in its Declaration of Independence in 1971 that Bangladesh would abide by all the UN Conventions. From that point of view Bangladesh is pledged bound to honour the Convention.

b. **Article 4 :**

Religion

Bangladesh provided the refugees with adequate facilities and granted them full freedom to practice their religion. This was very natural because Bangladesh is a Muslim state and the refugees are also Muslims.

a. **Articles 12 and 15**

Personal Status and Right of Association

In Bangladesh, the personal status of a refugee is governed by the laws of the country of his domicile i. e. , Myanmar. Although, they formed an association named, "Rehingya Islamic Front" and demanded that until and unless favourable conditions returned to Myanmar, they should not be repatriated there. In the true sense of Article 15, the refugees were not given the right to form association and to be benefitted out of it.¹³²

b. **Article 16**

Access to Courts

Under Article 31 of the Constitution of Bangladesh, all persons should be treated in accordance with law—whether he is a citizen or not, which means that every one who is in Bangladesh has a right to access to the court. Hence the question of denying the refugees the right to access to the court cannot arise at all and this, according to study, did not happen.

c. **Article 17 and 18**

Wage-Earning Employment and Self Employment

It could be said that Government of Bangladesh technically denied the refugees the right to be employed in gainful employment, as; they were confined to a particular area and were not allowed to move freely. Of course, this must be seen in the context of Bangladesh's teeming millions of unemployed youth, its sheer poverty and other economic evils.¹³³ The refugees were also denied the right to engage in agriculture, industry, commerce and to establish commercial and industrial companies. However it is to be pointed out that the refugees started small business (without any formal permission from the Government of Bangladesh) in the vicinity of their camp areas.

d. **Article 20 and 21**

Rationing and Housing

Bangladesh government with the help of the international communities tried its best to provide adequate rationing to the refugees. The refugees are also provided with adequate housing.

e. **Articles 22 and 23**

Public Education and Public Relief

Contrary to the provisions of the Convention, the Refugees are not accorded the same treatment with respect to the elementary and secondary education. Bangladesh government also could not provide the refugees the same treatment with respect to public relief and assistance as has been accorded to Bangladesh nationals.

f. **Article 28**

Travel Documents

Bangladesh government did not provide the refugees with travel documents who are lawfully in Bangladesh for the purpose of travelling outside Bangladesh. However it is reported that a good number of refugees are presently in the Middle-East with Bangladesh Passport.¹³⁴

g. **Articles 32 and 33**

Expulsion and Prohibition of Return

There are allegations against the Government of Bangladesh by international agencies and in particular by the UNHCR that Bangladesh authorities force the refugees to leave Bangladesh against their will. Following the alleged forced repatriation of 49 refugees to Arakan on 27 September 1992, a riot broke out in which the security forces of Bangladesh

used fire arms resulting in the death of at least five refugees and one hundred injured, nearly five hundred of them were arrested.

h. **Article 34**

Naturalisation

Contrary to Article 34 of the Convention, the refugees were not allowed to be naturalised. According to Bangladeshi law, a person can only be naturalised if he stays in Bangladesh lawfully for a period of 5 years and since the refugees have been there for a far shorter period, the question of their being naturalised under Bangladesh laws does not arise at all. And no legal provisions were made for the refugees to naturalize outside Bangladesh laws.¹³⁵

i. **Article 35**

Co-Operation with the UNHCR

There are allegations that Bangladesh did not fully cooperate with UNHCR to facilitate its duty of supervising the application of the provisions of the Convention. Of Course, there were several meetings between the GOB and UNHCR and a Memorandum of Understanding (MOU) has been signed between the two parties.

From the above discussion, it appears that Government of Bangladesh, in many respect, failed to comply with the provisions of the Convention relating to the status of refugees.

PACE OF REPATRIATION

59. **Preliminary Issues:** The repatriation of the Rohingyas has created a formidable problem for the government of Bangladesh. The Myanmar Government initially was unwilling to accept the Rohingyas. The Rohingyas were also unwilling to go. The international agencies, the UNHCR in particular, were persisting that unwilling refugees can not be forced to go back. There was a lot of international uproar. Against this background, at the end of an official visit to Dhaka by a delegation headed by the Foreign Minister of Myanmar, an Agreement was signed on 28 April 1992, by which both sides agreed to the repatriation.

60. **The Salient Features of the Agreement are as Follows :**

The Bangladesh side emphasized on four basic elements:

- a. To stop the exodus of the refugees immediately.
- b. Repatriation of the refugees to their homes safely and with dignity.
- c. Undertaking of certain confidence building measures such as withdrawal of troops from border areas
- d. Do recurrence of the refugee problem in future.

61. The two sides also decided to form a Working Group consisting of members of both the Governments on the issue of safe and voluntary repatriation of the refugees. The Bangladesh

government proposed to involve UNHCR to ensure voluntary repatriation of the refugees. Finally, both the sides agreed as follows:

- a. The two sides reiterated their firm conviction to resolve the problems amicably and through bilateral means.
- b. The Government of Myanmar (COM) would take all necessary measures to prevent the out flow of the refugees and encourage those who had left Myanmar to return home.
- c. The GOM would accept, after scrutiny, all those refugees who took shelter in Bangladesh and whose presence had been recorded by the Government of Bangladesh through Refugees Registration Cards.
- d. On the basis of the scrutiny of the lists of the refugees provided by the GOB, the GOM would repatriate in batches all person carrying Myanmar Citizenship Identity Card/National Registration Card (NRC) or other documents issued by relevant Myanmar authorities.
- e. The GOM agreed that there would be no restrictions on number of persons to be accepted by them as long as they could establish bona fide evidence of their residence in Myanmar.
- f. The two sides agreed that the refugees would be received at the borders by the authorities of GOM. Both sides agreed that the process of repatriation would start within two to three weeks of the signing of the agreement and be completed within six months.
- g. Both sides agreed that repatriation would be voluntary and the refugees would be re-settled peacefully at their homes in Myanmar.
- h. The GOB agreed to fully associate the representatives of the UNHCR to assist them in the process of repatriation. The GOM agreed that the services of UNHCR could be drawn upon in an appropriate time.
- i. Both sides recognised the role of UNHCR in various stages of repatriation, thereby facilitating the reduction of international concern.
- j. After completion of repatriation process, the two governments agreed to cooperate for the prevention of illegal border crossings by persons from either side.
- k. Both governments agreed to oppose any form of terrorism, insurgency or unfriendly acts directed against their neighbours.
- l. The two governments agreed to work for a comprehensive and permanent solution of the refugee problem.

62. It was expected that after signing of the Agreement, the refugees would return voluntarily and safely. But it did not happen. By the first week of March 1993, a little over 22,000 refugees out of a total of 2,50,877 were repatriated. Some of the refugees even physically resisted their return to Myanmar on the ground that once they are back, they would again be persecuted. The refugee camps in Cox's Bazar witnessed many a violent scene.

63. The unwilling refugees fought against Bangladesh security forces protesting against, what they called and their forced return. The US government also accused Bangladesh of forcibly returning the refugees to Myanmar. The UNHCR made similar complaints. The six months period has passed off, but the refugees have remained.

64. **MOU Between Bangladesh and UNHCR:**

- a. Following correspondence between the Foreign Minister of Bangladesh and UNHCR in January 1993, the two sides held talks in February, as a result of which a Memorandum of Understanding [MOU] was signed by the UNHCR Chief Sadaka Ogato and Bangladesh Foreign Secretary on 12 May 1993. Understanding on broad parameters and the modalities of co-operation between the Government of Bangladesh and UNHCR was reached.

- b. Bangladesh would support and strengthen the UNHCR mandate in help solving the refugee problem. Both parties have a common objective that the repatriation takes place on a voluntary basis with UNHCR involvement at all stages. Until such time, an impartial UN monitoring presence is established in Myanmar, UNHCR will assist government of Bangladesh in smooth repatriation of only those refugees who are willing to return voluntarily. Both parties have a common objective to cooperate to reduce tension and violence in camps and in this regard UNHCR would lend assistance to Government of Bangladesh.
- c. UNHCR is committed to pool resources for maintenance of the refugees in Bangladesh and GOB is not expected to utilise its own financial resources. Both sides agreed that relief effort should continue uninterrupted despite arrangement and preparation for repatriation. UNHCR reiterated its earlier commitment to assist the local inhabitants in the districts of Cox's Bazar and Bandarban, who have suffered damages because of influx of refugees.
- d. UNHCR is also prepared to provide technical assistance and financial support to government of Bangladesh to reduce mass deforestation caused by the refugees. Bangladesh Government would allow UNHCR officials free access to all refugee camps in order to discharge their duties. UNHCR would work with the government officials in identification of the volunteers for repatriation and would assist the camp authorities in processing the movement of refugees to transit camps as and when required.
- e. UNHCR would monitor repatriation and conduct independent interviews with respective returnee with a view to ascertaining the voluntary character of repatriation. UNHCR would provide assistance kit to the returnees. On granting permission by Myanmar authorities, UNHCR would undertake motivational work inside Myanmar for early repatriation.
- f. Necessary funds would be allocated by UNHCR from its 1993 general programme in order to meet the maintenance cost of the refugees in Bangladesh. Both sides agreed that relief structure put into place in 1992 shall be maintained and consolidated. Services to health, nutrition and sanitation would be established in transit camps. NGOs already working in the camps would be allowed to function and extend their services upto 1993. Necessary government approval for extension of NGO activities would be granted expeditiously.
- g. UNHCR would finance up to US Dollar 3 million to quick impact small scale development projects in the unions adjacent to or nearby refugee camps in Cox's Bazar and Bandarban districts. UNHCR would favourably consider request by the Relief Minister of Bangladesh for reimbursement of the cost incurred by the GOB in maintaining the refugees prior to the arrival of UNHCR in Cox's Bazar in February/ March 1992. GOB and UNHCR would agree on measures to be taken for planned supply of firewood, introduction of substitute energy resources as well as replanting and reforestation.
- h. UNHCR would continue to advise refugees that those who want to return must have their rights upheld in Myanmar and will be assisted by UNHCR in returning home. Maximum restraint shall be exercised by government security forces in dealing with the protest by unruly refugees and non-lethal means for controlling the crowds would be adopted. In the meantime, UNHCR would provide provision for training and equipment to the government security forces. The camp officials and UNHCR would work together to defuse tension likely to generate into riot or violence and to restore peace and order.
- i. Government will issue instructions to ensure that all detainee refugees arrested under Section 54 would be given due process of law or released immediately. UNHCR would be allowed to provide them legal assistance. Government would issue instructions to officials at

the field level to adhere strictly to the policy of voluntary repatriation. If there is any violation to this agreed principle UNHCR would draw the attention of Bangladesh authorities who would take immediate remedial measures if the allegations are found true.

65. **Further Talks Between Bangladesh and Myanmar:**

a. Following the Agreement between the two governments, the 13th round of talks took place on 27th January, ended with an optimistic note.

b. It was decided that Government of Myanmar would continue to take such measures as may be necessary to build up confidence in the minds of the refugees, so that they voluntarily return to Myanmar. The Myanmar authorities also agreed for the first time that the land and other properties belonging to the refugees would be returned to them and once they are back at home, restriction on their movement would be lifted and they would be allowed to move freely throughout Myanmar, a right denied through enactment of the Citizenship Act 1982. There would be no restriction on Rohingya Muslims to practice their religion fully and freely, Efforts would be made to provide suitable employment to the Rohingyas. The Myanmar authorities proposed a visit by 50/60 Buddhist and Muslim Bangladeshis to see the religious places in Myanmar.

c. GOM also in principle, agreed to cooperate with Bangladesh in all respect to remove all difficulties for an early and peaceful return of the refugees. The Myanmar authorities have so far accepted 73,869 refugees for repatriation out of a total of 246,966.

d. Both sides also agreed that Bangladeshi journalists may visit Myanmar from time to time to see for themselves the conditions of the returnee refugees. It was further agreed that a delegation of Members of Parliament from Bangladesh would visit Myanmar very soon and GOM would actively consider the question of involving UNHCR in the process of repatriation.

e. It will be seen from the decisions of the meeting that a marked change has taken place in the attitude of the Myanmar government. The GOM is now not only willing to take back the refugees, but is desirous of taking steps to re-settle the refugees at their homes. If the Myanmar authorities keep their commitments, it appears that a lasting solution to this painful and tragic human saga may come to an end.

66. **Conclusion:** The legal Bible with regard to the refugees is the 1951 convention relating to the status of refugees and its 1967 Protocol. The core elements of the Convention are:

a) To provide protection to the refugees and

b) Not to expel or return the refugees to the country where their lives or freedom will be threatened.

67. Like other South Asian countries, Bangladesh has a tradition of hosting a large number of refugees from a long period. Here, refugees are subjected to same laws as for foreigners. These hardly consider protection need of an individual, especially in case of women and children. Again, due to lack of any explicit legal regime, asylum seekers and refugees are dealt under ad hoc administrative arrangements, which by their very nature could be arbitrary and discriminatory, and do not accord any right to the refugees.



Fig: 35- Refugees are Human Beings

68. On the other hand, in the absence of a legal framework and access to asylum procedure in Bangladesh, newly arrived Rohingyas are forced to stay illegally here and be prone to various vulnerabilities including engagement in illegal activities and even in terrorism.

69. Over the time, the Rohingya refugees and internally displaced person due to cyclone, flood, earthquake, river erosion, and ethnic conflict have a significance impacts on the economic, social, environmental, and law and order situations in Bangladesh. At the latest, it has added to the security concern. It is reported that a section of the Rohingyas hover link with domestic terrorist groups like JMB and guerilla group operative in Myanmar-India-Bangladesh borders who receive funds from abroad.

70. Therefore, the Government should be serious on the matter. It is a high time that Government of Bangladesh adopts a comprehensive policy on Rohingya refugee issue & internally displaced person with a view to resolve the problem through bilateral and multi-lateral means. For this, pro-active diplomacy is required. A right-based approach as to domestic legislation is to give weight within a framework that recognizes the distinctive essence of humanitarian problems and gives legal recognition to the fact that every person, alien or national, is of equal moral worth, and worthy of treatment that does not violate his her dignity.

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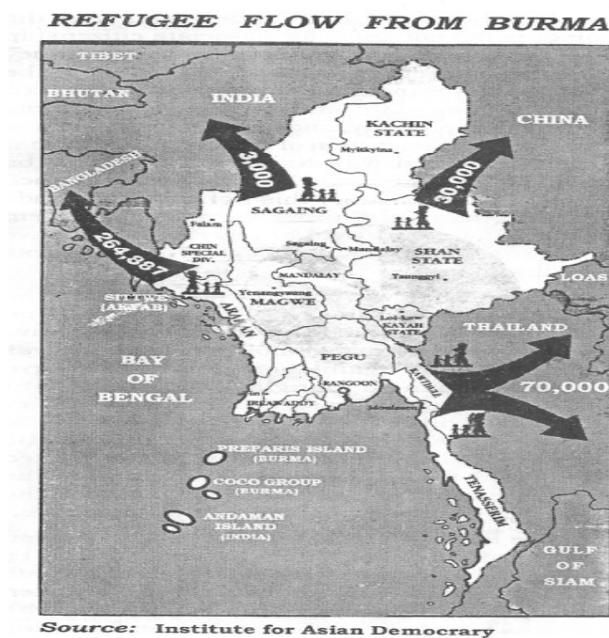
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CHAPTER-SIXTEEN

CONCLUSION & RECOMMENDATION

1. Myanmar became independent in 1948, and the misfortune of the Rohingyas began. The tales of the Rohingya misfortunes are out of context here, so we shall not discuss them. In short we may say that the Rohingyas were victims of military rule established by General Ne Win. He and his Revolutionary Council and Burma Socialist Programme Party, made it a policy to suppress and oust the Rohingya Muslims out of the country. Their first step was to declare the Rohingyas as aliens, and to restrict their movements. Next the Arakanese administration was Buddhist, expelling the Muslim or transferring them to out of the places, and thus reduced their number day by day. Next step was to ban all Rohingya socio-cultural organisations and the Rohingya language programme broadcast from Rangoon Radio (BBS) was also discontinued. Side by side the government also perpetrated oppressions against the Rohingya Muslims. Police and army personals entered into the house of prominent Muslims, made arrests indiscriminately, extorted money, insulted women and harassed and tortured all who opposed them in their illegal and inhuman activities.

2. Under these circumstances the Rohingyas had no alternative but to leave the country in search of safety. In fact the Burmese government began oppressing the Rohingyas from the beginning, i.e. after Burma became independent. But we have omitted the past history and we would like to discuss in short the two exoduses of the Rohingyas across the Naf River to Bangladesh. Arakan state authorities under the supervision of the Burmese Council of State started a cleansing operation against the Rohingya Muslims in 1978. The operation was named Nagamin or King Dragon operation and its object was to intimidate the Muslims and compel them to leave Arakan. The operation was started in March 1978 and such oppression was perpetrated that within a short time the number of Rohingya refugees to Bangladesh exceeded 3,00,000 who were given shelter on humanitarian grounds by the Bangladesh government.



Map-4: Refugee Flow from Myanmar

3. Refugee problem is nothing new in this world. It was there in ancient times, in the Middle Ages and in modern times. Laos, Cambodia, Vietnam, Mozambique, Somalia, Eastern and Central Europe and very recently Bosnia remind us of the plight of the refugees. Perhaps, the Rohingya refugees are

an exception. No serious international attempts have so far been made for their repatriation and resettlement with honour and dignity in the land which has been their homes for centuries.

4. Once upon a time Rohingya was established as an independent state but in course of time later on Arakan in the modern stage became a province of Myanmar. Like wise once upon a time Rohingya established their position in deferent important appointment including regime of kingdom but in the modern age Rohingya are the hated community in the Arakan. The miserable life of Rohingya starts during the Burmese king of Bodpaya occupied Arakan in 1885. Second time miserable life of Rohingya started, after ends different types of tactics apply by the British at the end of the British regime. After independence the military leader Nee-win occupied the power in 1962, they also lost the right of citizenship. At last they introduced and established citizenship Law in 1982 and consider them outsiders or foreigners and forced them to go outside of the Country. Rohingya's by birth they are the citizen of Arakan despite of that the miserable condition of their life occurs following specified Causes:

Firstly. Rohingya's are crossing thousand years long path and they are occupied all the important appointment in the states and the kingdom but they can't create in case of leader new style of leadership. Mean-while the king of Burmes Bodpaya occupied Arakan. Then all the power of Arakan automatically shifted in the hand of of Burmes. Rest of them in fear of life fled into Bangladesh and again occupied Arakan by the First war of England-Burma in 1926 up to that long time they were staying outside of the state. During this time sin piyan and other Leaders of Arakan try to recover the freedom and start fighting against the Burmes Government. But this fight for freedom was not successful due to different causes. As a result, Rohingya's were fallen back in case of leadership.

Secondly. In the year of 1826 British regime was established in Arakan. They established their own power more strongly by providing some basic right to the Rohingya. The ruling Govt of Arakan necessities for the sake of enrich economy work are providing in different side of administrative sector besides agriculture, business etc, those who are taking shelter Refugee in Bangladesh. Opportunity return of Rohingya most of them they don't like to return back in Arakan rather they started leading their live permanently in the Cox's Bazar Chittagong hilltrack. They can't create new situation leader in case of leadership. Though few leader of middle and lower class return back in their own home land. On the contrary Muslims of this subcontinent don't take easy way, the leadership of British regime on the other hand British leadership always consider Muslim as their enemy. As a result the British regime was totally established by the British in the Burma and the Rohingya's can't bring any rebel/revolution against British for that reason they don't gave opportunity to Rohingya for different duties of the state, rather they gave opportunity to the local community. Even before they gave independence to the Burma, they create confusion among regarding the subject of citizenship. After independence the Govt of Myanmar and local Mog make that issue so strong as a result they consider Rohingya as a foreigners or invaders and compelled them to leave this state.

5. At present Rohingya crisis turn into a devastating way Bangladesh and international world are also involved in this crisis as a result this crisis turn into international crisis. Rohingya crisis Muslim world or international world considers one of the important strategy like Bosnia, Chesnia, Palistine, Mor (Mindana) and kasmia crisis. Burme's soldiers and local Mog openly with the support of Govt and their master plan create havoc among Rohingya murder, rape, torture to the women's, create fire to the houses, band the property, extortion, abduction, create obstruction to the religious aspect, Destroy Muslim history, culture and whipped-out from own home land and taken off all the main principal of rights and showing thumb rule against the human rights. As per this plan to destroy the whole Muslim community and establish Mog community bring Mog those who are scatter different corner of the Myanmar. Regarding few people gave opinion this aspect there is no alternative path except independent Arakan. To protest against the principle of Myanmar govt and they don't have any

organization and revolution power of Rohingya though few organizations are working on behalf of the revaluation. Mean-while for getting independence Rohingyas multi force and political party on behalf of their own country with the help of gurella warfare. It is not possible against Myanmar due the strong three million trained military forces of Myanmar and having equipped with all type of modern weapon. It is difficult task to get independence with the help of muktibahini with guerrilla warfare. It is more difficult then that to proceed in the democracy way. In this aspect finding, no other alternative way point to save the life of Rohingya for human torture. They left their own homeland and take shelter in Bangladesh. Regarding, this aspect Rohingya crisis the opinion of Bangladesh.

Firstly. Rohingyas are inhabitant of Arakan more then thousand of year in Arakan of Myanmar. They are the citizen of Myanmar by birth by the reflection of the opinion of awareness people. The opinion was surved and the reflection of the news paper of international and Bangladesh. Though Bangladesh has shown the weakness of foreign principle regarding Bangladesh-Myanmar different treaty singed by two country. They considered lawful residents of Burma instead of lawful citizen of Burma. The Govt of Myanmar not showing the respect of citizenship of Rohingya is unfair, inhuman behaviour and showing the opinion of autocracy Govt.

Secondly. Rohingyas have equal right to lead an independent life with their basic rights honour and safety of their property as a citizen of Myanmar by birth. But they are wiped-out by different type of torture from their own home land and send them by force to another country. It is a great violation of human rights.

Thirdly. Rohingyas are fled away from Myanmar due to different type of inhuman orture are seeking shelter in Bangladesh as per international law and humanitarian reason.

Fourthly. Bangladesh is a small country over burden with huge population. Besides arrival of huge number of Rohingya Refugee create serious pressure to our state and facing great loss to our soceo-economic condition.

Fifthly. The Rohingya principle of Myanmar Govt is a conspiracy to destroy Muslim community.

Sixthly. The delay of permanent solution of Rohingya crisis due to autocracy behaviors of Myanmar Govt. UN and international organization are also involved in this crisis. As a result the Rohingya crisis is not a matter of Myanmar internal crisis rather it is an international crisis.

Seventhly. Myanmar Refugee who take shelter in Bangladesh in course of time they have to returns back in this own country. There is no doubt regarding this matter. In this aspect international help is urgent and essential.

6. It became a normal custom for Rohingya to take shelter of Refugee life. They look shelter in Bangladesh as a refugee in the year of 1974, 1978 and 1991-92 with the help of international organization Bangladesh Govt look some positive step and return back to this own home land. But on behalf of the Myanmar Govt there was no step taken to stop the inhuman torture among Rohingya. As a result Rohingyas are frequently coming to Bangladesh and introduce them self as a relative or Refugee and eablish their home in Bangladesh as a permanent resident. During the period of return back Refugee in the year of 1991-92 mean while return back Refugee and local Rohingya many of them they return back in Bangladesh and eablish this foothole as a permanent resident of Bangladesh. According to the statement of Refugee relief and rehabilitation commissioner twenty one thousand Refugee taking shelter in the Refugee camp.¹ Beside more then one and half million Rohingya Refugee

establish their unlawful residence in the area of Cox's Bazar, Chittagong hill track district different area, Chittagong hilly area, plain land and municipal area. The Law and order of district of Cox's Bazar and Chittagong hill tracks deteriorated due to the huge influx of Rohingya Refugee and also create greater harm to the environment due to catching of fish and getting job due to quail ability of Rohingya labor.² Return back register refugee activity also hamper due to main influx of Refugee. The Refugees were waiting for return back with the inspiration of illegal refugee. They fled away from the camp and mix with the illegal Refugee.³ So within a short span of time to stop the illegal refugee in Bangladesh require international help with their help first thing is to ensure stop Myanmar Govt for inhuman torture, return back refugee in the Myanmar, those who took shelter in the camp. Finally, Bangladesh Govt should take more positive step to solve this crisis. Regarding this aspect following proposals are taken into consideration to solve this problem permanently:

Firstly. If we consider the crisis in humanitarian aspect avoiding Bloodshed and destruction. Bangladesh Myanmar should try more cordially bio-lateral discussion in peaceful way to solve this crisis and if refugees international help also seek for solve this problem.⁴

Secondly. To see the demand and opinion of the Arakan with the help of caretaker United Nation in the democratic process like East Timor can arrange electoral vote. Regarding this aspect as per international convention of Refugee if Muslim countries of the world cordially represent and taken necessary step of United Nation general assembly and United Nation security councils this. It is not possible for United Nation to avoid this subject matter of Rohingya. Regarding this aspect Bangladesh has to take pioneer role.

Thirdly. The discussion meeting was held in the United Nation in the year of 1993 month of September. Arakan area near the border of Bangladesh is considered as under development area for as example:⁵ under development environment for a prolonged time practically encourage inhabitants of this area moves from one place to another place.⁶ So on behalf of the Myanmar Govt stop all types of torture and to take massive development project for the development of Socio-Economic condition of the Rohingya to solve this problem amicably. Besides, Myanmar Govt ensured this citizenship rights. They should also give more priority in the aspect of Agriculture, Health and education.⁷ Make sure that UNS OIC should take care regarding this aspect.

Fourthly. Observer on behalf of the UN should send into the Myanmar to observe the current situation of that particular place. To ensure human rights of Rohingya and UN should intervene the matter directly in their own hand to create tremendous diplomatic pressure. OIC and all other Muslim states both together create pressure diplomatically so that keep in take the citizen of Rohingya and bound to provide full rights of Rohingya.

Fifthly. If it is not possible to solve the Rohingya crisis permanently in the above mentioned procedure to solve this crisis amicably way to establish Arakan regime following decision should take into consideration by the Arakan people:

- a. Rohingya should start their journey with brave and patience within the law order and discipline. Rohingya should leave the opinion of leaving the country rather they create favorable environment for their side and create long term plan to improve their condition imposing education all stage of their life.
- b. Make habit to become gradually independent, forget all types of classification variation and become united. Besides take a positive plan and gain energy for the sake of

fight for independence. Regarding this aspect Muslim world should come forward to help them for independence and Rohingya there are staying outside. They should create some new proposal so that they can create attention of their Govt.

c. The leader of Rohingya and Muslim states combinely should take positive step so that they can get continuous support in favor of them from the United Nation, international organization and human rights organization. For that reason continuous effort to be continued for establishment of Arakan state heaven of Rohingya.⁸

7. **Finding & Recommendation:** The repatriation of the Rohingya refugees is a complex undertaking that places an enormous burden on Bangladesh, the UN and other entities involved. Successful repatriation of the refugee population and protection of their rights in Bangladesh largely depends on the GoB, active involvements of the international community and support from the civil society. Based on the findings of this research, following recommendations and proposals could be forwarded for immediate consideration.

8. **National, Regional and International Responses to the Rohingya Refugee Crisis:** In order to develop a concerted and comprehensive framework to resolve the Rohingya refugee Crisis, it is important to identify the areas of intervention from national, regional and international actors. These are:⁹

a. **Adopt a Comprehensive National Policy and Guideline on the Refugee Crisis:** Currently Bangladesh government does not have any national policy or guideline on the refugee Crisis. Besides, government has no effective mechanism to identify a refugee, monitor and provide services to the refugees coming from Myanmar. Moreover, government lacks concrete policy to provide strategic guidance to various stakeholders dealing with the refugee Crisis. Therefore, GoB, in consultation and technical support from the UN agencies, international organizations and local CSOs may design and adopt a comprehensive national policy and framework on the refugees. Adoption of such policy will enhance the government's ability to mitigate the problem and strengthen interagency coordination, collaboration and cooperation in this regard.

b. **Strengthening Bangladesh-Myanmar Diplomatic Efforts:** Multilateral diplomacy with the donor community to share the burden of caring for refugees needs to be strengthened and should be seen from a broader development approach. So far, Bangladesh government has undertaken moderate and persistent outlook to resolve the Rohingya refugee Crisis. Protracted refugee problem is increasingly becoming connected with the development and governance agenda in Bangladesh. Therefore, GoB may consider the following options:

- 1) The government should engage in bilateral diplomacy with international donor community to expand services and remove barriers to self-reliance for both the 'documented' and 'undocumented' refugees coming into Bangladesh.
- 2) It is imperative that the government should continue to generously support the refugees for their livelihood development, and pursue fast track diplomacy for repatriation involving various stakeholders, i.e. China, India, developed countries, UN and other international organizations.
- 3) The government may encourage third country resettlement as a practicable solution for those for whom repatriation is not an option, and for those who face legal and security protection tribulations in Bangladesh.¹
- 4) Actively explore with UNHCR more aggressive and creative opportunities to support voluntary repatriation.

- 5) Possibilities to engage third party mediation could be explored by Bangladesh. Major Powers in international politics or regional organizations like SAARC or ASEAN could come forward as a third party mediator.
- 6) Continue and increase assistance to skill development project for both the 'documented' and 'undocumented' refugees. In make them skilled labours for their home countries and for the third countries.
- 7) Bangladesh-Myanmar bilateral trade needs to be improved to strengthen confidence between these two countries. Bilateral trade may facilitate track II diplomacy that would eventually help in accelerating Rohingya repatriation. Bangladesh-Myanmar Joint Trade Commission and Chambers of Commerce can play active role in this regard.
- 8) GoB should facilitate more active involvement of civil society and NGO at the local and national level into refugee repatriation process via both Track I and II diplomacy.

c. **Involvement of the International Community and Development Partners of**

Bangladesh: International community and development partners of Bangladesh may consider the following recommendations:

- 1) Along with UNHCR, SAARC, the EU, the World Bank, the United Kingdom, Canada, Australia, Germany, Japan, Scandinavian countries, the Netherlands, and the People's Republic of China can play a significant role in facilitating repatriation and improving the livelihoods of the Rohingya refugees.
- 2) The international community needs to approach the refugee Crisis within the context of broader development agenda. International and regional level donor conferences could be organized to discuss and find possible means and ways to resolve the Rohingya refugee crisis.
- 3) International community, in particular, may consider providing more funds for reconstruction of accommodation and educational infrastructure, strengthen health services, and efforts to develop skilled labours. While some international donors are helping in these areas, the funding is still too low and the donor community in general has not stepped up to the plate.
- 4) All the stakeholders involved in the refugee regime should broaden their support to include the refugees who are without documentation and living outside the refugee camps.
- 5) GoB and UNHCR should ensure active collaboration among the national and regional level CSOs in developing/ implementing. Refugee protection and repatriation programs. GoB and UNHCR should undertake consultative linkages with the representatives of civil society particularly experts and representatives of independent research centres, in the decision making processes relating refugee protection, rehabilitation and repatriation.

d. **Contribution of the Charitable Community:** In addition to the international funding sources, the philanthropy community such as corporate, private and community foundations should be encouraged to play benevolent roles by providing grants and other type of resources to non-profit organizations, social service providers and community organizations that deliver services to the refugees.

e. **Facilitation of Community Based Resources:** A list needs to be compiled of nonprofits, faith based organizations, government agencies (all levels from national to local) etc., that have

culturally specific or language specific programs (sorted by activity area) available for both the documented or undocumented Rohingya refugees. This compiled list should be distributed to Voluntary Agencies, NGOs, faith based organizations, government agencies, philanthropic community, the community at large, and especially to the local civil society. The contents of the list should effectively provide bilingual/bicultural services for the refugees.

f. **Dynamics of National Security of Bangladesh:** The relationship between internal security and the refugees is a complex subject to comprehend. On the one hand, the refugees are the victims of insecurity, and on the other, they are often involved in criminal activities. Inhabitants of the refugee camps in Kutu Palong and Nayapara and surrounding areas suffer a wide range of security problems, including incidents caused by law enforcement agencies and due to breakdown of general law and order situation. It has been observed during this research that the refugees are often politically used for electoral motives, engaged in criminal activities, and manipulated by ideological extremist groups and insurgent groups from the Northeastern region of India and Myanmar. It could also be noted that due to physical similarities between Rohingyas and Bengalis, and influx of unmanageable size of Rohingya refugee population into Bangladesh, it has become virtually impossible to distinguish between the legitimate and illicit political dissent. Given such complexity, following measures could be considered:

- 1) There is lack of coordination between different law enforcement agencies to monitor and evaluate the refugee situation. Therefore, UNHCR in cooperation with the government may develop a multi-prong strategy to meet the security needs, impart security assessment and develop a security plan.
- 2) The UNHCR, in collaboration with international donor agencies, could offer 'security package' to meet the cost of posting of more police officers in and around refugee sites and provide these officers with special allowances, equipment, vehicles, fuel and accommodation.
- 3) Failure to provide physical protection occurs due to lack of capacity of the law enforcement agencies. Bangladesh does not have sufficient or adequately trained and equipped forces, either police or military, to provide adequate and appropriate physical protection in the Rohingya refugee camps. Therefore, training and capacity building programs to strengthen the law enforcement agencies to deal with refugee camp security and humanitarian laws would improve the efficiency of these agencies in dealing with the refugees.
- 4) Hiring and deployment of private security firms could be an alternate and effective solution to provide security in the refugee camps.
- 5) Bangladesh and Myanmar shares a porous border which is a major contributing factor for cross-border arms, drugs and human trafficking, informal trade and concealed access for the Rohingya refugees into Bangladesh. Border management system should be strengthened to monitor the access of the refugees which would have spill over effect on controlling arms, drugs, and human trafficking. Myanmar, however, is recently building a border fence, albeit within its own territory. This could impact upon two things. Firstly, as found in the case of Indian fencing of Bangladesh border, Myanmar could bring the flow of smuggling, including narco-trading, to its advantage, that is, allow the smuggled goods from Myanmar to enter Bangladesh by opening the gates while fencing off the smuggled goods from Bangladesh entering Myanmar. It may be mentioned that save illicit arms and drugs the informal trade between Myanmar and Bangladesh is in favour of Bangladesh at this stage. Secondly, since there are over 300,000 unregistered Rohingya refugees

living in Bangladesh, Myanmar would be able to disown them once the fencing is done, claiming that these people were residing on the other side of the border. To offset the impact of border fencing by Myanmar immediate negotiation between the two countries ought to start on these two issues, including silently 'registering' the unregistered refugees.

- g. **Tangible Support from the Private Sector:** In collaboration with Bangladesh Rifles and local government, private sector can put forward plans to set up markets in Bangladesh-Myanmar border. Such markets will increase legal trade and decrease illegal trade between these two countries. Besides, private sector organizations could provide tangible supporting aid, for both documented and undocumented refugees, such as improved diet to the pregnant, winter clothing, improved food during the festival seasons etc. in collaboration with the government and agencies working in the camps.
- h. **Repatriation, Protection, Legal and Security Concerns:** This research has found that durable solutions for the refugee situation depend on freedom from the fear of persecution from the Burmese government. The governments in Bangladesh and Myanmar should understand that voluntary repatriation or return in safety and dignity is in general the preferred durable solution for refugees. The rights of return and protection are enshrined in international law. GoB has performed commendable responsibility by hosting the refugees and by not exercising any forceful measures to repatriate the refugees. However, it is important to provide sufficient attention in the following areas:
- i. **Organized Voluntary Repatriation:** Given the economic, social and environmental conditions, Bangladesh is reluctant to host refugees. This is often accompanied by the desire to see rapid repatriation, which can in turn translate into deliberate non-protection ("humane deterrence") as a way to encourage repatriation. Such approach would not bring in any sustainable solution to this problem. Myanmar gives mixed signal about their seriousness regarding repatriation of the Rohingya refugees. Therefore, negligible repatriation has taken place between Bangladesh and Myanmar. There has been a status quo in refugee repatriation process since 1998. Any aggressive voluntary repatriation strategy will also fail. Therefore, for the policy makers it could be suggested that organized voluntary repatriation should be preferred to ensure a durable repatriation process.
- j. **Protection of the Refugees:** UNHCR has done commendable work in providing protection, assistance and support to the Rohingya refugees residing in Bangladesh. UNHCR and international organizations have developed guidelines, best practices, and other measures to improve protection of the refugees in Bangladesh. However, weaknesses in its staffing process and training limit the effectiveness of these measures, therefore, it is advisable that UNHCR should make better use of partnering arrangements with nongovernmental and international organizations to boost its protection capacity.
- k. **Gender Based Violence:** Gender based violence is a major issue for the Rohingya refugee women. This could occur in their country of origin, where it may form the basis of their refugee claim, or since they arrived in Bangladesh. Therefore, there is a need to address this Crisis with proper attention by the law enforcement agencies, and a variety of responses are needed which should include counselling services, specialist legal support, appropriate refugee accommodation and the provision of general information and advice.
- l. **Combating Child and Women Trafficking:** During this research, it was found that insufficient monitoring and protection mechanisms are in place to deter or identify refugee child and female trafficking. The government agencies, particularly the law enforcement agencies, in Collaboration with UN bodies and other stakeholders involved in service delivery

need to develop comprehensive monitoring and protection mechanisms to combat child and women trafficking.

m. **Legal Aid and Counselling to Both the 'Documented' and 'Undocumented' Refugees:** During this research, it has been identified that legal aid and Counselling services are very inadequate. However, there are some utilities for the 'documented' refugees while 'undocumented' refugees do not have any access to such services. Therefore, the government may consider engaging NGOs specialized in legal services to provide legal aid and counselling in a wider scale to the refugees.

9. **Livelihood Services And Skills Development:** UNHCR has provided a significant level of assistance to strengthen the capacity of the Rohingya refugees to absorb the conditions of their livelihoods in the camps. However, several assistances are yet to be strengthened to lay the foundations for sustainable livelihoods and self-reliance for the Rohingya refugees. To support repatriation and third country settlement, GoB, UNHCR, INGOs, NGOs and other institutions need to provide support in the following areas:

a. **Camp Management:** To ensure effective management of the refugee camps and services, staffs working in the camp needs to be properly trained in the field of refugee laws and should be provided with adequate incentives, vehicles, office supplies, salaries, rent and utilities. There is a need for training programmes and workshops to improve the camp management skills of the staffs.

b. **Camp Infrastructure:** In the camps Nayapara and Kutu Palong overcrowding and poor hygiene are major factors in the transmission of diseases with epidemic potential (HIV/AIDS, STDs, skin diseases etc.). There is an urgent need to improve the accommodation and sanitary infrastructures that constantly expose the refugee population to serious health hazards. Poorly planned and insufficient accommodations in the camps spare the most pathogenic environments possible. Such problem is much more in the undocumented Rohingya refugee settlements. The undocumented Rohingya refugees suffer from inadequate shelter which means that the population is deprived of all privacy and constantly exposed to the elements (rain, cold, diseases, natural disasters etc.). Prompt actions must be undertaken by GoB and UNHCR to improve the camps and its-facilities for both the documented and undocumented refugees. Sufficient spaces for shelters must be provided as rapidly as possible to protect refugees from the health and environmental risks, and infrastructure installed for the necessary health and nutrition facilities, water supply installations, latrines, etc. needs to be improved without further delay. GoB, UNHCR, UNDP, WFP, IRC and other donor communities may provide financial and technical assistance in reconstruction of the camps and its facilities.

c. **Lack of Information Regarding Services:** The Rohingya refugees are not conscious about their rights and responsibilities. Lack of information about services and rights constantly expose them to legal harassment and physical threats. Therefore, it is recommended that UNHCR, GoB, NGOs and the media should undertake programs to sensitive the refugees regarding their rights, entitlements to services, and responsibilities in general.

d. **Lack of Credible Census and Profiling of the Undocumented Refugees:** There is lack of credible and verifiable census relating documented and undocumented refugee population in Bangladesh. A systematic census program needs to be undertaken to identify total number of refugees in Bangladesh.

e. **Health Services:** It has been identified that there is a lack of delivery channels for health care services to the Rohingya refugees. Therefore, there is a need for health service enhancement (including publicly funded services and supports from International

Organizations) in order to address the complex needs of refugee population. It could be recommended that all refugees should have access routinely to comprehensive health services that could be provided by experienced organizations like MSF or IRC.

f. **Health Education/Outreach Programs:** It has been found that the camps provide inadequate facilities for basic health education to children and adults. UNHCR, the government and local partners should develop health education and outreach activities that are culturally appropriate and sensitive to the Rohingya population. In this regard, NGOs may provide training and education modules for health care providers, refugees and partner agencies.

g. **Mental Health:** There is a need to engage psychologists, social workers and counsellors by the government agencies and non profit agencies to assist the refugees to provide mental health services. Trauma centres could be established in the camps and its surrounding areas to provide services to both the documented and undocumented refugees.

h. **Family Planning:** NGOs, INGOs and donor agencies can provide technical assistance to build awareness on family planning. This should be aimed at every adult member. Although there are such awareness programs in the camps, they remain largely ineffective. The extremely high population growth rate among the camp people proves this beyond doubt. As such, new strategies need to be implemented.

i. **Child Care:** The lack of child care provision was identified as one of the major problems in terms of accessing services and being able to ensure health of the minors in a family.

j. **Education, Language and Training:** Lack of access to education impacts on the refugees' ability to become skilled and thus has an exclusionary effect. Therefore, it is imperative for all the agencies involved in the Rohingya refugee repatriation to focus on providing basic education, developing language skills and facilitating vocational trainings for children and adults. Vocational trainings to the adult population would assist them to become skilled workers. Education could be provided in Bangla, English and Arakanese languages. The government should also ensure the entitlement of all minors to access primary level education.

k. **Work force Development:** The Rohingya refugees are hard workers but those with limited English proficiency or formal education continue to face many challenges in becoming skilled workers. An organizational structure could be developed to provide training programs to develop their skills. INGOs and NGOs in collaboration with the government can fund to establish an organizational structure, i.e. vocational training centres, adult education basic education schools, English language training centres. This will have great success in helping refugees find employment at livable wages with employers in their own country and in the third countries. In this regard, there will be a need to develop and fund collaborative partnerships between the government, donors, NGOs and academia.

l. **Micro-finance and Income Generation for the Rohingya Refugees and the Camps:** GoB and UNHCR should explore the possibilities of introducing new initiatives for income generation and improving livelihoods in the camps, particularly for women and children. Income-generation and loan schemes do instill new professional skills in refugees, permit them to enjoy a limited degree of financial autonomy and introduce money into a poorly monetize environment. In order to foster refugee self-reliance and the promotion of sustainable livelihoods, micro-finance programs would help in the long run.

10. **Engaging Civil Society Organisations, Academia, Media and Rohingya Diaspora:** During this study it has been identified that civil society has played little role in bringing the Rohingya refugee Crisis in the development discourse in Bangladesh. In the democratic setting of Bangladesh, civil

society, academia and media could impart consultative support by providing strategic guidance to various stakeholders, policy inputs to the government and NGOs, and sensitising the national and international regarding the plights of the refugees. Therefore, CSOs, academia, media and Rohingya Diaspora should carry out activities in the following areas:

- a. **Establishing an Institutional Mechanism:** Civil society representatives should form an institutional mechanism to discuss, examine and provide strategy or recommendations on the Rohingya refugee Crisis and to monitor and support the activities of NGO networks. Such institutional mechanism would strengthen cross-sector cooperation and set up events between civil society and relevant authorities to promote accountability and coherent responses to the refugee Crisis and needs of the refugees in close cooperation with various stakeholders.
- b. **Assist in Formulating a Coherent and Comprehensive Strategy:** Civil Society should actively take initiatives to formulate a coherent, concrete and comprehensive strategy and policy framework relating refugee regime in Bangladesh adhering to international law and global best practices.
- c. **Advocacy and Research Support:** CSOs should undertake campaign and advocacy initiatives to sensitise the stakeholders and international community regarding the plights of the refugees. Civil society and academia should conduct research and facilitate debate on the Rohingya refugee Crisis. Therefore, civil society organizations can undertake independent research and facilitate debate between international, national and non-governmental actors on refugee Crisis.
- d. **Political Consensus on the Refugee Crisis:** Civil Society and media should undertake aggressive initiatives to build political consensus regarding the Rohingya refugee Crisis. They should actively resist any attempts to abuse the refugees for political gains.
- e. **Bridging the Involvement of NGOs:** Civil society in Bangladesh may work as a bridge to increase collaboration at the region/international level of NGOs with relevant experience on refugee Crisis.
- f. **Supporting the Grassroots Activities:** Civil society should work together with grassroots organizations supporting and participating in the human, rights activities focusing on the rights of the refugees. Civil society, academia and media should support initiatives which facilitate spaces to advocate and monitor the protection and promotion of human rights for the refugees.
- g. **Support Community Involvement:** Civil society should actively support initiatives to establish special centres or community unions/ organizations in bordering areas with the aim of fostering ties between communities (including economic ties) and to promote negotiation processes both at the official and unofficial levels.
- h. **Capacity Building in the Field of Education:** Academia and media should actively support the government and NGOs to build their capacity to support/implement educational programs for the refugees. Therefore, civil society and academia could play an important role in strengthening the linkages between theoretical experts and practitioners in the area of Refugee concerns.
- i. **Collaboration Between Civil Society and Media:** Media should undertake programs to support contacts between civil society and all the stakeholders to ensure regular and informed coverage of Crisis and the work of civil society in the context of Rohingya refugee Crisis.
- j. **Refugee Journalism:** Media should build its capacity on Refugee journalism in Bangladesh.

k. **Rohingya Diaspora:** Rohingyas who are living in the developed or middle income countries should take campaign projects for third country resettlement of the Rohingya refugees. Rohingya Diaspora could build worldwide advocacy networks to sensitise the matter and gain international supports to pressurise the Myanmar government to resolve the refugee crisis.

l. **Practical and Tangible Supports by the Diaspora:** Rohingya Diaspora may provide funds to GoB and expert NGOs to improve livelihoods of the refugees. They can also provide material and tangible supports such as clothing, food, educational materials, medicines, entertainment equipments to the refugees.

m. **Capacity Building of the Tertiary Level Students:** As Bangladesh is one of the frontline countries facing the problems of refugees, there is a need to bring refugee Crisis in the mainstream social science education. The academic curricula may adopt a refugee-centred course to promote critical thinking within policy- and practice-related debates. While conducting this research, students from three major public universities, i.e Dhaka University, Jahangirnagar University and Chittagong University, were brought together. What emerged from this networking, within research contexts, is unique and dynamic activism and engagement in activities independent of existing statist structures. The students involved in this study are now equipped with knowledge of the causes and consequences of prolonged refugee situation, problems of conflicting identity crisis and functioning of existing humanitarian aid structures. Similar thematic studies should be encouraged to prepare the future leaders to respond to refugee crises which transcend borders, local cultures and the humanitarian aid regime.

11. **Concluding Remarks:** The recommendations discussed above are issue specific those require immediate attention from all the stakeholders identified in this report. The government, along with UNHCR should support and encourage the bilateral donor countries to continue and expand their roles in bringing environment for repatriation to Myanmar. To deal with the refugee Crisis for a poor country like Bangladesh, international community may actively participate in burden-sharing to build refugee-protection and reception capacities. To meet the recommendations, a series of policy revision targeting development assistance by the government, UN agencies and international donors is required. The main obstacle to provide assistance to the refugees has been the reluctance of donor agencies to provide more resources. A crucial task for UNHCR, therefore, would be to mobilise donor commitments to support the durable solutions and facilitate greater coordination across the branches of GoB. Therefore, the importance of mainstreaming the Rohingya refugee Crisis in Bangladesh should be discussed from a broader development context.

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4. Interview was taken by the researcher five victim person of Rohingya. In that interview most of them advised the researcher to solve the Rohingya crisis permanently they gave priority, Bangladesh should play pioneer role regarding this aspect. They also advised by means of Bi-lateral discussion with the help of international world to solve the crisis permanently.
5. Daily Janakantha 09 November 1993
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118	UNHCR Affairs.
119	Relief for Myanmar Refugees.
130	Repatriation Agreement.
409	Repatriation of Myanmar Nationals.
602	VIP Visit Between two Countries.
603	Foreign Minister's Visit to Myanmar.
604	Visit of Myanmar Foreign Minister U Ohn Gyaw
605	Myanmar Home Ministers Visit.

1.2 **Collection of Muhammad Siddike khan:** Late Muhammad Siddike khan, collocated lot of information from National archive the India historical record or Indian national Muhafej khana and donated it to the Dhaka University Library. To remember of his contribution, the title of the information is Md. Siddike Khan collecting (MSKC). The following subjects are utilized from the recorded file.

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Annex 1: Map of Asia (Political) 2008



Source: University of Texas Libraries

Extract of map of Asia:

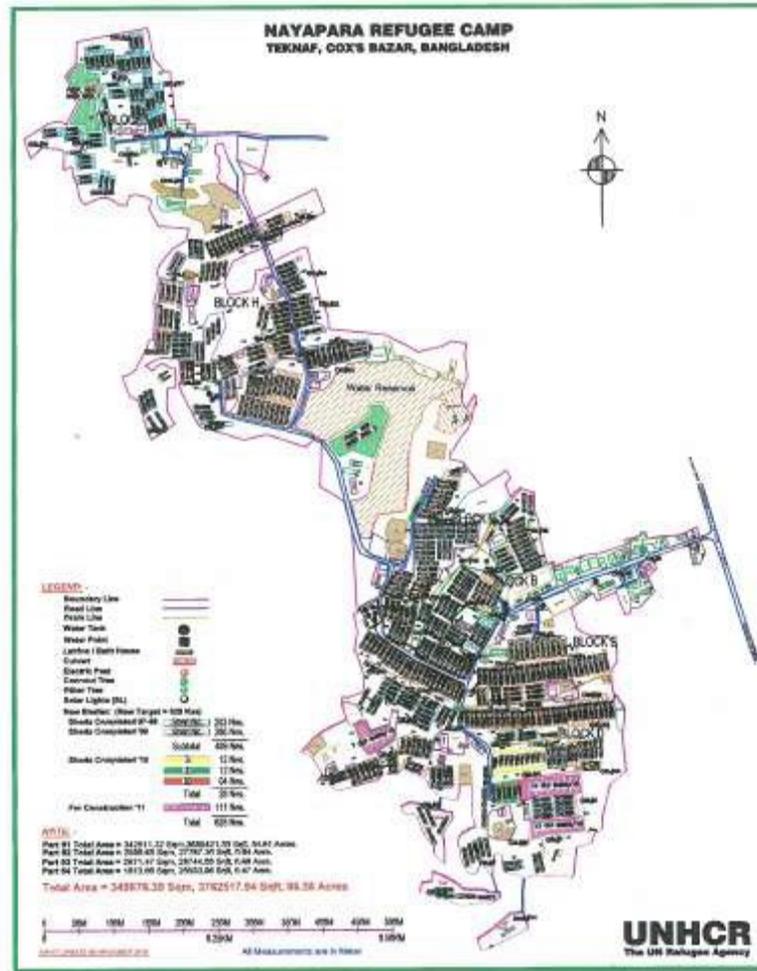
http://www.lib.utexas.edu/maps/middle_east_and_asia/txu-oclc-247232986-asia_pol_2008.jpg

Annex 2: Map of Cox's Bazar District

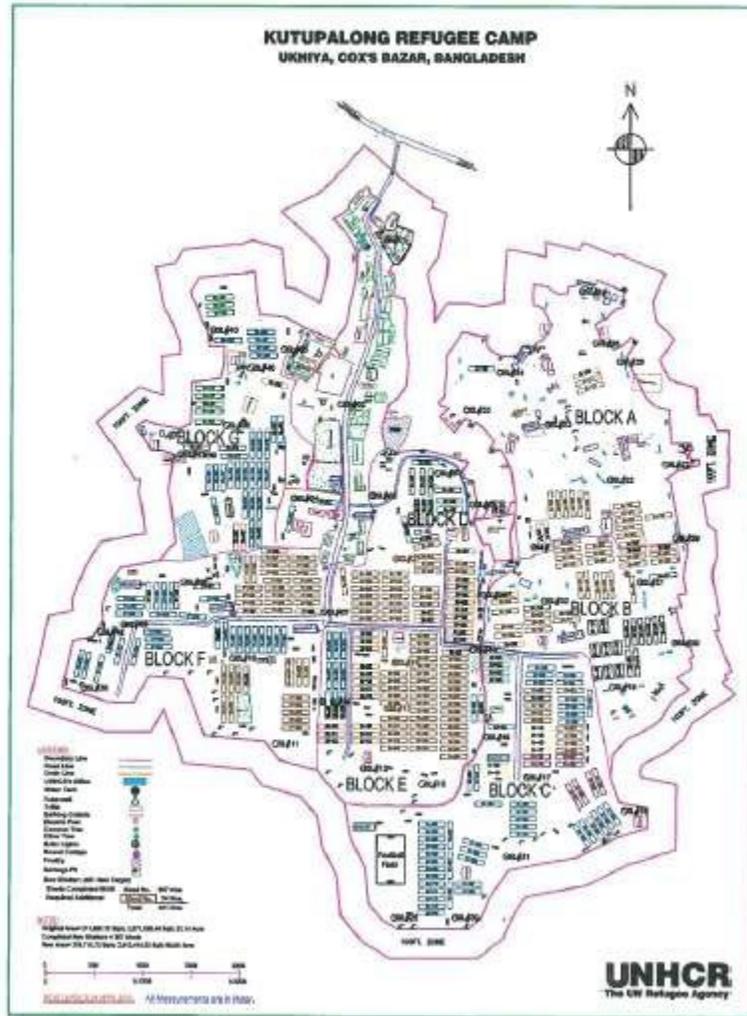


Source: The ARAKAN PROJECT, Unregistered Rohingya refugees in Bangladesh: Crackdown, Forced displacement and hunger, 11 February 2010, Ms. Chris Lewa, Coordinator, The Arakan Project, Bangkok, THAILAND
<http://refugeerightsasiapacific.org/wp-content/tmp/Arakan-Project-Bangladesh-Rohingya-11Feb10.pdf>

Annex 3: Map of Nayapara Refugee Camp



Annex 4: Map of Kutupalong Refugee Camp



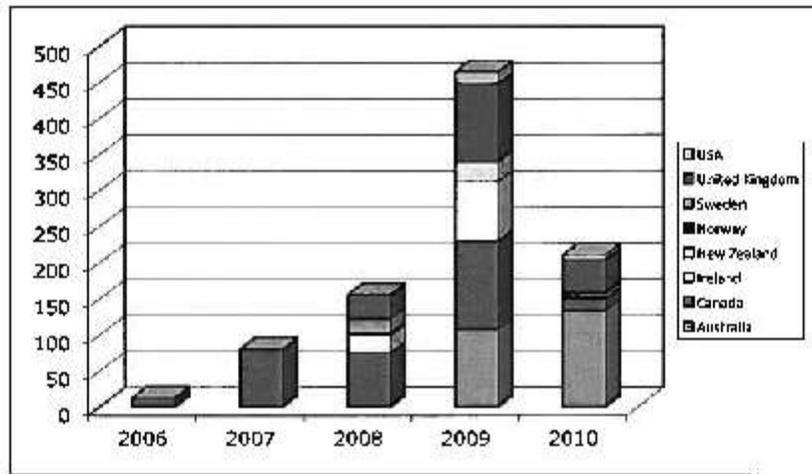
Annex 5: Refugee Resettlement Statistics of IOM, Bangladesh



IOM International Organization for Migration

**Refugee Resettlement Statistics of IOM
(2006 - 2010)**

Country	Calendar Year					Total
	2006	2007	2008	2009	2010	
Australia	-	-	-	108	134	242
Canada	13	81	76	122	17	309
Ireland	-	-	-	82	-	82
New Zealand	-	-	23	27	6	56
Norway	-	-	4	-	-	4
Sweden	-	-	19	-	-	19
United Kingdom	-	-	34	109	47	190
USA	-	-	-	17	7	24
Grand Total	13	81	156	465	211	926



Yearwise Comparative Statistics of Refugee Resettlement

Projected Number for the CY 2011	
Australia	101
NZ	6
UK	113
USA	600
Total	820

The Researcher Consulted Persons, Authorities and Organisations with Bangladeshi authorities

1. **Ministry of Foreign Affairs (MFA) of Bangladesh** Ms. Ishrat Jahan Ahmed, Director.
2. **District Commissioner (DC) of Cox's Bazar** Mr. Ali Hossain
3. **Refugee Relief and Repatriation Commissioner (RRRC)** (under the Ministry of Food and Disaster Management) Mr. S M Rejoan Hossain.
4. **Camp-in-Charge (CiC) Mr. Mahmudul Haque** in charge of Kutupalong Refugee Camp & Mr. Jalal Uddin in charge of Nayapara Refugee Camp. CiC is the representative of GoB in the refugee camps and is responsible for implementation of government policies on refugee matters. The overall activities of the two camps are coordinated by the Refugee Relief and Repatriation Commissioners office at Cox's Bazar.

Diplomatic missions

British High Commission, Dhaka

Ms. Riful Jannat, Political and Human Rights Officer and Mr. Ian Fotheringham, Immigration Liaison Officer

Embassy of the United States of America, Dhaka, Bangladesh

Mr. Partha Mazumdar, Political Officer

A well informed diplomatic source (1)

A well informed diplomatic source (2)

A diplomatic source who works with Rohingya across East Asia

EU Delegation to Bangladesh

Mr. Andrew Barnard, First Secretary, Head of Political Economic, Trade, Press and Information Section, European Commission and Mr. Fabrizio Senesi, Programme manager, Governance and Human Rights

International organizations

United Nations High Commission for Refugees (UNHCR), Dhaka office

Mr. Craig Sanders, Representative and Mr. Arjun Jain, Senior Protection Officer

United Nations High Commission for Refugees (UNHCR), Cox's Bazar Sub-Office

Mr. Mahmood Syed Hussain, Head of Sub-office, Ms. Jane Williamson, Protection Officer and Mr. Sander van Niekerk, Associate Protection Officer

United Nations High Commission for Refugees (UNHCR), Regional Office, Thailand

Mr. Thomas Vargas, Head of the Regional Protection Hub for the Asia-Pacific, Bangkok

International Organisation for Migration (IOM), Dhaka

Dr. Igor Kazanets, Chief Migration Health Physician and OIC, Utpal Barua, Operations Assistant and Zakia K. Hassan, National Programme Officer.

International Organisation for Migration (IOM), Bangkok

Mr. Hans R. Beckers, Regional Programme Coordinator Resettlement and Voluntary Return, Ms. Michiko ITO, Assistant Resettlement Coordinator and Ms. Claudia Natali, Labour Migration Programme Manager

Academia

Professor Imtiaz Ahmed, Dhaka University, International Relations, Professor Ahmed recently published *The Plight of the Stateless Rohingyas: Responses of the State, Society & the International Community*, University Press Limited, 2010

The study behind the book is based on interviews with Rohingyas in the Chittagong region. The interviews are carried out in 2009 by a total of 30 male and female students from Chittagong University for the reason that they speak the local dialect. Each student collected minimum 3 cases. The study included interlocutors living in the refugee camps as well as in Chittagong.

Professor Abdul Karim M.A. Ph.D. (Dhaka), Ph.D. (London), FASB, was born at village Chapachari, P.S. Banskhal, in the district of Chittagong, Bangladesh. He was educated in the Chittagong Islamic Intermediate College, Dhaka and London Universities. He was in the teaching staff of the Dhaka and Chittagong Universities and was for some years a senior Fellow in the Rajshahi University. He, in turn, occupied the posts of Professor of History, Dean of the Faculty of Arts and Vice-Chancellor of the Chittagong University. He has so far published 29 books (9 in English and 20 in Bengali) and more than 200 articles both in Bengali and English.

Professor Karim was honoured by various national and international institutions.

Abdur Razzaq, a Lincon's Inn Barrister and a practicing advocate of the Supreme Court of Bangladesh

is prolific writer and has so far contributed many articles to local English dailies on current affairs. As Secretary General of the Centre for Human Rights (CHR), Dhaka, he has organised a number of seminars on contemporary Human Right issues. Widely travelled, Barrister Abdur Razzaq has participated in many international conferences held in London, Riyadh, Tehran, Beijing and Manila.

Mahfuzul Haque, a senior official of the Government of Bangladesh has been contributing to local English dailies on issues related to environment, development and on contemporary international affairs. Educated at Dhaka University in English literature, he received M. Sc degree from the University of Zimbabwe. He obtained his Ph.D from the University of Rajshahi for his thesis on issues concerning indigenous peoples of South Asia. During his doctoral study, he extensively toured countries of the region from the Himalayas to Jaffna peninsula in the Indian Ocean state of Sri Lanka. Dr Mahfuzul Haque has so far attended many conferences and seminars abroad as a member of Bangladesh delegation.

Dr. Nasir Uddin is Associate Professor, and currently Chair, in the Department of Anthropology at the University of Chittagong and Senior Research Fellow of Institute of Culture and Development Research (ICDR). Bangladesh. Dr. Nasir graduated with BSS (Honours) and Masters in Airtaupukigj from the University of Dhaka (2000), did PhD from Kyoto University (2008), and Post-Doc(s) in the University of Hull (2009) and Delhi School of Economics at the University of Delhi (2011) respectively. Dr. Nasir works on Ethnicity and the Formation of Ethnic Category. Peace and Conflict Studies, Practice of Power and State in Everyday Life, Dialectics between Colonialism and Post-

colonialism, Migration & Refugee Studies, Adrvasi & Minority Issues and the Politics of Marginality and (Political) Islam & Secularism He wrote one book, edited three books, published 28 scholarly articles in national and international journals and presented 20 papers at national and international conferences.

Barrister Harun Ur Rashid, born in 1934, obtained his BA Honour* and MA degrees in English Language and Literature in 1956 and 1957 from Dhaka University. He left for England in 1957 for legal studies and joined the Lincoln's Inn in London and became a Barrister-at-law in June 1961.

Mr Rashid returned from England in 1962 and joined the Dhaka High Court and began his legal practice as a Barrister. During the period he taught Law in Dhaka University (1962-67) and Central Law College, Dhaka (1963-67). He was also attached as a junior Counsel with the Dhaka office of the Deputy Attorney-General, Government of Pakistan in 1965-1967.

He is the author of International law (1998), Refugee law (2015), The diary of a diplomat (1999), Indo-Bangladesh relations (under print) and Bangladesh's foreign relations (forthcoming).

Interview Season: Expert opinion by the intellectual person or the idea of awareness people and advice will be taken into consideration for solve the Rohingya Crisis. Besides specifies questions & other question were raised to acquire data & information.

- a) Interview taken by Cox Bazar District Commissioner Md. Ali Hossain.
- b) Interview taken by Commander Akik Camp Commander of Teknaf on behalf of Bangladesh Coast Guard during peace of repatriation.
- c) Interview taken by Refugee Relief & Repatriation Commissioner (RRRC) S M Rejoan Hossain.
- d) Interview taken by Refugee Camp in-charge Md. Mahmudul Haque.
- e) Interview taken by field worker Nazrul Islam
- f) Interview taken by Salina Akter NGO representative.
- g) Interview taken by Rohingya Refugee Mubarak Hossain & Abdus Satter.
- h) Interview taken by Coast Guard Officer Lt Commander Rana & finally.
- k) Interview taken by Dr. Emajuddin Ahamed, Vice-Chancellor of University of Dhaka.

A Bangladeshi researcher who have studied the Rohingya

Local non-governmental organisations (NGO)

Ms. Chris Lewa, Coordinator, the Arakan Project

Ms. Chris Lewa explained that her engagement in the Rohingya started in 1999/2000 when she got involved in the Arakan Project, a sub-project under Forum Asia. Initially she worked intensively during the repatriation drive from Bangladesh in 2003. Since 2005 the Arakan Project has worked as an independent NGO with focus on information and analysis of the situation for the Rohingya in the region, including Burma, Bangladesh, Thailand and Malaysia. The NGO receives its funding from various international donors. The organization has been referred to as the world's leading organization on Rohingya refugees (IRIN, 29 March 2011).

Kaladan Press Network (KPN), Executive Director

Mr. Tin Soe, (a Rohingya himself, based in Chittagong) is an independent and non-profitable news agency of Rohingya of Arakan, Burma. Kaladan Press Network is aiming to develop its news media network of the Rohingya people, since Rohingya have less opportunity for freedom of expression and other fundamental rights and freedom in their homeland. <http://www.kaladanpress.org/v3/>

Forum Asia/ Asia Pacific Refugee Rights Network (APRRN)

Mr. Yap Swee Seng, Executive Director, Mr. Anoop Sukumaran, Coordinator Asia Pacific Refugee Rights Network and Mr. Veerawit Tianchainan, Chair of Southeast Asia Working Group of Asia Pacific Refugee Rights Network and Executive Director of Thai Committee for Refugees Foundation The Asia Pacific Refugee Rights Network (APRRN) is an organization comprising around 120 organisations across Asia – from Afghanistan and throughout Asia – working with refugee issues across borders. The organization is among others lobbying various commissions under ASEAN including ASEAN Regional Human Rights Commission and the Commission on Women and Children for better conditions for refugees and to put focus on migration and refugee issues. Forum Asia is housing the network/the organization. The organization has various thematic working groups including: Immigration Detention, International Advocacy, Legal Aid and Advocacy, Right to Health and Women and Girls at Risk. <http://refugeerightsasiapacific.org/about/who-weare/>

People's Empowerment

Ms. Chalida Tajaroensuk, Director, Mr. Ahmed Abid, Team Leader, Mr. Abud Kalam, Burmese Rohingya. People's Empowerment is an NGO that works to promote a wide range of human rights and human security issues throughout Thailand and Southeast Asia by serving as a civil society network through which community-based partner organizations share knowledge, strategies, and resources to work together for positive social change. Among other activities People's Empowerment mentioned that they are being contacted by detainees in the Thai detention centers and boat people who are stranded elsewhere. In many cases boat people are coming from Bangladesh and they only speak Chittagong Bangla in which cases People's Empowerment can assist with interpretation and counseling.

<http://www.peoplesempowerment.org/>

Other sources

A well informed civil society source

An informed anonymous source: The research on the refugee crisis and situation of Rohingya refugees in Bangladesh was carried out in early 1993. By mid-1995, a number of 1,92,000 refugees have left for Myanmar. Situations in the refugee camps also improved a great deal.

Goals of the Research Paper: The purpose of Refugee Crisis in Bangladesh is to provide an up-to-date introduction to the most important and useful concepts in the study of the political issue. Information is presented from an analytical and interdisciplinary perspective from which we must view political issues in order to deal successfully with them. The goal is to teach the readers how to think through political issues.

Special Note to Readers: I have written this research paper with the belief that readers really want to be challenged to think about the important political problems that face the world today. We are attempting to bring the political issue to the forefront of education. This is in response to tremendous public concern about the politics. Public opinion polls confirm that the political issue is an important social and political issue. I also believe that scientific literacy and critical thinking are very important. As a result, I have chosen to discuss important political issues, some of which are multifaceted, difficult and challenging. I need to recognize that solutions to the many political problems facing us today are not easy to find. There are differing opinions on which problems we should address and what solutions should be attempted. I can present information and arguments. But ultimately, you must think for yourself and develop solutions based on your value system and understanding. If this appears as a vague concept, it is you who are responsible for future generation just as are your instructors. Making informed decisions requires a lot of study as well as a commitment to be responsible in helping to insure that our world maintains a nice political environment. I believe that if this thesis paper helps you in that endeavor, then it has been successful. If my thesis paper has helped you to think more critically about political problems, I would like to hear from readers. Please share your ideas or questions with me.

Critical Thinking: I must do more than simply identify and discuss political problems and solutions. To be effective, we must think critically about them. Critical thinking is so important that I have made it the focus and dedicated a whole chapter. With this in mind I have also developed political science to present the material in a factual, unbiased format. My goal is to help you think through the issues, not tell you what to think. To this purpose, at the end of each chapter, critical thinking exercises, called "political Issues." are provided.

Themes: Refugee crisis is based on the philosophy that, several threads of inquiry are of particular importance to political issue. These key themes are woven throughout the research work.

Organization: We believe a real strength of political issue is the systematic and in depth coverage of the multitude of subjects that comprise the field of political conflict. We recognize that political education is a life long process and any one course may not be able to cover in depth all of the subjects presented in political conflict. The goal is to provide an instrument of learning to education and readers today so that, future generations of readers will be more informed and able to make judgments concerning the political based upon sound scientific knowledge. I believe that the understanding of and critical thinking about, political problems is much more important than mere presentation of facts and information.

Special Features: In writing political conflict, I have designed a text that incorporates a number of special features that I believe will help teachers to teach and readers to learn.

A Case Study: Introduces almost each chapter. The purpose is to interest the reader in the subject being discussed and to raise important questions on the subject matter.

References: Cited in the text are provided at the end of the book as notes for each chapter. These are numbered according to their citation in the text. We believe it's very important that, introductory textbooks carefully cite sources of information used in the writing. These are provided to recognize those scholars whose work we depend upon, so that the reader may draw upon these references as needed for additional reading and research.

Interview Season: Expert opinion by the intellectual person or the idea of awareness people and advice will be taken into consideration for solve the Rohingya Crisis. Besides specifies questions & other question were raised to acquire data & information.

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