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Myanmar: Rohingya Await Justice, Safe Return 3 Years On

Conditions Worsen in Rakhine State, Bangladesh Refugee Camps

(New York) – The [Myanmar](#) government has failed to ensure that nearly one million Rohingya refugees can safely return home three years since fleeing the Myanmar military's [crimes against humanity](#) and [possible genocide](#), Human Rights Watch said today. Rohingya refugees in [Bangladesh](#) have faced tightened restrictions on [rights to information](#), [movement](#), [access to education](#), and [health](#), and have been [unlawfully killed](#) by Bangladeshi security forces.

On August 25, 2017, the Myanmar military began a brutal campaign of ethnic cleansing against Rohingya Muslims involving [mass killing](#), [rape](#), and arson that forced over 740,000 to flee, most to neighboring Bangladesh, which was already hosting an estimated 300,000 to 500,000 Rohingya refugees who had [fled persecution](#) dating back to the 1990s and after.

The International Court of Justice (ICJ) in January 2020 [imposed provisional measures on Myanmar](#) to prevent genocide while it adjudicates alleged violations of the Genocide Convention. The International Criminal Court (ICC) in November 2019 [began an investigation](#) into Myanmar's forced deportation of Rohingya and related crimes against humanity. Myanmar has not complied with these international justice measures, has not permitted the United Nations to investigate grave crimes inside the country, nor conducted [credible](#) criminal investigations of its own into military atrocities.

“Myanmar's government should recognize that the terrible suffering it has caused the Rohingya won't disappear even amid a global pandemic,” said [Brad Adams](#), Asia director. “Myanmar needs to accept an international solution that provides for the safe, voluntary return of Rohingya refugees, while an understandably stretched Bangladesh should not make conditions inhospitable for refugees who have nowhere to go.”

The 600,000 Rohingya remaining in Myanmar's Rakhine State face severe repression and violence, with no freedom of movement or other basic rights. Desperate Rohingya who fled Myanmar face severe risks seeking refuge throughout the region.

Some have been [stranded at sea for weeks](#) or months, with hundreds feared dead on boats that disappeared after Malaysia and Thailand illegally pushed them back using the Covid-19 pandemic as justification. Malaysia has detained arriving Rohingya refugees, denied them access to the UN refugee agency, and prosecuted [some for illegal entry](#). [Despite pledges](#), the Bangladesh government has yet to allow UN officials to assist [the over 300 Rohingya refugees rescued at sea and currently detained](#) on the insecure silt island of Bhasan Char.

Grave Threats to Rights in Myanmar

Myanmar has failed to address the root causes of widespread abuses against the Rohingya and has refused to create the necessary conditions for their safe, dignified, and voluntary return. As one refugee, Abdul Hamid, told Human Rights Watch: “We witnessed thousands of people being killed. Bodies were floating in the river in Tula Toli, but no justice has been served.”

Refugees who have spoken to Human Rights Watch overwhelmingly express a desire to return to their homes in Myanmar once it is safe; when they have citizenship and freedom of movement; and when there is genuine accountability for atrocities. “We deeply want to go back to our country and check on our land and our animals, but it is impossible since we can't find justice,” said Sheru Hatu, a refugee.

In September 2019, the [UN-backed International Independent Fact-Finding Mission on Myanmar](#) found that the 600,000 Rohingya remaining in Myanmar “may face a greater threat of genocide than ever.”

Rohingya in Rakhine State are [trapped in appalling conditions](#), confined to camps and villages without freedom of movement, and cut off from access to adequate food, medical care, education, and livelihoods. They are effectively denied citizenship under Myanmar’s 1982 Citizenship Law, leaving them stateless and highly vulnerable to ongoing abuses.

In January, the International Court of Justice unanimously [ruled that Myanmar is legally bound to protect Rohingya Muslims](#) in Rakhine State from genocide, and to take steps to preserve evidence of crimes. However, the [Myanmar government has failed to take any concrete actions](#) to comply with the court order.

To demonstrate compliance with the order and readiness for Rohingya to return, the Myanmar government should amend the citizenship law in line with international standards. The authorities should immediately lift restrictions on freedom of movement, repeal discriminatory regulations and local orders, and cease all official and unofficial practices that restrict their movement and livelihoods, such as arbitrary roadblocks and extortion systems.

The government has placed [restrictions on mobile internet communications](#) across eight townships in Rakhine State, and one in neighboring Chin State, making delivery of humanitarian aid even more difficult and depriving civilians of information. The government has not granted UN agencies and humanitarian groups unrestricted and sustained access to Rakhine State, heightening the burdens on ethnic populations in need.

The Bangladesh government has organized several official [repatriation attempts](#) that have failed because refugees have been unwilling to return, saying they feared persecution and abuse in Myanmar. The [UN refugee agency has said](#) that conditions in Rakhine State are not yet conducive to voluntary, safe, and dignified return of the Rohingya.

“I want to go back to Myanmar but only when we will be given our rights there,” said Sadek Hossen, a refugee. Another refugee, Shamima, said “We can only go back home if we know that the torture we faced will not happen again.”

Deteriorating Conditions in Bangladesh

While Bangladesh commendably opened its borders to the Rohingya fleeing atrocities, the government’s policies over the past year have put refugees’ lives at serious risk and violated their basic rights.

Nearly a year ago, the Bangladesh government, in response to [a peaceful demonstration in Kutapulung camp](#) commemorating “Rohingya genocide awareness day,” shut off all internet access in the refugee camps, directed mobile phone carrier companies to [stop selling SIM cards to Rohingya](#), and [confiscated thousands of SIM cards](#) from refugees.

While the UN called for governments to “[refrain from blocking internet access](#)” during the Covid-19 pandemic, the Bangladesh government refused to permit such communications in the camps. [Aid workers said](#) this has seriously hampered their capacity to provide emergency health services, provide timely and accurate information about the virus, and rapidly coordinate essential measures to prevent the spread of Covid-19 in the camps.

The internet shutdowns have affected refugees’ ability to get information and to communicate outside the camps, including with relatives and friends still in Myanmar. This broad restriction on communication was neither necessary nor proportionate, as international human rights law requires.

The Bangladesh government has [severely restricted humanitarian services in the refugee camps](#) during the Covid-19 pandemic, and cut off all protection services, including for survivors of gender-based violence, despite a reported increase in domestic violence. Without internet access, aid workers have been unable to even provide services remotely.

The Bangladesh military began [building barbed wire fencing and guard towers](#) around the refugee camps despite opposition by UN and other humanitarian agencies. The restrictions violate refugees’ rights to freedom of movement, Human Rights Watch said. Refugees expressed fears that the fencing would restrict their ability to obtain essential services, make it impossible to flee in case of emergency, and create significant barriers for contacting relatives in other camps.

Families in Cox’s Bazar refugee camps said that relatives on the island of Bhasan Char are deprived of their freedom of movement, lack adequate access to food and medical care, and face severe shortages of safe drinking water. Some have alleged that [they were beaten and ill-treated](#) by Bangladesh authorities on the island. Despite public commitments by senior officials that no refugee would be forcibly relocated to Bhasan Char, the Bangladesh government has refused to allow the

refugees to return and reunite with their families in Cox's Bazar.

The authorities refuse to allow refugees to build permanent structures in the Cox's Bazar refugee camps that would [protect against mudslides and flooding during monsoon season](#). For the past three years they have [denied access to basic accredited education](#) to the over 450,000 Rohingya children in the camps.

Donor governments should press Bangladesh to allow Rohingya refugees to move from Bhasan Char and should support Bangladesh authorities to provide effective protection in the refugee camps and elsewhere in the country.

“Bangladesh provided a safe haven to the Rohingya refugees three years ago, but the government now seems to want to make life so unbearable in the camps that the refugees feel compelled to leave – even though they have nowhere safe to go,” Adams said. “Concerned governments should ramp up support for the refugees in Bangladesh while issuing targeted sanctions against Myanmar for failing to create the necessary conditions for the refugees to finally go home.”

ecoi.net summary:



Rakhine state: Rohingya population faces violence and repression; refugees fear to return but suffer from worsening humanitarian situation in refugee camps in the region

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