

December 19, 2008

Contacts:
Sean Garcia & Camilla Olson

ROHINGYA: BURMA'S FORGOTTEN MINORITY

Among Burma's ethnic minorities, the Rohingya, a stateless population, stand out for their particularly harsh treatment by Burmese authorities and their invisibility as a persecuted minority. Despite decades of severe repression, there has been minimal international response to the needs of this extremely vulnerable population compared to other Burmese refugees. The United Nations and donor governments should integrate the Rohingya into their regional responses for Burmese refugees. Host countries should allow the UN Refugee Agency (UNHCR) and implementing partners to provide basic services to all the Rohingya and officially recognize them as a refugee population.

THE BURMESE ROHINGYA

The Rohingya are a Muslim population from western Burma. Numbering almost two million, they are concentrated in three townships located along the Burmese-Bangladeshi border, known as Northern Rakhine State (NRS). Conquered by the Burmese in the early nineteenth century, the Rohingya and their Rakhine Buddhist co-nationals have been treated more like a subjugated minority than as members of Burmese society. In 1982, the Burmese government stripped the Rohingya of their citizenship, codifying an ongoing campaign to encourage them to leave the country.

Official Burmese government policy on the Rohingya is repressive. The Rohingya need authorization to leave their villages and are not allowed to travel beyond NRS. They need official permission to marry and must pay exorbitant taxes on births and deaths. Religious freedom is restricted, and the Rohingya have been prohibited from maintaining or repairing crumbling religious buildings. Though accurate statistics are impossible to come by inside Burma, experts agree that conditions in NRS are among the worst in the country. Rohingya refugees commonly cite land seizures, forced labor, arbitrary arrests, and extortion as the

principal reasons for flight. If they leave their villages without permission, they are removed from official residency lists, and are subject to arrest if found.

With few options available to the Rohingya in Bangladesh, more and more people are risking their lives to travel to

POLICY RECOMMENDATIONS

- ❑ The UN and donor governments, particularly the U.S., should integrate the Rohingya into programs that address Burmese displacement, including resettlement. Resources should meet the needs of all Burmese refugees throughout the region, including the Rohingya.
- ❑ The UN, in cooperation with the NGO community, should develop programs to deal with the immediate needs of vulnerable Rohingya outside official camps in Bangladesh.
- ❑ The UN and donor governments should urge the Government of Malaysia to stop targeting and arresting refugees and recognize the legitimacy of UNHCR refugee documents.

Malaysia to seek livelihood opportunities. The number of Rohingya boat people originating from inside Burma and from Bangladesh is increasing, despite the dangers posed by dishonest brokers, substandard boats, and the Thai navy. Although many have lost their lives at sea or were caught and detained by Burmese authorities, many more continue to reach Malaysia. In all, an estimated one million Rohingya now live in Bangladesh, Thailand, Malaysia, the Middle East, and farther afield.

A MARGINALIZED MINORITY

Repression of ethnic minorities is widespread in Burma, and many see a resolution of the country's ethnic tensions as vital to its future. Unfortunately, Burmese civil society and the political opposition often mirror the government's perception of the Rohingya. "They are not Burmese," "they should leave the country," and "there is no place for them in the future of Burma," are repeated refrains that Refugees International has heard in conversations inside Burma.

This resonates in refugee communities as well. In Malaysia, which is home to a wide range of Burmese ethnic minorities, efforts by refugees to organize coalitions to confront harsh living conditions exclude the Rohingya. Burmese opposition groups in Thailand regularly fail to include the Rohingya in their work as well. Donors who support these initiatives are reluctant to challenge these decisions out of respect for community decision-making, but as a result they reinforce the exclusion of the Rohingya.

The UN and donor countries have also contributed to the separation of the Rohingya from other Burmese refugees. Most notably, Bangladesh, which hosts the largest number of Rohingya refugees, receives scant attention and funding in comparison to other parts of the region, such as Thailand. Despite modest increases in funding for the Rohingya in Bangladesh, total support still pales in comparison to funding in other parts of the region. In Malaysia, UNHCR continues to work for a separate solution for the Rohingya – temporary work permits – and exclude almost all of the Rohingya from options such as resettlement that are available to other Burmese refugees.

SEPARATE BUT NOT EQUAL

Isolation of the Rohingya is exacerbated by the lack of effective political or community organizing within the group. Burmese ethnic groups in Thailand have greatly benefited from support they receive from the international community to gain skills to provide for themselves and to organize

politically. Thailand-based Burmese organizations are now supporting similar ethnic Burmese organizations in Malaysia. Because no effective Rohingya organizations currently exist, there is no such support to the Rohingya in either Bangladesh or Malaysia.

It is unlikely that leadership will emerge from the younger generation of the Rohingya if they continue to be marginalized and unable to access training or higher education opportunities. The UN and donor countries should consider ways to assist in fostering more effective organizing of the Rohingya by supporting community mobilization projects in Bangladesh and Malaysia, with attention to encouraging women's participation.

The Rohingya are currently excluded from large-scale resettlement programs for Burmese refugees. From 2005-2008, 49,930 Burmese have been resettled to third countries as part of a multi-year campaign. In contrast, the first Rohingya have just begun to be resettled, with 500 openings in 2008 in Bangladesh and 45 individuals resettled from Malaysia since 2007. While resettlement can never be the only durable solution for refugees, it could address a critical component of the Rohingya's condition, namely providing citizenship rights to a stateless population.

The exclusion of the Rohingya from large scale resettlement by UNHCR and receiving countries is based on assumptions that the Rohingya populations in Bangladesh and Malaysia can integrate locally better than other Burmese refugees. However, as RI observed in both countries, repressive government policies and lack of adequate international support force the Rohingya to struggle for survival in both countries. In addition, neither Bangladesh nor Malaysia are signatories to the 1951 Refugee Convention or its 1967 Protocol, which gives refugees like the Rohingya little legal protection in either country.

In Bangladesh, where the Rohingya have lived for almost twenty years as refugees, officially recognized refugees are restricted to living in camps, separated from the local community. For unrecognized Rohingya living outside the camps, the Bangladeshi government prohibits the expansion of services to benefit them. UNHCR and donor governments believe that encouraging self-sufficiency among the Rohingya in communities will be the best solution, but achieving it will be a long-term proposition.

In Malaysia, where many Rohingya have also been living for close to twenty years, the continued failure of the government to provide any legal status to the Rohingya subjects them to the same vulnerabilities as other Burmese refugees, including arrest, deportation, and a lack of access

Bangladesh: Promote Self-Sufficiency for All Rohingya

The Bangladeshi government allows UNHCR and NGOs to assist 28,000 Rohingya who live in official camps, but prevents them from accessing unrecognized refugees. This leads to serious gaps in basic services and protection for 200,000 people. Most current refugees fled to Bangladesh in 1991-92 in response to a Burmese offensive in NRS.

9,000 Rohingya live in an unofficial site called Leda, whose residents were moved out of substandard conditions in July 2008. Because the Rohingya in Leda are not recognized refugees, services there are minimal and UNHCR does not have any official role. Expectations among the residents are high, as the new site was constructed with international funds, and basic health services and food rations are provided. Competition for work opportunities in the surrounding community has created tensions between the Rohingya and locals, and is creating greater reliance on the few services provided in Leda. Without any government or police presence, security for camp residents is a major concern.

A makeshift squatter settlement of 4,000 Rohingya is also growing immediately around Kutupalong camp. Residents here largely had been living among Bangladeshi communities, but were recently forced out due to lack of official documentation. The Rohingya in the squatter settlement told Refugees International that they cannot access water and latrines in Kutupalong because they are chased away by official camp residents.

Without access to camp services, conditions are jarringly worse than for their camp neighbors. Unsanitary water sources, insufficient waste disposal, and visible illness in the makeshift settlement are a threat to its residents, and could threaten the health of official camp residents due to their proximity. UNHCR hopes the Bangladeshi government will assist these squatters to return to their former villages, but no progress has been made in this effort. A solution must also be found for new arrivals to the squatter settlement who were not previously living in a local village.

Cox's Bazar is one of the poorest districts in Bangladesh, and standards of living for local Bangladeshis are only marginally better than for the Rohingya. A focus on providing assistance that will benefit the local Bangladeshi population and Rohingya refugees, both inside and outside of the camps, is needed. UNHCR and service providers are eager to follow this model, and the Government of Bangladesh should be encouraged to approve these strategies. However, until these strategies are implemented, immediate solutions must be found to address the basic needs of the Rohingya living in Leda and the unofficial Kutupalong settlement.

to basic services such as education and health care. Despite the length of their residence in Malaysia, they do not feel part of Malaysian society. As in Bangladesh, supporting efforts towards self-sufficiency is a sensible approach, but it is far from reality, and should not be considered to be more likely for the Rohingya than it is for other Burmese.

UNHCR and resettlement countries should revise their policies to include the Rohingya in the large-scale resettlement campaigns of Burmese now underway. Including the Rohingya in resettlement programs could also provide increased incentives to host countries such as Bangladesh and Malaysia to provide durable solutions for their remaining refugee populations. Donors should also push governments to ease restrictions on the Rohingya and support programs that will lead to increased self-reliance.

PERPETUATING VULNERABILITY

The inability of the Rohingya to access basic services in both Bangladesh and Malaysia is further compounding their vulnerability. In Bangladesh, the government continues to create challenges for international organizations

that provide services to the Rohingya. In the two official refugee camps, UNHCR has ended abuses by camp authorities and negotiated with the government to allow more services and training programs for the 28,000 Rohingya refugees. Nonetheless, basic services in these camps still remain insufficient, and programs for mental health, livelihood, and prevention of gender-based violence need to be strengthened. In particular, the inability of Rohingya children to access education past grade five due to government restrictions gives them few options for improving their lives and providing for their families in the future.

There are more than 200,000 Rohingya living unofficially outside these main camps, some in precarious situations. In the drive to provide longer-term options for self-sufficiency, there is a need to provide strategies that address the immediate health, sanitation, education, and security needs of growing numbers of unregistered Rohingya, such as those at Leda and the makeshift Kutupalong settlement, until they can benefit from self-sufficiency programs.

In Malaysia, the lack of access to basic services for the Rohingya is further exacerbated by the government's target-

ing of refugees for arrest, detention, and deportation. As of 2008, 400 Rohingya children, out of a registered population of more than 13,000 Rohingya refugees, have access to primary education run by an international organization. Many Rohingya raise the lack of educational opportunities as their number one concern. This and the few other services that do exist are found in Kuala Lumpur, and little to no assistance reaches communities outside of the capital, such as Penang, where the Rohingya have formed a significant community. The lack of community organizing by the Rohingya in Malaysia also prevents them from providing services to their own population, as other Burmese groups in Malaysia do.

Access to health services for the Rohingya in Malaysia is also severely limited. Refugees seeking medical care at local hospitals risk arrest and Rohingya women are often unable to receive maternal health care because of high costs. There is also a need for increased livelihood training, with a focus on Rohingya women, who must provide for their families when their husbands are arrested. Despite the security risks for the Rohingya, donors should do more to fund civil society groups running service programs, and UNHCR and implementing partners should expand their services, particularly medical care, beyond Kuala Lumpur.

THE CONSEQUENCES OF MARGINALIZATION

The separation of the Rohingya by the international community and by Burmese groups has led to an overall lack of support for a traumatized population for twenty years. This has led to severe illiteracy and an overall lack of education, substandard health and living conditions, and few options for a productive future. It is striking how many Rohingya told RI, "My life is over. All I want is for my children to have a chance at a better life." Two generations of the Rohingya have said this, only to see the vast majority of their community suffer the same neglect and lack of opportunity that their parents faced.

The UN, donor countries, and above all countries in South and Southeast Asia, must begin to address the plight of all Burmese refugees as equal, and commit resources to them in equal measure. There must also be an acknowledgement that the Rohingya, like other Burmese refugees, will continue to live in a state of protracted exile, with little hope for returning home in the upcoming years, and begin to plan humane and effective responses to this reality.

Sean Garcia and Camilla Olson assessed the situation for the Rohingya in Bangladesh and Malaysia in November 2008.

Malaysia: Stop the Abuse of Refugees

Malaysia does not recognize refugees seeking protection in its country. As a result the Rohingya, like other refugees in Malaysia, are targeted by immigration authorities and Rela, a volunteer corps charged with arresting illegal migrants. There has been a sharp increase in arrests, detentions, and deportations of refugees in recent years, including UNHCR registration card holders. Refugee women and children are also vulnerable to arrest and detention. UNHCR continues to have difficulty accessing detention centers to secure the release of registered refugees and asylum seekers. Detention conditions are substandard, and detainee abuses have risen since Rela was given the contract to provide security in these facilities in early 2008.

Deportation of detained refugees to the Thai-Malaysia border poses additional protection concerns. At the border, Malaysian authorities reportedly hand over deportees to human traffickers who demand payment for their release. Most Burmese refugees in Malaysia have formed ethnic-based community organizations that can pool funds to pay for the release of a deportee. The lack of community organization among the Rohingya forces them to rely on friends and family to secure their own release. As a result, the Rohingya are especially vulnerable to abuse, forced labor, and to being trafficked at the border.

In 2006, the Government of Malaysia began registering the Rohingya for IMM13 permits, which would grant temporary work status and thus some protection. Due to concerns by the government surrounding the registration process, permit registration has since stalled, and the Rohingya, like other Burmese refugees, continue to live without legal status, making them more vulnerable to arrests. In addition, UNHCR has not registered any new Rohingya since December 2005, except for the most vulnerable. This further puts them at risk of abuse by immigration authorities.

Protection of the Rohingya in Malaysia should not hinge solely on IMM13 permits, which are uncertain at best. The Rohingya should be given access to the same opportunities for registration and resettlement as other Burmese in Malaysia. Ultimately, in order to improve the situation for refugees in Malaysia, including the Rohingya, donors must push the government to stop arrests of all refugees and recognize those seeking protection and asylum.