

A photograph showing a group of Rohingya people, including women and children, looking distressed. One woman in the foreground has her hand to her face, and another woman behind her has a pained expression. A young child is also visible, looking towards the camera. The background shows a simple, possibly outdoor, setting with wooden poles.

# A Desk Research Paper on the Background of the Persecution of the Rohingya Muslims in Myanmar

**Authors:**

**Nimene Myers**, Intern, Goeman Bind

**Vedant Batra**, Lead Researcher, Goeman Bind

A Desk Research Paper on the background of the persecution of the Rohingya Muslim in Myanmar

Anyone can quote from this paper but due acknowledgement and reference should be given to ©Goeman Bind, Think Tank.

## Préface

From June 2012 till present, Myanmar has been under international criticism for what could be considered “ethnic cleansing,” “Genocide,” or “crimes against humanity”[1] of the Rohingya people, a Muslim ethnic minority group that has lived as a people in Myanmar for centuries. The Myanmar government has specifically been criticized for her handling of series of conflicts between Rohingya Muslims who form the majority in the northern Rakhine and ethnic Rakhines, mainly Buddhist, who form the majority in the South. Said actions of the government can be said to be fueled by discriminatory policies. These series of violence have led to the loss of several thousand lives; hundreds injured, tortured, or raped; houses demolished; villages ravaged; mosques and monasteries being burnt; several hundred thousand being both internally and externally displaced.[2] Renewed violence, including reported rape, murder, and arson in 2017, triggered a mass exodus of about 500,000 Rohingya amid charges of ethnic cleansing against Myanmar’s security forces.[3] Those forces claim to be carrying out a campaign to reinstate stability in the western region of Myanmar.[4] Most Rohingyas are fleeing to Bangladesh while others have headed to Thailand, Indonesia, and Malaysia.

This highly inflammable situation in Myanmar’s Rakhine State exacerbates the religious, ethnic, and political tensions already existent in the country, and mars the reputation of a government who is not only in need of international support, but one that also portrays itself as an open society observing international protocols with its first acclaimed democratic and civilian leadership in 2016. The need for lasting peace is exigent.

This paper does not give a full summary of the conflict, it rather takes a cursory look into the background of the persecution of the Rohingya Muslims with emphasis on issues of the contested citizenship of the Rohingya Muslims, institutional discrimination, and religious influence. The author includes his analytical opinion as well.

## Flux State of affairs

On 25 August 2017, the Rohingya crisis escalated when Arakan Rohingya Salvation Army (ARSA) launched various simultaneous attacks against police stations and barracks in Rakhine, resulting in various deaths.[5] Since this escalation, satellite images and a spokesperson confirmed that nearly 40 percent of Rohingya villages targeted by the Myanmar military is now empty or burned down.[6] And recently, slain bodies of Rohingya children have washed up on the shores of Bangladesh, revealing the extreme measures the Myanmar army is taking against the Rohingya.[7] According to Human Rights Watch, the Myanmar military has also been accused of planting landmines in the

paths of Rohingya who are fleeing the violence. Since the August 2017 attack, over 500,000 Rohingya have crossed into Bangladesh and other nearby borders.[8]

The Myanmar government refuses to recognize the Rohingya as citizens, they regard them as illegal immigrants and many Burmese insist on referring to them as Bengalis. The government has argued that the Rohingyas descended from farmers from what is now called Bangladesh. Disagreeably, the Rohingyas argue that their ancestors have lived in Rakhine State for hundreds of years.[9] The Past Myanmar government have stripped the Rohingyas of their citizenship and deprived them of basic human and indigenous rights as well as restricting their freedom. This, probably, has contributed to the Government doing very little to curb the series of violence involving the Rohingyas and the Buddhist nationalist, especially, between 2012 and 2016.

Aung San Suu Kyi, daughter of the beloved revolutionary Bogyoke Aung San, spent over a decade of her life under house arrest for her dedication to democracy and is today Myanmar's de facto leader.[10] She denied that ethnic cleansing is taking place and dismissed international criticism of her handling of the crisis, accusing critics of fuel resentment between Buddhists and Muslims in the country. In September 2017, the Nobel Peace Prize laureate said her government had "already started defending all people in the Rakhine in the best way possible." [11]

But, is she covering up for the deeds of the military on grounds of fear that her government and its gains could be undermined by the military, or is she afraid of being branded as a silent perpetrator of the evil she and her father stood against when she was not in power?

## Milieu

### – Brief Historical Background of the Rohingya People — ‘An Issue of Contestation’

The modern term Rohingya emerged from colonial and pre-colonial terms Rooinga and Rwangya. The word Rohingya would then mean "inhabitant of Rohang," which was the early Muslim name for Arakan.[12] They are also historically termed Arakanese Indians. Professor Andrew Selth of Griffith University writes that although a few Rohingya trace their ancestry to Muslims who lived in Arakan in the 15th and 16th centuries, most Rohingyas arrived with the British colonialists in the 19th and 20th centuries: Many arrived in large numbers during British rule, from 1824 to 1948, when Myanmar was considered a province of British-administered India. They were brought as laborers by the British.

Many think or believe that the Rohingyas are illegal immigrants from Bangladesh who have long stayed in Myanmar. A reason for which Myanmar doesn't consider them as citizens. However, Many Rohingya, say they are descendants of Muslim traders who can be traced back to the ninth century, and the land that Myanmar, formerly Burma, is situated on is their legitimate homeland.[13] This remains a fundamental point of contestation and a defining base of the crisis.

There is a mix up of ethnicities amongst them. They are currently referred to as a stateless Indo–Aryan people from Rakhine State Myanmar where they make up around a third of the population. Their spoken language, which isn't recognized by the state, ethnicity, and religion are key factors distinguishing them from the Buddhist.

Neither the central government nor Rakhine's dominant ethnic Buddhist group, known as the Rakhine, recognize the label "Rohingya," that surfaced in the 1950s, which experts say provides the group with a collective political identity. Though the etymological root of the word is disputed, the most widely accepted theory is that Rohang derives from the word "Arakan" in the Rohingya dialect and ga or gya means "from." [14] By identifying as Rohingya, the ethnic Muslim group asserts its ties to the land that was once under the control of the Arakan Kingdom, according to Chris Lewa, director of the Arakan Project, a Thailand-based advocacy group. [15] There were an estimated 1 million Rohingya living in Myanmar before the 2016–17 crisis. The majority are Muslim while a minority are Hindu. The Rohingyas were described by the United Nations in 2013 as one of the most persecuted minorities in the world. [16] Since the end of British colonization, the Rohingya have been systematically targeted, murdered, raped, and mutilated by the Myanmar military. Today, of approximately two million Rohingya, more than half are scattered as refugees around the world. [17]

### – Brief Historical Background of Myanmar

Myanmar, formerly known as Burma, is a country of 55 million people uniquely situated between India, Bangladesh, Laos, China, and Thailand. Due to its unique location, this captivating country is home to various ethnicities, religions, and languages. [18]

How did it begin? Known as Burma previously, it was first formed during the golden age of Pagan in the 11th century. King Anawratha ascended the throne in 1044, uniting Burma under his monarchy. His belief in Buddhism led him to begin building the temples and pagodas for which the city of Pagan became the first capital of a Burmese kingdom that included virtually all of modern Burma. The golden age of Pagan reached its peak in during the reign of Anawratha's successor, Kyazitta (1084-1113), another devout Buddhist, under whom it acquired the name "City of four million pagodas". [19] So, we see that Buddhism is indeed the founding religion of the country.

Although Burma was at times divided into independent states, a series of monarchs attempted to establish their absolute rule, with varying degrees of success. Eventually, an expansionist British Government took advantage of Burma's political instability. After three Anglo-Burmese wars over a period of 60 years, the British completed their colonization of the country in 1886, Burma was immediately annexed as a province of British India, and the British began to permeate the ancient Burmese culture with foreign elements. [20]

Shortly after the end of Myanmar's British colonization, the Myanmar military forcefully took control of the country and ruled dictatorially from 1962 to 2011. The military acquired complete power and authority over the country through the 1962 coup. Given

its military rule, the country was more or like under an authoritarian rule. The military controlled channels of information, it snuffed out viable opposition, and there wasn't an elected parliament.[21] For decades, the military's brutal regime was known for arresting those who were outspoken against the military, murdering protesters, and taking part in a multitude of institutionalized oppression against ethnic minorities in Myanmar. The latter still occurs today since the country is still, at least partially, controlled by the military. The military, by its actions, created a society where Burma Buddhist are at the top of the ladder and Rohingya Muslims, as a lesser race or not even consider as human beings are at the bottom.[22]

### **What's caused the Recent Exodus?**

According to Eleanor Albert from the Council on Foreign Relations, Clashes in Rakhine broke out in August 2017, killing more than five hundred people after a militant group known as the Arakan Rohingya Salvation Army (ARSA) claimed responsibility for attacks on police and army posts.[23] The government declared ARSA a terrorist organization and the military mounted a brutal campaign that destroyed hundreds of Rohingya villages and forced more than five hundred thousand Rohingya to leave Myanmar, approximately half of the estimated Rohingya population in the country.[24] Myanmar's security forces allegedly opened fire on fleeing civilians and planted landmines near border crossings used by Rohingya to flee to Bangladesh.[25]

Rights groups and UN leaders have condemned the escalating violence and atrocities, which have been described by a number of observers as ethnic cleansing and crimes against humanity. The clashes and exodus have created what UN Secretary-General Antonio Guterres calls a "humanitarian and human rights nightmare." [26] At an emergency UN Security Council meeting, US Ambassador to the United Nations Nikki Haley said Myanmar authorities have carried out "brutal, sustained campaign to cleanse the country of an ethnic minority, " and she called on members to suspend weapons provisions to the military.[27] Other Security Council members, like Russia and China, have resisted increasing pressure on Myanmar's government because they say it is trying to restore stability. Sectarian violence is not new to Rakhine State. Security campaigns in the past five years, notably in 2012 and 2016, also resulted in the flight of tens of thousands of Rohingya from their homes. Most displaced Rohingya have been forced to take shelter in squalid refugee camps, many across the border in Bangladesh where humanitarian resources are stretched thin. Children, women, and the elderly make up much of the latest wave of refugees who have fled to Bangladesh. According to employees of the medical charity Doctors Without Borders, camps were able to provide less than one liter of water a day per person and medical services were operating beyond their capacity, as of September 2017. Other refugees have turned to smugglers, paying for transport out of Bangladesh and Myanmar and risking exploitation. [28]



*Kutupalong refugee camp in Bangladesh. (Photo taken in March 2017 by John Owens/VOA)*

## **Persecution of the Rohingyas**

### **– Contested Citizenship Crisis**

As earlier mentioned, a statehood crisis exists where the history and origin of the Rohingya people as legitimate citizens of Myanmar who traced their ancestral lineage to Muslim traders of a land that was once under the control of the Arakan Kingdom in the ninth century, is heavily contested. Buddhist nationalists and other Myanmar citizens assert strongly that this group of people was only brought in by the British as laborers from Bangladesh and have no prior history in Myanmar. Hence, they are not citizens of Myanmar. This sticky issue has influenced the actions and reactions of all parties, in part, in the conflict. This positional conflict is intractable as all parties claim legitimacy for their actions, with any side doing otherwise could be interpreted as weakness. However, given the huge asymmetrical power relationship, the Rohingyas have suffered and continue to suffer the brunt of the crisis.

But when one scratches the surface of this increasingly volatile situation, what lies beneath it? Institutionalized discrimination, and religious influence.

### **– Institutionalized Discriminatory Laws and Policies of the Myanmar Government**

Discriminatory policies of Myanmar's government since the late 1970s have compelled hundreds of thousands of Muslim Rohingya to flee their homes in the predominantly Buddhist country.[29] Most have crossed by land into Bangladesh, while others have taken to the sea to reach Indonesia, Malaysia, and Thailand. Example of such law includes Myanmar's 1982 citizenship laws that were exclusionary, leaving 1.2 million people stateless. The military junta, which seized power in 1962, introduced a law twenty years

later stripping the Rohingya of any possible access to full citizenship and rendering them stateless.[30] “The law creates a permanent underclass that is exploited with impunity, creating significant resentments [liable to] explode when security forces take advantage of the legal vulnerability of stateless persons through abuse,” said Phil Robertson, the Deputy Director of Human Rights Watch office in Asia.[31]

While all persons born on Burmese soil were considered citizens under the country’s earlier 1948 citizenship law, provided one parent was Burmese, General Ne Win’s seizure of power in 1962 led to policies that further excluded communities whose ancestors entered the country after 1823.[32] The constitution established by Ne Win in 1974 listed 135 “national races” – including the Karen, Shan, and Kachin – while excluding all “non-Indigenous” minorities. Eight years later, the citizenship law, which recognizes only the children of national races as full citizens, was established, leading to limited rights for non-recognized groups such as the Rohingya.[33]

The alleged statelessness of the Rohingya people provided a recipe for the perpetrators of the evil agenda against them to feel less guilty, at least in their own eyes. A stateless person or people is usually a member of a minority and at the same time an ‘outsider’ in the host country, who are subjected to discriminatory laws, policies, and practices, and must reckon with discriminatory persecution from others. The term stateless provides an umbrella under which not only states can come up with a standard practice of restricting a wide range of rights and benefits to a particular group of people i.e. public service delivery inclusive of health, employment, good education, etc., but also makes one vulnerable to multiple forms of vices.

According to Volker Türk (UNHCR), To be stateless is to not be considered as a national by any state under the operation of its law.[34] Amongst many other things, a nationality entitles an individual to the full protection of a state.[35] To be stateless therefore often implies a denial of the most basic rights, a denial of the documentation required to secure these rights and of many other elements that are necessary to lead a normal life. It also means being shunned and discriminated against, and the added pressure of passing on that stigma to children and future generations.[36] This is not to say that stateless people do not have ties to a particular country. However, as a result of state action or inaction, because of gaps in laws and procedures or simply because of an unfortunate convergence of circumstances, they have fallen through the Cracks.[37]

Assuming the Myanmar government claims that the fundamental human rights of the Rohingyas are not being denied as counter-claimed, there is a possibility that even if in theory such rights and benefits are available to stateless people, practical evidence shows that in reality they are blocked from such access.

Statelessness and the conflicts associated with it could come about due to several reasons i.e. racial, religious, or ethnic, etc. In the case of the Rohingyas, on grounds of their ethnicity, they have been declared stateless by their home country Myanmar where they have lived for generations. They were stripped of their nationality in 1982.[38]

It is quite obvious that when a people are rendered stateless they become an easy prey for their enemies to carry out multiple forms of injustices against them. Declaring the

Rohingyas as illegal immigrants in Myanmar provides a basis on which they have very little access to security and protection, civil and political rights, and socio and economic rights, etc.

The Rohingyas are subjected to discriminatory treatment, and persecution affecting every aspect of their lives from their ability to move freely, marry and earn a living, to the imposition of arbitrary taxes, arbitrary arrest, and torture.[39]

Despite repeated calls for change, including a recent attempt to amend the law on 6 November 2012 by Member of Parliament (MP) Tin Mya from the Union Solidarity and Development Party, objections from other parliamentarians caused proposals for amendments to be shelved, according to Altsean.[40] “While the international community has also spoken up about the need to amend the law, there has yet to be a coordinated and concerted effort to ensure this actually happens,”.[41]

The Myanmar government has effectively institutionalized discrimination against the ethnic group through restrictions on marriage, family planning, employment, education, religious choice, and freedom of movement.[42] For example, Rohingya couples in the northern towns of Maungdaw and Buthidaung are only allowed to have two children. Rohingya must also seek permission to marry, which may require them to bribe authorities and provide photographs of the bride without a headscarf and the groom with a clean-shaven face, practices that conflict with Muslim customs. To move to a new home or travel outside their townships, Rohingya must gain government approval.[43]

The impacts of such have ripple effects on future generations born by stateless people, thus continuing the vicious circle. Living under such circumstances is not only difficult, but they also have become a push factor leading the Rohingyas to seek greener pastures elsewhere, hence, their escape from the carnage, persecution, and oppression. For example, the change in citizenship rules, lead to the eruption of frequent cases of armed struggles that saw the destruction of Muslim villages and mosques, followed by mass exodus of Rohingyas into neighboring countries, especially Bangladesh and India.[44] Given that statelessness, oppression, and human rights violation, are also leading causes of violent conflicts, these conditions, which have contributed to the increasing poverty, poor infrastructure development, and lack of employment opportunities in the Rakhine, have further polarized Buddhist and the Muslim Rohingya. Such discriminatory laws may have possibly helped fuel the outbreak of sectarian violence between the Muslim Rohingya and the Buddhist population in Rakhine State in June and October 2012 and in the town of Meiktila in March 2013.[45]

### – Religious Connotation – Buddhist Nationalist Influence

U Nya Nya, chairman of a monks’ association in Sittwe, says the Rohingya identity was only adopted in the 1950s as “an attempt by illegal Bengalis” to get recognition as a distinct ethnic group in Burma.[46] this belief has contributed a lot to the hate speech agenda against the Rohingyas propagated by the government.

It is an open secret that the existing religious tension between Buddhist and Muslim Rohingya often erupts into violent conflict in the region.

- The first and most deadly incident began in **June 2012** when widespread rioting and clashes between Rakhine Buddhists and Muslims, largely thought to be Rohingya Muslims, left 200 dead and displaced thousands. It was the rape and murder of a young Buddhist woman which sparked off that deadly chain of events.[47]
- In **March 2013** an argument in a gold shop in Meiktila in central Myanmar led to violence between Buddhists and Muslims which left more than 40 people dead and entire neighborhoods razed
- In **August 2013** rioters burnt Muslim-owned houses and shops in the central town of Kanbalu after police refused to hand over a Muslim man accused of raping a Buddhist woman
- In **January 2014**, the UN said that more than 40 Rohingya men, women, and children were killed in Rakhine state in violence that flared after accusations that Rohingyas killed a Rakhine policeman.s
- In **June 2014**, two people were killed and five hurt in Mandalay, Myanmar's second city, following a rumor that spread on social media that a Buddhist woman had been raped by one or more Muslim men.[48]

In Rakhine State, the Buddhist make up the majority of the population while the Muslims are in the minority. Given Myanmar's history, the Buddhists implicitly consider the country a Buddhist country. The government is predominately Buddhist controlled. The most prominent nationalist Buddhist organization is the Association for the Protection of Race and Religion (commonly referred to by its Burmese-language acronym, MaBaTha), made up of monks, nuns, and laypeople.[49] This group continues to have mammoth influence in the crisis as an attempt on the part of the government to crack down them is viewed as the government is a weak protector of the faith. MaBaTha is led by widely revered and charismatic monks who have far greater legitimacy on religious issues in the eyes of many Myanmar Buddhists than the government or state religious authorities. The group is seen by itself and its supporters as well as a group dedicated to the protection and promotion of Buddhism, especially, that for a long time, Buddhism and the society have been indivisible. The Government, given the strength of this group, fears that fully executing its threat on the group might lead to the resonance of an even greater violence against its own people and the state.

This group has in many ways hugely impacted both decisions and actions in the conflict:

1. A) In 2014 the government held a UN-backed national census, its first in thirty years. The Muslim minority group was initially permitted to identify as Rohingya, but after Buddhist nationalists threatened to boycott the census, the government decided the Rohingya could only register if they identified as Bengali instead.[50]
2. B) At some point in time in the 1990s, some Rohingyas were giving white cards as a temporary identity card allowing them to vote. Similarly, under pressure from Buddhist nationalists protesting the Rohingyas right to vote in a 2015 constitutional referendum, then-President, Thein Sein, canceled the temporary

identity white cards in February 2015, effectively revoking the Rohingyas newly gained the right to vote.[51] Note: White card holders were allowed to vote in Myanmar's 2008 Constitutional Referendum and 2010 General E In the 2015 elections, which were widely touted by international monitors as free and fair, no parliamentary candidate was of the Muslim faith. "Country-wide anti-Muslim sentiment makes it politically difficult for the government to take steps seen as supportive of Muslim rights," writes the International Crisis Group.[52]

### – Denial or Violation of Collective Self-determining Moral Rights of the Rohingyas

Since independence in 1948, successive governments in Burma, renamed Myanmar in 1989, have refuted the Rohingyas historical claims and denied the group recognition as one of the country's 135 ethnic groups. Other ethnic minorities share similar fate: a lack of an accepted political identity, recognition, and control over their own affairs; economic marginalization; human rights abuses and diminution on cultural expression and language. The Rohingyas, the largest of the minority group have been victims of consistent marginalization from the social and political life in Myanmar.

## What Role is UNHCR playing in This Whole Occurrence and Does it Actually Have Any Legal or Coercive Powers?

### – The UNHCR's Role

The United Nations High Commission for Refugees (UNHCR), also known as United Nations Refugee Agency is a United Nations programme mandated to protect and support refugees at the request of a government or the UN itself and assists in their voluntary repatriation, local integration or resettlement into a third country.[53] Responding to emergencies is a cardinal role of the UNHCR. In such situation, the immediate priority is to save lives by meeting basic needs in terms of shelter, food, water, sanitation and medical care.

This role, the UNHCR has played and continues to play in the ongoing crisis. The UNHCR has been involved not only in rendering assistance to the victims but also in heralding emergency calls to both private and other international donors to urgently get involved as the situation is alarming. The UNHCR has also been making appeals gear towards the cessation of violence in the region. Besides contributing to relief operations, the UNHCR is currently involved in the resettlement of the victims in neighboring countries like Bangladesh, Thailand, Indonesia, and India, etc., and ensuring their rights and protection.

The refugees' plight is more than just pathetic: physically, they are faced with challenges of transportation means, lodging, feeding, sanitation, safe drinking water, food, clothing, cooking utensils, and medical care, etc. Ecologically, they are faced with natural disasters i.e. floods due to the heavy monsoon rainfall occurring near refugee camps. Emotionally and physiologically, they are faced with challenges of acceptance, stigmatization, a ruined history of their identity, dehumanization, demonized reputation, loss of self-image, the

risk of losing their culture, traditions, and heritage, and not to mention the wounds and scars of the loss of lives and properties due to the pogrom that they have to live with forever. Help is urgent!

Despite these huge challenges, there has been some level of local and regional support towards the refugee crisis. International support has also been provided but needs to be beefed up and sustained. The head of UNHCR, Mr. Filippo Grandi paid a visit to several refugee camps in Bangladesh on September 24, 2017, and had a first-hand contact with refugees and heard them tell their stories. According to Tim Gaynor: “People have fled unspeakable violence, and their needs are enormous,” said UN High Commissioner for Refugees Filippo Grandi as he toured Kutupalong camp and the sprawling new adjacent extension today during a visit to Bangladesh.[54]

Mr. Grandi is also reported to have said: “Their situation remains desperate, and we risk a dramatic deterioration if aid is not rapidly stepped up,” he said, following a visit yesterday to Kutupalong Refugee Camp and other areas along the border where people have made their own shelters on tiny slivers of land.[55] “The people I met were deeply traumatized, and despite having found refuge in Bangladesh, they are still exposed to enormous hardship,” Grandi said on the final day of his visit to the country.[56] He continued: “Despite every effort by those on the ground, the massive influx of people seeking safety rapidly outpaced capacities to respond, and the situation has still not stabilized. “More is needed, and fast, if we are to avoid further deterioration,” Grandi said.[57] During said visit, the UN Staff delivered cooking equipment, sleeping mats, solar lamps and other essential relief items to an initial 3,500 families selected by community leaders. This is only one of several interventions by the UNHCR.[58]

### **Does the UNHCR Have Any Coercive or Legal Power?**

By virtue of the mandate of the UNHCR, and in accordance with the 1951 Convention and 1967 Protocols signified by member countries, she operates within an international legal framework for the protection of refugees, migrants, asylum seekers, stateless people, and IDPs, etc., but has no coercive powers.

However, it is worth noting that Indonesia, Malaysia, Myanmar, and Thailand—all of which are ASEAN members—are yet to ratify the UN Refugee Convention or its protocol. Governments in Southeast Asia are yet to have established legal frameworks to protect refugees’ rights.[59] Up till the middle of October 2017, the ten members of the Association of Southeast Asian Nations (ASEAN) had not coordinated a concerted response to the escalating crisis and the situation of asylum seekers. This silence could be in part due to its members’ commitment to the principle of noninterference in each other’s internal affairs.

In some cases, it is difficult for a global humanitarian organization of such to not be a little coercive in ‘soft terms’, when faced with extreme situations i.e. force displacements, despotic rulers, ethnic cleansing, and genocide, etc., Though she claims to be non-political, realistically, the UNHCR acts politically when in cases of human rights violation,

she tries to influence public authorities through advocacy and lobbying to protect refugees. In so doing, she may sometimes challenge policies of public authorities i.e. protecting people of concern in Bosnia. But it does not and should not engage in military coercion in an attempt to force policy change or decisions on who governs.

In other cases, given the bad politics of an existing government, the UNHCR could shut down refugee camps or greatly reduce supplies to cause the refugees to move out. Is this a form of coercion? They can deliberately, through needed incentives, influence or control movements across borders. But I think that the primary motivation of this preferred course of action which is seldom taken is to reduce or prevent ill practices by those in authority, and better care for the victims.

### **Author's Analytical Opinion**

- The situation is precarious: It presents seemingly irreconcilable positions as both the government and Rakhine community supported by Buddhist nationalist on one side, and the Rohingyas on the other side have intolerable views; the government and the Rakhine community refuse to accept the term Rohingya while the Muslim Rohingya refuse to accept the term and status Bengali as acceptance or endorsement of any means a lot more than just the names. Moreover, while the Rohingyas are seen in the eyes of the International community as victims, they are viewed domestically as aggressors. Conflicts with strong religious influence are difficult to resolve.
- Government and Buddhist nationalist have branded the Rohingyas as extremist and have done little to understand their perspectives and concerns. In my opinion, government approaches in handling the conflict have been at best makeshift approaches. The various characteristics of the Myanmar conflict — the structural or institutional nature of the violence, the strong religious component, the fact that the main perpetrators are the state and the Buddhist nationalist, and the polarization of the Myanmar society have all created conditions in which the failure to promote justice and the endorsement of the culture of impunity will simply perpetuate the conditions of violence. Any peace initiative without justice is a negative peace and as such is temporal. The rationale is that without some sort of trials and punishment for perpetrators of this violence a culture of impunity may take root and respect for rule of law may be diminished, mob lynching will be licensed, gross human rights and indigenous rights will continue to be violated, thus further marginalizing the already polarized society. Justice must be served! This will contribute to political stability and increase the chances of lasting peace.
- As there has been little internal condemnation of the violence, probably, the present civilian government walks in the shadow of the threats from the past military regime which still wields great political and economic power. She fears that strong actions on her part to initiate justice will greatly affect perpetrators of past atrocities who are mainly ex-military and Buddhist nationalist, which might lead to endangering the power-sharing agreement with the military. 25 percent

of parliamentary seats are appointed by the military who also control the home, border affairs, and defense ministries.[60] Given this, the Aung San Suu Kyi led civilian government could be in a hamstringing position as going against the military would likely provoke it to make life problematic for Aung San Suu Kyi. She might not be able to later persuade them to comply with other reforms on her agenda. But could it be that the military stage-planned a transition to civilian government in order to win international acclamation while they pull the strings in the back safeguarding their political and economic interests?

- As all stakeholders in a dispute value trust on the part of the intervener, the Myanmar government has lost its trust in the eyes of the Muslim Rohingyas, and besides, she lacks the political will to fully resolved the situation on her own.
- The issue of full citizenship for the Rohingyas is central to resolving the conflict but it is not enough. The Kaman group is full citizens by birth and a known indigenous group, but because they are Muslim minority they are denied basic rights, experience restrictions on their freedom of movement, and they live basically in displacement camps. A holistic approach should include The Rule of Law, constitutional amendment, transitional justice mechanisms (trials, amnesty, reparations, security sector reforms, lustrations, and reconciliation). Unless these are carefully considered, Myanmar will continuously be far from being a peaceful and democratic nation.
- A case to consider could be Guatemala's case with the discrimination, marginalization, and genocide of the Maya population. Historically the Mayas suffered systematic discrimination and were not considered a part of Guatemala even though they constituted nearly 44% of the population.[61] The insurgency in the 1960s saw many Mayas joining the insurgent groups and formed what was later known as the Guatemalan National Revolutionary Unity (UNRG). The civil war lasted 36 years. Peace accords were signed but a failure to balance restorative justice with retributive justice undermined the peace and democratic efforts in the first nine years after it's signing. Frantic efforts by the international community in collaboration with the citizens led to the major perpetrator, the state accounting for 93 percent of the atrocities committed, and the Mayans accounting for seven percent. As of 2016 justice is being served and the following is being accomplished: delegitimation of past abusers and potential spoilers, and legitimisation of new regime; promotion of reforms; empowerment of previously marginalized actors; truth and reconciliation, constitutional and judicial reforms, upholding of basic human rights for all ethnic minorities, fair trials, state-led apologies, reparations and historical memory, and fair and equal treatment for women etc. A new national identity has been created recognizing Guatemala as a multi-cultural, multi-ethnic, and multi-lingual society. Today, though Guatemala's democracy is not consolidated, they are on the path.
- I argue that justice should not be sacrificed for the sake of peace because peace without justice is an error of judgment. There is no consolidated democracy without peace, no enduring peace without justice, no justice without rule of law, and no rule of law without trust.

- Like Guatemala, Myanmar may have to create a new national identity embracing its multi-lingual culture, and religious and ethnic diversity, and increase awareness of the need to respect and uphold human and indigenous rights if she will know lasting peace and stability. The current foundation of exclusion, resentment, and hate speech of the minority group that has run deep for decades only feed more of the toxic of prejudice, violence, and deepening polarity. A national legal framework has to be established in which equality must be established as an essential value, and discrimination as a crime. Or else, if Rohingyas return they will still be faced with very little being done to depoliticize or destigmatized their identity.
- I agree with Francis Wade when he says without overhauling “a culture of pervasive prejudice” and ensuring that Rohingya are treated as human beings, the situation in Rakhine State is unlikely to improve.[62]
- A new police force to enforce the law and protect human rights has to be created, and the mandate of the army has to change from that of internal security to the defense of Myanmar’s borders against external aggression. This implies having Myanmar’s military under civilian control with necessary provisions that ensure the protection of human rights. As long as the military still wields strong power and influence internally, Myanmar will know no true peace and democracy.
- The recent exodus of over 500, 000 Rohingyas should also caution Myanmar. It is a common knowledge in conflict studies that when a people of such magnitude are for so long denied their basic human rights and rendered stateless, systematically brutalized, demonized, dehumanized, and finally ostracized from what is consider their home, that a possible vindictive agenda for the formation of a radical group could be considered in retaliation. They become easy recruits for existing terrorist groups.

## Inference

Both sides have participated in the violence with the government and Buddhist nationalists committing the bulk of the atrocities. The issues of discrimination and citizenship are central to managing the conflict, and as such, require careful consideration. It is possible that given the many years of hate speech propaganda and military oppression, fear runs through many citizens of Myanmar. As a result, their opinion in public might be different from their opinion in private. The religious undertone of the conflict further complicates it. The role religion plays in the existing conflict cannot be separated from culture, ethnicity, traditions, language, and politics.

All forms of intervention must take into due cognizance that the conflict is apparently intractable and as such there are no quick fixes. The crisis dates back to generations, and it has spread its tentacles to all communities of the state. It is a known fact that emergency and humanitarian aid, as well as protection of the vulnerable, is imminent. Additionally, initiating poverty reduction schemes, skill training, and development activities at village and community level will do a lot to empower the marginalized. However, a multi-pronged approach forecasting the future of the peaceful co-existence

of the Rohingya people and the peoples of the various lands they are scattered in should be considered rather than just an immediate conflict management.

The task still remains a herculean one when considering the specific needs of vulnerable groups i.e. women and children who often comprise a large portion of the refugee population, and the sick and elderly. Additionally, other challenges include child protection issues, education, handling sexual and gender-based violence, child recruitment, the risk of human trafficking, family reunion, and the reestablishment of normal life. These will require years of serious investments.

## Bibliography

- Ball, Howard (2011). Genocide: A Reference Handbook. Contemporary World Issues. Santa Barbara, California
- Comisión para el Esclarecimiento Histórico, Guatemala: Memoria del Silencio, Vol. 5 Guatemala City, 1999, p. 42
- [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(16\)00646-2/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(16)00646-2/abstract)
- <https://www.reuters.com/article/us-myanmar-rohingya-rape-insight/u-n-medics-see-evidence-of-rape-in-myanmar-army-cleansing-campaign-idUSKCN1BZ06X>
- <https://www.cfr.org/interview/how-myanmars-military-wields-power-shadows>
- <http://www.irinnews.org/feature/2013/05/03/activists-call-review-myanmar's-citizenship-law>
- [www.fmreview.org/afghanistan/tuerk](http://www.fmreview.org/afghanistan/tuerk)
- <http://www.bbc.com/news/world-asia-18395788>
- <https://www.theguardian.com/world/2012/nov/09/burma-ethnic-tensions-escalate>
- <http://www.unhcr.org/news/latest/2017/9/59c7855b4/refugee-crisis-grows-rohingya-struggle-roadside-settlements.html>
- <http://www.unhcr.org/news/press/2017/9/59c8ffbe4/unhcr-chief-calls-stepped-up-support-rohingya-refugees-thanks-bangladesh.html>
- <https://uk.reuters.com/article/uk-myanmar-rohingya-exclusive/exclusive-we-will-kill-you-all-rohingya-villagers-in-myanmar-beg-for-safe-passage-idUKKCN1BSOPN>
- [https://www.washingtonpost.com/world/asia\\_pacific/one-month-on-a-bleak-new-reality-emerges-for-436000-rohingya-refugees/2017/09/25/acbb2ff4-9d7e-11e7-b2a7-bc70b6f98089\\_story.html?utm\\_term=.31724e09b238](https://www.washingtonpost.com/world/asia_pacific/one-month-on-a-bleak-new-reality-emerges-for-436000-rohingya-refugees/2017/09/25/acbb2ff4-9d7e-11e7-b2a7-bc70b6f98089_story.html?utm_term=.31724e09b238)
- <https://www.cfr.org/background/rohingya-crisis>
- <https://www.cfr.org/interview/how-myanmars-military-wields-power-shadows>
- <http://www.cfob.org/HistoryofBurma/historyOfBurma.shtml>
- <https://www.reuters.com/article/us-myanmar-rohingya-rape-insight/u-n-medics-see-evidence-of-rape-in-myanmar-army-cleansing-campaign-idUSKCN1BZ06X>

- <https://www.cn.org/backgrounder/rhingya-crisi>
- <http://www.unhcr.org/547451cc6.pdf>
- <http://nymag.com/daily/intelligencer/2017/09/what-the-hell-is-happening-in-myanmar.html>
- Rohingya Muslim crisis in Myanmar: The warning signs of a possible 'genocide'
- <http://www.sacw.net/article13518.html>
- <http://wam.ae/en/details/1395302634596>
- <https://www.unhcr.or.th/en/taxonomy/term/9>

Ibrahim, Azeem. The Rohingyas: Inside Myanmar's Hidden Genocide. Hurst and Company, London 2016