

The Rohingya Crises: South and South-East Asian Perspectives

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The Rohingya people, an ethnic and religious minority from Western Burma, have been fleeing persecution by Burma's military junta by seeking refuge in Bangladesh, Malaysia and Thailand for decades. The Rohingya, denied Burmese nationality by the ruling State Peace and Development Council (SPDC), are a stateless people with no means of claiming rights or protection. Therein, they face a daily tyranny against their ability to move freely around the country, as well as discrimination from the authorities on account of their South Asian ethnicity and Muslim religion.

As a consequent of this long standing oppression from the Burmese Junta, many of the Rohingya have fled as refugees into neighboring countries. Whilst a small number have gone to Thailand and Malaysia, the vast majority have sought refuge in Bangladesh. The UNHCR claims that the Rohingyas in Bangladesh number 27,000, the remaining population from the last mass influx of 250,000 in 1992 who are living in two government-administered camps (Phiri, Pia Prytz, 2008). In reality this figure obscures the fact that the Rohingya population in Bangladesh also includes at least 100,000 individuals who are not officially recognised as refugees. In this circumstance, some humanitarians aid based NGO's try to provide emergency food packages and work for them in this crises period. But the Bangladeshi government refusing to determine refugee status and classing them as economic migrants and illegal trespassers, these undocumented Rohingyas are forced to make a living for themselves within local communities or in makeshift camps.

Article 14 of the Universal Declaration of Human Rights states that: "Everyone has the right to seek and to enjoy in other countries asylum from persecution". This is highly ignored in Bangladesh, Malaysia and Thailand as thousands of undocumented stateless Rohingyas continue to live without protection from either the government or international agencies. It should be stated that these countries are parts of the United Nations various

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mechanisms, where human rights issues also incorporated. In practice these countries do not uphold the spirit of UDHR. These countries are still not signatory of UN refugee convention 1951 or 1967. Actually there are no South and South East Asian countries signatory of the Refugee Convention or Protocol.



Each year, scores of Rohingya escape from Myanmar's Rakhine state by boat, often turning up in Thailand, Malaysia or as far away as Indonesia.. Mostly during the winter, thousands pay to board rickety smugglers' boats for Thailand, whence a bus can take them to Malaysia, to seek work or asylum. This season Thailand's soldiers had a nasty surprise in store. After being held for days on a remote island of Ranong, two groups of nearly 1,000 captured Rohingyas and Bangladeshis were forced, at gunpoint, out to sea in the Indian Ocean on several boats. The vessels had little food and, crucially, no engines. Some drifted west to India's Andaman islands. Others washed up in Indonesia's Aceh province. Over 500 are believed missing or dead, according to a tally of survivors' accounts. One group of over 400 refugees was set adrift on a barge with two sacks of rice and two gallons of water. Most perished trying to swim ashore. On January 7th the Indonesian navy rescued another group of 192. Others may have been lost at sea.

The arrival of Rohingya boat people places a burden on receiving countries. In April 2007, six UN Human Rights experts, including the Special Rapporteur on human rights in Burma recognized that the thousand of Rohingya who fled to neighboring countries created “ complex humanitarian situation in the region and urged to the SPDC to stop discriminating against the Rohingya”. Nearly 5,000 have been detained in Thailand in the past two years. Many more probably went undetected. But the military mindset has changed: undocumented Muslim men traveling through southern Thailand, where a Muslim-led separatist insurgency has raged last five years. Army officials claim, without any evidence, that Rohingyas are joining the insurgency (Economist, 2009).

ASEAN as a regional network has been aware of the Rohingya issue since early 1990's , after the refugee influx in Bangladesh. In March 1992, Malaysian foreign minister Mr. Abullah Badwai stated that the Rohingya refugee crises ‘could no longer be regarded as Burma’s domestic problem because the action by Burmese troops had burdened neighboring countries and may disrupt regional stability’. It should be stated that the Rohingya refugees are approximately 40,000 in Malaysia who are seeking political asylum from the persecution in their own country Burma. However, Rohingya asylum seekers in Malaysia are still categorized as ‘illegal migrants.’ They are not allowed to attend government schools, seek healthcare or use the services from the government. (Forward, 2007). Human Rights Watch observed that Malaysian government’s reluctance to cooperate with UNHCR makes the organization's work much more difficult. Even though, UNHCR is not allowed inside the camps to monitor conditions.

Regarding the regional context ASEAN not willing to intervene, seeing Myanmar's ethnic minorities as an internal matter. It serves members' interests, however, to offer a framework to tackle the Rohingya as part of a trans-border migration problem. . A senior official in Yangon claims the Rohingya did not even come from Myanmar, disingenuously maintaining that his country had no ethnic minority so named. This ignores the fact the military government has denied them citizenship since independence.

Various Human Rights groups have condemned recent Thailand's handling of the Rohingya issue and urged the Association of South-East Asian Nations (Asean), the regional body which includes Thailand and Myanmar as members, to take urgent action.

After the last incident Thai government try to address the Rohingya issue is the regional matter which has to get a joint cooperation to solve the problem. "There are talks within the foreign ministry that if UNHCR were to be invited in on this issue it would be under the framework of four countries - India, Bangladesh, Myanmar, and Thailand - so that the problem can be addressed at its origin," Prime Minister of Thailand stated at parliament.

Foreign Ministry spokesman Tharit Charungvat, commenting on the proposed meeting involving Indonesia, Malaysia, Burma, India and Bangladesh as well as Thailand, was correct in saying "this is essentially a regional issue. It is not confined to a single country and the problem cannot be resolved by Thailand alone". As everyone knows, however, there is one nation that can go a very long way toward solving the problem on its own, and that is Burma.

Bangladeshi officials are cooperating to repatriate illegal migrants, also known as "boatpeople," that made unsuccessful attempts to migrate to Thailand by sea. Thai officials have detained more than 5,000 boatpeople in the last two years. Survivors say that over 500 migrants are still missing. Some of the boatpeople are originally from Bangladesh. Many of the refugees are Rohingya Muslims originally from Arakan province in Burma. Foreign Ministry spokesman Yeakub Ali said the Bangladeshi government is taking measures to repatriate the Burmese nationals that have been rescued out at sea. However, Bangladesh is more reluctant to accept Rohingya refugees. Meanwhile the United Nations High Commission for Refugees (UNHCR) is demanding for the release of 126 Rohingya Muslims that are still in Thai custody. Earlier this week the Thai government denied UNHCR access to the detainees

The stark reality of these people paints a picture of total, unequivocal and devastating human rights violation that the world polity is not addressing in its proper magnitude. The scenario of stateless citizens is slowly and surely enfeebling them and putting them

in harm's way and creating a system of endemic and degenerative poverty trap from which they are losing any potential of coming out. Almost all international actors believe that these people certainly had political reasons to leave Burma, because of the continuing oppression.

In this state of affairs, we recommended that :

- SAARC, ASEAN, BIMSTEC may develop a durable solution for this ethnic group.
- UNHCR, International community and different civil society can find equitable regional solution to meet the Rohingya people , those forced to leave Burma.
- Pressurize the Burmese government to find an acceptable solution to the on going Human Rights violation occurring within the country including the 1982 citizenship law, which renders the Rohingya stateless.
- Ensure the urgent humanitarian assistance for the 'boat people'.