



POLICY BRIEF 1 / 2020

# Bangladesh and the Rohingya crisis. The politics of pretending that the refugees will repatriate

It is politically impossible for the Government of Bangladesh (GoB) to publically accept the long-term settlement of a vast number of Rohingya refugees in Bangladesh. Therefore, it must implement restrictive measures against the refugees, both to avoid “pull factors” for more Rohingya refugees, and to signal domestically that it wants the Rohingya to return to Myanmar. However, the GoB is well aware that there are no prospects of voluntary, safe return of a large number of Rohingya in the near future. For the Rohingya, the restrictive policies make a sustainable existence in Bangladesh even more difficult and aid-dependent, while the prospects of safe return remain illusionary.

This policy brief outlines some of the challenges the Rohingya refugees poses for Bangladesh, and how the GoB restricts the lives of Rohingya in the camps.

## Key points

- The presence of Rohingya refugees is a challenge to the state capacity as well as to the political system of Bangladesh.
- The Rohingya refugee population also creates socio-economic challenges.
- The fear of Islamic fundamentalism and terrorism creates pressure on the Government of Bangladesh.
- Bangladesh has imposed restrictions affecting refugees’ basic needs, human rights and livelihood opportunities.
- All actors – national, regional and international – should bear in mind that immediate repatriation of Rohingyas is not possible.

# Overview

In Bangladesh, over one million Rohingya live in the sprawling, fetid and dire conditions in the refugee camps, including the world's largest refugee camp hosting more than 600,000 refugees. Among them, at least 742,000 were forcibly displaced in the aftermath of the 2016 and 2017 waves of violence in Rakhine State, Myanmar.<sup>1</sup> The Government of Bangladesh wishes to repatriate the Rohingya to Myanmar. Currently, voluntary repatriation is impossible, even deemed a genocide risk by the International Court of Justice (ICJ).<sup>2</sup> It is well documented that Myanmar has destroyed Rohingya villages, given Rohingya land to Buddhist residents in Rakhine, and built prison-like camps to host returnees.<sup>3</sup>

The root cause of the Rohingya's problems – their lack of Myanmar citizenship and other basic rights such as freedom of movement – is unlikely to be addressed by the Government of Myanmar (GoM) any time soon. Of course, the GoB is well aware of the unlikelihood of voluntary repatriation. However, the GoB is fearful of publicly acknowledging the fact that refugees are unlikely to return to Myanmar in the near or even medium term. The GoB fears that, once it reduces pressure on Myanmar to enable repatriation, it may result in “pull factors” for more Rohingyas to enter Bangladesh.<sup>4</sup> Furthermore, it needs to demonstrate domestically that it wants the Rohingya to return to Myanmar.

# The Rohingya refugee population: challenges for Bangladesh

The Rohingya refugee exodus to Bangladesh is no new phenomenon; Rohingyas fled to Bangladesh in 1978 and 1991–1992. However, the current refugee population far outnumbers the previous ones, placing heavy burdens on the Bangladeshi state. Some of the factors influencing Bangladeshi policies towards the Rohingyas are:

## State capacity in Bangladesh

Despite its economic growth, the country has limited institutional and governance capacity. The two military regimes (Ziaur Rahman 1975–1981 and Hussain Muhammad Ershad 1982–1991) as well as a military-backed caretaker government (2006–2008) demonstrate the traditional lack of civilian control over the armed forces in Bangladesh. The refugee influx and illegal settlement of migrants have increased the GoB's dependency on the military,<sup>5</sup> thereby contributing to strengthening the military vis-à-vis the civilian government.<sup>6</sup>

## Fear of a refugee influx from India

In August 2019, India released a citizenship register that effectively stripped around 1.9 million people in the eastern state of Assam of citizenship. Many of those are Muslims perceived to be illegal immigrants from Bangladesh. Bangladesh fears that India may follow Myanmar's path of forcing the country to open the borders to those Muslims and thereby exacerbate the refugee-related challenges.

## Concerns about crime and insecurity

There are concerns about the involvement of the refugees in crimes like arms and drug smuggling and human trafficking. Traffickers exploit poor Rohingyas acting as “intermediaries”. Reports show that Cox's Bazar has higher crime rates than other districts since the Rohingya exodus. Last year, security forces in the camp areas allegedly killed dozens of Rohingya and locals involved in drug trafficking. Due to the geographical location, Cox's Bazar is prone to drug trafficking. The Naf River has been used as a route for drug trafficking and arms smuggling, especially by Burmese drug traffickers.<sup>7</sup>



## The socio-economic impact on the host communities

The United Nations Development Programme (UNDP) points out that due to the Rohingya influx the prices of basic commodities have increased by 50 per cent and day labour wages have decreased dramatically.<sup>8</sup> A ban on fishing in the Naf River along the border between Bangladesh and Myanmar threatens the livelihoods of around 35,000 fishermen and their families. Socio-economic challenges are also created by the fact that many Rohingya, through corrupt officials, have been able to obtain false identity papers and passports.

## Environmental degradation

The 2018 UNDP report highlights severe environmental challenges. Forests and wildlife have been destroyed to make way for the camps. Along with the environmental degradation, the additional burden of hosting around one million people makes the area vulnerable to water shortages and sanitation problems. Its geographical location makes the Cox's Bazar area prone to soil erosion, sea level rise, landslides and other natural disasters, all of which increases the burden of hosting around one million refugees.

## Fear of Islamic fundamentalism and terrorism

The Rohingya influx has placed extra pressure on the GoB to combat Islamic fundamentalism. The small number of militant Muslim groups in Myanmar have so far not been well organised. Very few have had international links, and then mainly to Islamists in South Asia. The fear is that Cox's Bazar refugee camps are potential breeding grounds for extremism.<sup>9</sup> IS remains a potent threat while Al-Qaeda in the Indian Subcontinent (AQIS) is trying to re-emerge.<sup>10</sup>

A few radical groups, including the Rohingya Solidarity Organization (RSO), Arakan Islamic Front and Rohingya Patriotic Front, are active in border areas between Bangladesh and Myanmar, where they include Rohingyas in their activities. Al-Qaeda in the Arabian Peninsula (AQAP) has urged the AQIS leaders to support Rohingya Muslims in Myanmar.<sup>11</sup> On 12 September 2017 Al-Qaeda released a statement calling for revenge attacks against the Myanmar government for the persecution of the Muslim minority Rohingya population. Moreover, some of the Bangladeshi local Islamic militant groups affirmed that it is their Islamic duty to protect Muslims who are in trouble in the region.

# Bangladesh's restrictive policies towards the Rohingya

The GoB has implemented a number of restrictions that make life for Rohingyas in the camps more difficult, and signal to the public that the Rohingya are not expected to stay in Bangladesh in the long term. These policies include:

## Lack of refugee status

Rohingyas were not given convention refugee status after the 2017 influx of migrants.<sup>12</sup> The same group of people was given refugee status on a prima facie basis after the second influx of Rohingya in 1992. Bangladesh, however, is not obliged to give refugee status to the Rohingya, since neither state (Bangladesh or Myanmar) are signatories to the 1951 Refugee Convention, and both parties refuse to use the term "refugee" to refer to the Rohingya.<sup>13</sup> During the second influx of Rohingya in 1992, around 250,000 Rohingyas sheltered in Bangladesh. After several discussions among Bangladesh, Myanmar and UNHCR, the repatriation process began in 1992. By November 1997, about 229,485 persons belonging to 46,021 families were repatriated.<sup>14</sup>

## Denying education

Denying formal education in the Rohingya camps is one of the strategies to prevent Rohingyas from integrating in Bangladeshi local communities. The government fears that allowing them formal education would be a pull factor for more Rohingya to seek a better life in Bangladesh,<sup>15</sup> and it might obstruct the repatriation of Rohingya to Myanmar. At the end of January 2020, the GoB allowed formal education for Rohingyas, but only based on Myanmar curricula. Children aged below 14 can study up to grade 9, while those aged over 14 can receive skills training. Although many praised the decision to allow the Rohingya to receive education, Bangladeshi officials announced that Rohingya could neither study in Bengali nor follow the Bangladeshi curriculum.

## Restrictions on employment

Bangladesh forbids legal employment for the Rohingya refugees.<sup>16</sup> Rohingya volunteers are being dismissed from paid work programmes and may be given rations instead of a daily stipend of around \$ 3.50. The government's NGO affairs bureau ordered an end of cash programmes in September 2019, telling aid groups that local Bangladeshis must be hired instead. It should be mentioned that paid work programmes have been central to projects to build roads, prevent landslides, and clear sewage in the camps. Some camps are allowing cash payments until the approved project ends, while in other camps this is not allowed.

## Movement and communications restrictions

Bangladesh has taken measures to build barbed wire fences around the camp perimeters to control the movement of the Rohingya.<sup>17</sup> The GoB has cut internet and cell phone access for the Rohingya, and has confiscated smartphones and SIM cards from refugees. Moreover, the GoB has planned to relocate tens of thousands of the Rohingya to Bhasan Char, a remote, low-lying, fragile island that is prone to flooding and natural disasters. The GoB recently signalled that this plan may be cancelled, and that it preferred that the Rohingya repatriate to Myanmar.

## Rohingya pressured – with nowhere to return

The economic, political and security challenges faced by Bangladesh in hosting such a large refugee community must be recognised. However, the current restrictive policies of Bangladesh do not represent a viable solution. While it is understandable that Bangladesh does not want to create “pull factors” for more refugees from Myanmar, the reality is that the majority of the current Rohingya refugee population in Bangladesh will remain there for the foreseeable future, unless they are forced back by Bangladesh. It would be extremely unfortunate if a security-related incident were to create a pretext for Bangladesh to push refugees forcefully back to Myanmar.

There is currently no prospect of voluntary return of a large number of Rohingya. Naypyidaw clearly has no intentions of meeting the Rohingya's demands for recognition as a national group, citizenship, basic freedoms and access to services.<sup>18</sup> The combination of lack of rights in Myanmar, even a genocide risk, and restrictive policies in Bangladesh represents a grim reality for the Rohingya: they are wanted in neither country, and there are currently no realistic prospects for either a voluntary, human rights-based return to Myanmar or for a long-term sustainable presence in Bangladesh. Both countries are pushing for repressive policies towards the Rohingya.

All actors – national, regional and international – should recognise that the immediate repatriation of Rohingyas is not possible. If they are to respect the basic preconditions for voluntary returns of Rohingya, they must acknowledge the simple fact that the Rohingya will remain in Bangladesh for many years, and they must plan and budget accordingly. This fact is underlined by the ICJ order, which states that returned Rohingya face the risk of genocide. In the long run, this crisis can be resolved not by humanitarian aid or inter-communal dialogue in Rakhine, but by a fundamental shift in Myanmar's policies regarding basic rights for the Rohingya.

## Notes

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- 2 ICJ order, 23 January 2020. <https://www.icj-cij.org/files/case-related/178/178-20200123-ORD-02-00-EN.pdf>
- 3 See for example the coverage of the Rohingya crisis by Human Rights Watch. <https://www.hrw.org/tag/rohingya-crisis>
- 4 International Crisis Group, 27 December 2019. "A Sustainable Policy for Rohingya refugees in Bangladesh." <https://www.crisisgroup.org/asia/south-asia/bangladesh/303-sustainable-policy-rohingya-refugees-bangladesh>
- 5 The Guardian, "Bangladesh army arrives in Rohingya refugee camps as repatriations loom", 14 November 2018. <https://www.theguardian.com/world/2018/nov/14/bangladesh-army-arrives-in-rohingya-refugee-camps-as-repatriations-loom>
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- 13 Just Security, 24 January 2018. "Repatriation Doomed to Fail? Arrangement Between Bangladesh and Myanmar Leaves Rohingya in Dangerously Precarious Position." <https://www.justsecurity.org/51366/repatriation-doomed-fail-arrangement-bangladesh-myanmar-leaves-rohingya-dangerously-precarious-position/>
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- 16 Government of Bangladesh, "Framework for NGOs." [http://ngoab.portal.gov.bd/sites/default/files/files/ngoab.portal.gov.bd/notices/7158baa6\\_dac4\\_4f3b\\_8ff1\\_9ef680d32f71/Framework-for%20NGOs.pdf](http://ngoab.portal.gov.bd/sites/default/files/files/ngoab.portal.gov.bd/notices/7158baa6_dac4_4f3b_8ff1_9ef680d32f71/Framework-for%20NGOs.pdf)
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## The project

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