

## The Ruse of Repatriation: Why the Current Efforts to Repatriate the Rohingya back to Myanmar Will Fail

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“Rohingya Muslims have been killed, tortured, raped, burnt alive[,] and humiliated, solely because of who they are.”<sup>[1]</sup> The United Nations special adviser on the prevention of genocide issued this assessment of the Rohingya Muslims after visiting them in refugee camps in Cox’s Bazaar in Bangladesh in early 2018. More than 600,000 Muslim Rohingya fled here from Myanmar’s Rakhine state after the state military launched the crackdown “in response to insurgent attacks on security forces” in mid-2017.<sup>[2]</sup> This is in addition to the roughly 300,000 refugees who left their homes prior to this due to the decades-long tension between communities in the region. Nearly 1 million Rohingya, representing 90 percent of the state’s Muslim population, have been displaced.<sup>[3]</sup> The United Nations calls them “the most persecuted minority in the world.”<sup>[4]</sup> While the Myanmar government calls it a “clearance operation,” the United States and the United Nations have other words for it: ethnic cleansing and genocide, respectively.<sup>[5]</sup>

The international community faces a two-pronged challenge regarding the resolution of the Myanmar humanitarian crisis. First, there is a need for immediate and comprehensive relief for the displaced Rohingya *outside* of Myanmar in refugee camps, primarily in Cox’s Bazaar in Bangladesh. Second, there should be a long-term strategy to focus on the *internal* social, economic, and political plight of the Rohingya in Myanmar, especially in the state of Rakhine.<sup>[6]</sup>

Reconciliation efforts—in particular, the repatriation of the Rohingya refugees back to Myanmar—are vague and superficial because they ignore social institutions and lack any multilateral consensus. Inaccurate and inequitable social narratives in Myanmar serve to prevent a sustainable solution to the tensions and allow the government of Myanmar to circumvent culpability and accountability.

## **Reconciliation Efforts Are Vague and Superficial because They Ignore Social Institutions**

The Advisory Commission Report released in 2016 was met with mixed reviews.<sup>[7],[8]</sup> Those who criticized it bemoaned it as yet another 88-point list of vague, haphazard, and sweeping recommendations that doesn't hold anyone accountable or responsible for the fate of the stateless.<sup>[9]</sup> “Five-point plans” that call for the killings to stop, repatriating the refugees, granting humanitarian access to the affected areas, holding entities accountable for the atrocities, and ending anti-Rohingya discrimination don't do justice to the fragility of the conflict and the scale of atrocities.<sup>[10]</sup> Recent political negotiations have centered on repatriation exclusively.<sup>[11]</sup> In reality, “Myanmar was never sincere about returning the Rohingya.”<sup>[12]</sup> The implementation challenges of repatriation seem insurmountable in light of current political and social uncertainty.

Yet, Myanmar and Bangladesh signed a memorandum of understanding in 2018 to repatriate the refugees in a “voluntary, safe, dignified[,] and sustainable” manner.<sup>[13]</sup> Under the deal, it was agreed that, initially, 1,500 “eligible” Rohingyas would be returned each week, and somehow, 700,000 Rohingya refugees would be repatriated to Myanmar within the next two years.

At first glance, this plan seems reasonable.<sup>[14]</sup> Bangladesh has borne the burden of almost 1 million refugees despite dwindling aid and infrastructure support, and it is only natural that they are eager to expedite repatriation. Meanwhile, Myanmar stands to be politically rewarded by the international community if they display an interest in welcoming the Rohingya. The international community also might support this plan in an attempt to restore a semblance of normalcy and find a quick resolution to an urgent problem.

But repatriation will not result in any “real” normalcy. Sending the Rohingya back to Rakhine has several obvious flaws. At the most basic level, the minority Rohingya and the majority Buddhist groups are not any closer to living in harmony than they were a few years ago. Social barriers, as well as the lack of any legal protection that would legitimize the Rohingya in Myanmar, predict the failure of repatriation plans.<sup>[15]</sup>

The refugees themselves were not consulted during the drafting of the plan, and few genuinely want to return to a place that won't recognize their right to citizenship and land and peaceful existence.<sup>[16]</sup> Myanmar has shown little effort at changing policy to accommodate the Rohingya more inclusively.<sup>[17]</sup> The official administrator of the villages where most of the atrocities took place in Rakhine said that “[n]o one wants the terrorists to come back.”<sup>[18]</sup> Those same affected villages are currently being prepared to welcome other ethnic groups from different parts of Myanmar to repopulate them.<sup>[19]</sup>

This is not the first time we've been here. Repatriation has been on the table before, it was enforced before, and it failed before. This time is no different, and the international community cannot afford to stand by and watch history repeat itself, leading to further atrocities. The previous mass outflow of Rohingya to Bangladesh took place in 1992. The Bangladeshi government responded to the mass influx of refugees by announcing a voluntary repatriation effort.<sup>[20]</sup> However, Human Rights Watch and the United Nations High Commissioner for Refugees (UNHCR) quickly discovered evidence of coercion and forced resettlement. This repatriation system continued for a few years until Myanmar announced a deadline in 1997,<sup>[21]</sup> after which it would not accept more returnees. This strained the situation even more, and as funding dried up, eventually the international community gradually decreased their support to either side.

Moreover, today the repatriation plan has no provision to rebuild the destroyed villages for the Rohingya, no mechanism to restore legal status via documents or proof of identity, and little evidence that the Rohingyas' safety would be assured.<sup>[22]</sup>

The proposed policy doesn't address the social institutions underlying the conflict, which is why it will fail. It is not sound because it doesn't recognize the root causes of the conflict and doesn't guarantee the safety of the returned refugees. It is infeasible because it doesn't outline precise changes to the law or address the cultural forces that shape the legal, economic, and social status of the Rohingya. It is unsustainable because it won't alleviate the social barriers to coexistence that are currently in place.

The international community has a responsibility to bolster its voice to hold Myanmar accountable for their denial of the brutalities and to encourage Bangladesh to continue supporting and hosting the refugees. A key missing ingredient to the repatriation plan, therefore, is multilateral consensus in favor of a sustainable plan that addresses these concerns and is agreed upon by all those involved: Myanmar officials, the government of Bangladesh, and above all, the Rohingya.<sup>[23]</sup>

Most importantly, these plans will fail because there is no “plan” to focus on the social institutions that are driving the violent crisis. Repatriation is cheap talk, not only because this rhetoric obscures the challenges that the Rohingya face each day in Myanmar but also because it fails to address deep-seated institutional barriers to change within the country. The Rohingya do not enjoy citizenship or other official indicators of national identity; religion continues to divide communities and is a symbolic pressure point that could lead to conflict yet again; the military continues to prevent appropriate land resource allocation and economic rights to the Rohingya people. The rest of this article explores some of these primary tensions in Myanmar—all of which must be addressed in order for there to be a successful repatriation of Rohingya refugees to Myanmar.

## **Origins of Ethnic Tensions Are Deeply Entrenched in Colonial Underpinnings, Military Might, and Buddhist Politics**

There are countless grievances between communities in Myanmar, and chief among them is the question of legitimacy of the presence of the Rohingya. According to historians, Muslims have lived in Myanmar since as early as the 12th century, albeit with recurring tensions between ethnic groups since the 1700s. During British colonial rule, which formally began in 1824, imperial policies encouraged agricultural laborers to migrate internally within the region that the British called India.<sup>[24]</sup> Burma was administered as part of India at the time, so many Rohingya came to live in Burma as a result of the migration policies of the day. However, these recent Muslim internal migrants from the Bengali-speaking region of India were negatively received by the native population.<sup>[25]</sup>

Independence in 1948 marked the beginning of several shifts in the legal status of Muslims in the country. The new government decided that migration during colonial rule was not legal and subsequently refused citizenship to the Rohingya. In 1982, a law was passed, and overnight, they became illegal immigrants,<sup>[26]</sup> or “Bengalis”—no longer recognized as an ethnic group entitled to citizenship.<sup>[27]</sup> As time went on, with the passing of citizenship law, the transition to military rule, and the transition to democracy, the Rohingya were consistently and effectively excluded from the state. They became a “stateless” demographic whose identity is not recognized in the country’s official list of citizens.<sup>[28]</sup> They are prohibited from enlisting in the armed forces, they cannot enter the civil service, and they have little legal claim to land.

The fate of the “most persecuted minority in the world” spells out a story of vulnerability.<sup>[29]</sup> This narrative is closely tied to the long history of military rule and power in Myanmar. The military coup of 1962 marked the beginning of 60 years of one-party military rule.<sup>[30]</sup> The military seeks to harness pre-existing negative sentiments against the Rohingya in Myanmar—for example, the deep-rooted antagonism by the Buddhist majority against the Rohingya—to their advantage.

The military can get away with their campaign to remove the Rohingya because they still have *de facto* control over the politics and institutions of the state. They have complete authority over national-security issues, internal issues, and border issues;<sup>[31]</sup> they also have “three security-related cabinet posts[, a claim to 25 percent of the Parliament], and veto power over changes to the constitution.”<sup>[32]</sup> Indeed, the transition to democracy in 2010 was essentially a transition from an overt military rule to a covert one. Commander-in-Chief Min Aung Hlaing runs the country behind the scenes.<sup>[33]</sup>

While journalists and the media have swiftly converged on Daw Aung San Suu Kyi, saying that she has “emerged as not only an apologist for this genocide, but also as [someone who has complicity] in it, [and someone who] has tried to erase the existence of the Rohingya,”<sup>[34]</sup> many have overlooked the fact that she cannot do anything against the wishes of the country’s supreme military commanders. The more truly culpable agent is the military, who continue to leverage their power to exploit and eradicate the Rohingya. Myanmar’s army generals and officers offer only denials in response to the outcries about genocide from the international community.

The disproportionate violence by the military comes at the price of hundreds of thousands of lives. The military has rallied the country against Muslims, and this social phenomenon has translated into real consequences and bloodshed. The repatriation of the Rohingya, therefore, will fail miserably, at least until true democracy is established.

This indicates that some or all of the following steps are advisable: the application of political pressure in order to break up the friendly relations between other countries' militaries and Myanmar's military, structural legal changes within Myanmar's constitution and other domestic sources of law in Myanmar, and multilateral economic sanctions imposed on Myanmar by other countries.

## **Religious Aggravations Are Obstacles to Harmonious Coexistence: Religion Has Become the *De Facto* Discriminatory Force**

To be clear, the violence in Myanmar is “not a straightforwardly ‘religious’ matter.”<sup>[35]</sup> Historically, discrimination has been based in ethnicity; however, with the changing political scene, Buddhist revival propaganda has worsened in recent years.<sup>[36]</sup> Examples of this phenomenon range from the extremist politics of monastic hierarchies, to revivalist education campaigns, to the advancement of laws for the “protection of race and religion,” and to attempts to influence the 2015 elections.<sup>[37]</sup> The growing resentment of the Rohingya has been fueled by a strong anti-Muslim discourse.

Ironically, many Buddhist traditions around the world thrive by forcing active resistance against external sociopolitical existential threats. In the hybrid Myanmar democracy, this Buddhist narrative has taken the form of asserting the dominance of Buddhism over Islam. Buddhist leaders “exploit the . . . presumption of uniform tolerance and peacefulness”<sup>[38]</sup> and proclaim that Rohingya Muslims are illegal immigrants who “promote an exclusivist and proselytizing religion that is bent on geographical and cultural conquest through conversion and marriage.”<sup>[39]</sup>

Religion became an easily identifiable label to discriminate against. In Myanmar, colonial rule deepened the emphasis on religion as a symbolic identifier of communities. This new “overwhelming” significance of religion turned Buddhist and Muslim neighbors in Rakhine against each other.<sup>[40]</sup> Today, mistrust and animosity run deep,<sup>[41]</sup> which is why uninformed and half-baked pushes for the repatriation of the Rohingya will be counterproductive to the aim of resolving religious-based violence.

Despite contention regarding the origin of the clashes, there is some consensus that the perpetuation of ethnic tension is linked to religion. Myanmar ranks high on the list of populous nations with the most government restrictions and social hostilities due to religion.<sup>[42]</sup> This can facilitate and, indeed, exacerbate violent extremism on the basis of religion. Curtailing free speech and officially denouncing the Rohingya people as “illegal Muslim Bengalis” are institutional reactions that fuel internecine bitterness.

In Myanmar, this institutional setup of Islam against Buddhism reveals a growing perception that “Muslims [are] an existential threat [and that] Buddhism [needs] protection, lest Islam supplant it as the majority religion.”<sup>[43]</sup> Such incitement of fear on both sides highlights the difficulty in reconciliation efforts in the long run, especially efforts that fail to acknowledge the fundamental breakdown of social ties through religious animosity. Repatriation is not a problem-driven solution for this delicate and complicated situation.

## **Unless the Discriminatory Social Narrative Is Addressed, Repatriation Plans Are Not Legitimate Solutions to the Issue**

Against the backdrop of a country ruled by a military that considers the Rohingya people to be “a grave threat that must be immediately eradicated,”<sup>[44]</sup> the social narrative might still play a bigger role.

The 4 percent Muslim population of Myanmar don't get their own name—top officials in the country reject the word “Rohingya,” and journalists are barred from reporting in Rakhine.<sup>[45]</sup> The culture of denial is pervasive and shows no sign of letting up: The government denies claims of genocide, ethnic cleansing, burning of villages, and destruction the evidence. Kofi Annan's commission was not given the space to investigate “specific cases of human rights abuses” and was instead instructed to evaluate “long-term economic development.”<sup>[46]</sup>

As Bangladesh and Myanmar, guided by the support of the international community, come together and design “voluntary repatriation” of the Rohingya back to Rakhine as the solution to “one of the world's most urgent refugee crisis,” this approach is not destined to succeed.<sup>[47]</sup>



In the current plan, returnees must voluntarily desire to return. Why would a population of people want to return to a “home” that doesn’t recognize them as its residents or citizens? Why would they want to return to a rule of law that discriminates violently against them because of their religion? Why would they want to willingly go back to social institutions that were designed to keep them out of the system?

Even if they did want to go back, Myanmar officials will reportedly only accept those Rohingya with identification documents. However, many refugees don’t have these documents, because the military invalidated or seized them before the refugees fled.<sup>[48]</sup> Those that somehow obtain the required documents will return only to “transit centers” that Human Rights Watch has called “internment camps” and “open-air prisons.”<sup>[49]</sup>

Some Rohingya claim that they want to return, and can return, but *will only do so* if they are granted equal rights.<sup>[50]</sup> The prospects of achieving this seem slim, and so the refugees will most likely remain in the overcrowded camps in Bangladesh and elsewhere.

## Conclusion

Ultimately, social institutions like religion, citizenship, the economy, and human rights can be the unmaking of successful peacebuilding. Peace cannot be planned in the dark and in ignorance of these issues. We have to target *structural* biases and the foundations for injustice and then come up with plans for a resolution to such conflict.



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