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SOUTHEAST ASIA REFUGEES

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# Mad rush to repatriate Rohingya refugees

There is no indication the situation in Myanmar's Rakhine State is stable or secure enough to begin a resettlement

By **ANGSHUMAN CHOUDHURY** | FEBRUARY 2, 2018 2:53 PM (UTC+8)



Rohingya refugees wait in line for aid at Kutupalong refugee camp, near Cox's Bazar, Bangladesh, January 4, 2018. Photo: Reuters/Tyrone Siu

**O**n January 22, Bangladesh announced that the repatriation of 655,000 Rohingya refugees currently housed in multiple camps in Cox's Bazar district would not commence as scheduled the following day.

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A bilateral pact signed with Myanmar in November set the groundwork for sending 1,500 refugees back to northern Rakhine every week until all of those who fled violence sparked by the insurgent Arakan Rohingya Solidarity Army's (ARSA) attacks on security forces last August 25. The United Nations and others have characterized the Myanmar military's retaliatory "clearance operations" as "ethnic cleansing."

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The ambitious plan poses a daunting logistical challenge to both governments. Before any batch-wise return can commence, authorities in Myanmar are supposed to verify an advance list of refugees sent by their counterparts in Bangladesh. This back-and-forth verification process, to be done on the basis of residency documents provided by the refugees, is bound to be time-consuming and contentious.

This is especially because the UNHCR – an organization with extensive global experience of refugee supervision and repatriation – has largely been blocked from the process.

But the problems are more than logistical. Both governments are obligated to ensure that the refugees are sent back in a manner that upholds established norms of repatriation, i.e. under safe, dignified and voluntary conditions. It's not clear that any of those three standards can credibly be upheld in the current circumstances.

There is little to no indication, save for the unsubstantiated claims of de-escalation by the Myanmar government, that the situation in northern Rakhine is stable. The initial bout of violence – triggered by ARSA attacks on security forces and the Myanmar military's brutal 'counterinsurgency' response – has faded but not ended.



A Myanmar policeman stands outside a camp set up to prepare for the repatriation of Rohingya refugees outside Maungdaw, Rakhine state, January 24, 2018. Photo: Reuters/Stringer



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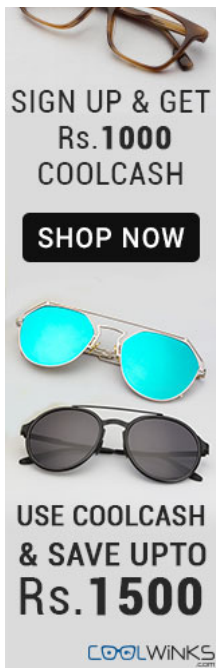
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That's seen by the fact that refugees continue to trickle over the border into Bangladesh. Since January 17, more than 100 Rohingyas have crossed the Naf river into Bangladesh while "scores more" were waiting to make the crossing. Some of them have claimed that Myanmar security forces continue to wreak havoc in their villages.

These claims are loosely backed up by media reports from local pro-Rohingya media, one of which outlets reported on January 23 that 100 Rohingya houses were torched by the military in the Tongbru sub-township of Maungdaw on January 22.

The claims of continued violence are further substantiated by Bangladeshi officials who have recently said that arson and gunfire are still underway in another village in northern Rakhine.

In a situation where refugees are still on the move, repatriation is a bizarrely counterintuitive strategy that contravenes the very spirit of refugee return and if carried out risks charges of refoulement. Safe return can only happen after the distress movement has ceased under international law.

The current environment in Rakhine State – a culturally complicated and politically restive state – remains tense and not conducive for any kind of refugee resettlement or reintegration.

On January 16, local police shot and killed seven ethnic Rakhine civilians as demonstrators gathered in the historic town of Mrauk U to protest against the government's ban on the 233rd anniversary commemoration of the Arakan dynasty's fall.



Protestors injured after police open fire on demonstrators at Mrauk U in Rakhine State. Photo: Reuters/Stringer

Aye Maung, a popular local Rakhine politician and former chief of the dominant Arakan National Party (ANP), was arrested on charges of stoking unrest by appealing to locals to support the ethnic Rakhine insurgent Arakan Army.

This has lodged the Myanmar government between two antagonistic parties: the ARSA Rohingya insurgents and local ethnic Rakhines who are furious at the recent lethal police crackdown.

The ethnic Rakhines, according to the government itself, are key to stability in the state. However, the public mood among the Rakhine majority population is hardly reconciliatory. And the government's

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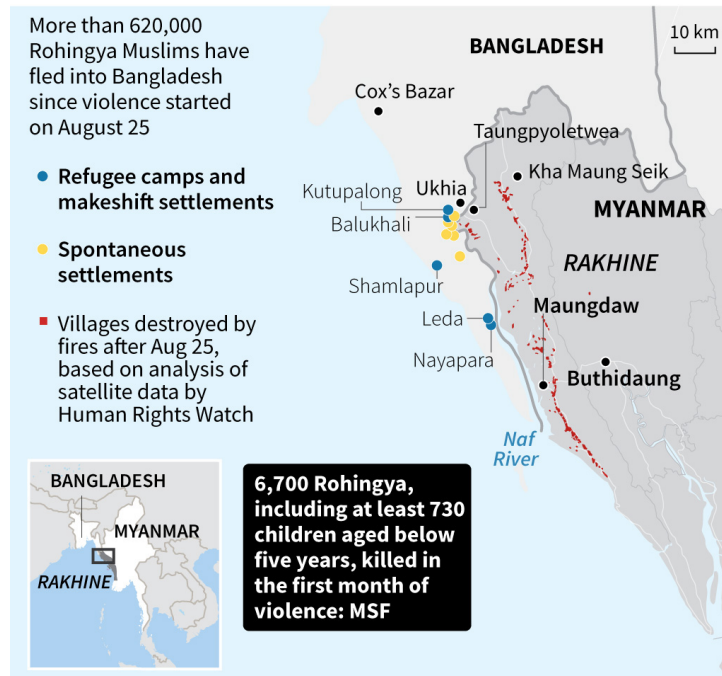
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plan to bring the Rohingya from Bangladesh back is a further hit of the hammer.

Local Rakhine politicians had already voiced their apprehensions against the repatriation plan. That's because they consider the Rohingya to be outsiders, often referred to instead as "Bengalis" and a direct demographic threat to 'their' state.

For many ethnic Rakhines, the Rohingya would be best resettled in Bangladesh or at a minimum confined to their own impoverished rural tracts in Rakhine's furthest northern reaches.

## Violence hit Rakhine state, Myanmar



Bringing the Rohingya back thus has the volatile potential to complicate an already tense relationship between the Bamar-dominated union government of Aung San Suu Kyi (and her party's local government in Rakhine) and local ethnic Rakhines, many of whom feel successive administrations have not been sufficiently mindful of their cultural integrity and territorial sovereignty.

The sharpening of this precarious relationship could lead to further unrest and anti-Rohingya drives, which could spur a fresh conflict cycle and complicate the delicate arrangement between Myanmar and Bangladesh.

This does not bode well for the over half a million traumatized, wounded, and homeless Rohingyas who were just forcefully evicted out of their homes in northern Rakhine and now await return into the throes of the same pot that smoked them out.

There is also a strong possibility that the Myanmar military, or Tatmadaw, initiates a fresh counterinsurgency drive in its characteristic scorched-earth style and employs harsh screening measures for returning Rohingyas. Myanmar has already prepared a list of 1,300 suspected 'terrorists,' which was also relayed to the

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Myanmar's security forces are already on edge. On January 5, ARSA militants ambushed a military truck using handmade landmines and gunfire in northern Rakhine around Maungdaw, after which the insurgents claimed in a Twitter statement to have "no other option but to combat 'Burmese [Myanmar] state sponsored terrorism.'"

An International Crisis Group report released last month argues that despite the counterinsurgency drives of Myanmar forces, ARSA is "determined to regroup and remain relevant."

All of this means that the threat of militant disruption and a retaliatory disproportionate response by the Tatmadaw remains high, rendering Rohingya returnees – particularly women, children and the elderly – vulnerable to a fresh spate of violence and re-displacement.



Rohingya wait to cross the border to Bangladesh, in a temporary camp outside Maungdaw, northern Rakhine state, Myanmar November 12, 2017. Photo: Reuters

The serious and credible allegations of human rights abuses leveled against Myanmar security forces, including new revelations of mass graves in Rakhine, have not yet been independently investigated.

Myanmar has repeatedly denied entry to UN-mandated investigators who are supposed to conduct a fair inquiry into the allegations, courtesy of an international fact-finding mission sanctioned by the Human Rights Council in March 2017.

Moreover, the Tatmadaw only recently admitted to extrajudicial killings of ten Rohingyas – a rare admission but only partial confirmation of the allegations of mass killings. However, this is likely just the tip of the iceberg. On January 31, an Associated Press investigation confirmed the existence of five more previously unreported mass graves in the village of Gu Day Pyin.

There is no reason to believe that the military has changed its ways or views and not kill summarily again if under perceived threat. As such, any attempt by Bangladesh to send the Rohingya back into northern Rakhine could amount to complicity in crimes against humanity.

For now, the postponement of repatriation is a heartening move. However, both Myanmar and Bangladesh still appear to be in a rush to bring or send the Rohingya back for reasons that range from electoral

concerns in Bangladesh to restoring faith in the international community for Myanmar.

But Dhaka and Naypyitaw must both exercise extraordinary caution to avoid reigniting what is already a dangerous and unstable situation.

*Angshuman Choudhury is a researcher and coordinator at the Southeast Asia Research Program at the New Delhi-based Institute of Peace and Conflict Studies.*



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