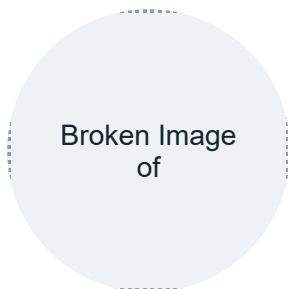


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Five Years On, Rohingya Refugees Face Dire Conditions and a Long Road Ahead

In August 2017, the Myanmar military launched a brutal crackdown on Rohingya Muslims in Rakhine State. Hundreds of thousands fled and are now living in refugee camps in Bangladesh. In this Q&A, Crisis Group expert Thomas Kean explains why prospects for near-term repatriation remain low.



What is the situation of the Rohingya who fled to Bangladesh five years ago?

Nearly all of the approximately 730,000 Rohingya who fled Myanmar in the second half of 2017 remain in sprawling refugee camps in southern Bangladesh's Cox's Bazar. The total number of Rohingya refugees in Bangladesh – including both those displaced by the 2017 atrocities and the several hundred thousand who sought refuge earlier – is close to one million. To date, not a single refugee has returned to Rakhine State through the formal repatriation mechanism that Myanmar and Bangladesh set up in November 2017, soon after the exodus started. There were two failed attempts, in 2018 and 2019, to convince several thousand refugees to return, but those selected were unwilling to join the process absent sufficient Myanmar government assurances about their security, access to citizenship and livelihood opportunities upon return. The two countries have not yet been able to restart the process, and prospects for returns have only grown dimmer following the [Myanmar coup in February 2021](#).

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Living conditions for the refugees are **poor and worsening**. Most live in Kutupalong, the largest refugee camp in the world. They have few job opportunities and little access to formal education, while crime and violence, including killings of Rohingya community leaders, are **on the rise**. Factions within the Arakan Rohingya Salvation Army (ARSA), which **launched attacks** in Rakhine State in 2016 and 2017 that the Myanmar military used to justify its crackdown on the Muslim minority, have been fighting with rival groups for control of the camps. Bangladesh has **blamed ARSA** for the killing of a prominent Rohingya leader, Mohib Ullah, in September 2021. On the night of 9 August, two more community leaders were **shot dead** in the Jamtali camp. Partly in response to this violence, Bangladesh has been **imposing tighter restrictions** on the refugees, including limiting their ability to come and go from the camps, gain access to the internet and mix with locals.

The combination of prolonged displacement and deteriorating camp conditions has prompted some refugees to take difficult decisions about where their future lies. An unknown number – almost certainly in the hundreds, but possibly in the thousands – have returned to Myanmar informally. Others have paid hefty sums to traffickers to embark on dangerous boat journeys to Malaysia, which hosts the largest Rohingya refugee population after Bangladesh, while a smaller number seek passage to Indonesia.

Almost 30,000 Rohingya have also relocated to Bhasan Char, a small silt island in the Bay of Bengal that the Bangladesh government has spent hundreds of millions of dollars developing specifically to host up to 100,000 refugees. Prime Minister Sheikh Hasina has been pushing Bhasan Char as a “temporary solution”, insisting that it offers refugees better facilities than the overcrowded camps where most still reside. Humanitarian organisations long lobbied against this plan, primarily out of concern about the island’s exposure to cyclones and flooding, as well as about limitations on freedom of movement and lack of access to livelihoods. The Bangladeshi government eventually went ahead with the plan, anyway, moving the first group of Rohingya to the island in May 2020. From December of that year, it began sending thousands each month and it became fairly clear that Dhaka planned to continue relocations with or without international support. In October 2021, the UN high commissioner for refugees, on behalf of UN agencies working on the Rohingya refugee response, **signed a memorandum** of understanding with the Bangladeshi government to cooperate on service delivery to the island. The memorandum could be a positive development as it commits Dhaka to ensuring that **relocations are voluntary** and refugees have accurate information on living conditions awaiting them on the island. (There were **allegations of coercive** relocations when the first refugees arrived there.) For those who do choose to relocate to Bhasan Char, escaping the worsening situation in the Cox’s Bazar camps is likely to be the major motivation.

The rise in crime and violence in and around the camps has heightened public pressure on the Bangladeshi government to adopt a tougher stance.

The Bangladeshi government’s decision to press on with relocating Rohingya to Bhasan Char reflects a hardening of its position toward the refugee population. Although it opened its borders to the desperate refugees in 2017, Bangladesh made clear from the beginning that it would not allow them to stay indefinitely and that it expected international support to both host the Rohingya and facilitate their return to Myanmar. Now, the lack of progress on repatriation has left both the Bangladeshi people and the government increasingly frustrated – at Myanmar, outside actors and the refugees themselves. This development was foreseeable: for a country that still has high levels of poverty and

unemployment, hosting over a million refugees is clearly an enormous challenge, particularly for the communities hosting them in Cox's Bazar. The rise in crime and violence in and around the camps has heightened public pressure on the Bangladeshi government to adopt a tougher stance.

As Dhaka becomes more impatient, it is also **making life more difficult** for the refugees. It has progressively placed greater restrictions on their movement, including by fencing off the camps, and closed some private schools and businesses that were being run inside. There has also been **little progress** on delivering formal education using the Myanmar curriculum, something that many refugees say they want and Crisis Group has **advocated** for. These restrictions have raised concerns that the Bangladeshi government is attempting to coerce refugees to return to Myanmar or, at least, relocate to Bhasan Char. While that may not be entirely fair, with repatriation seemingly a long way off, Dhaka should at least ensure that all children in the camps have access to formal education – preferably the Myanmar curriculum – and that families have some livelihood opportunities. Providing some means for self-sufficiency and hope for a better future would have obvious benefits for the refugees. It may also help mitigate the possibility that frustration with their dire conditions will manifest in growing security risks.

What have been the primary impediments to repatriation both before and after the February 2021 coup in Myanmar?

Even prior to Myanmar's February 2021 coup, progress on official repatriation efforts had been scant. After the two failed attempts in 2018 and 2019, the COVID-19 pandemic derailed further discussions between Bangladesh and Myanmar, which was then governed by Aung San Suu Kyi's National League for Democracy (NLD). The nascent process had also been plagued by bureaucratic disputes over documentation, with Myanmar agreeing to accept only a small fraction of the refugees that Bangladesh had proposed for repatriation. Moreover, the Myanmar government showed no sign of addressing refugees' concerns on key points, such as citizenship, security and livelihoods. Naypyitaw failed to provide proper information on even the most basic questions, such as where the refugees – many of whom came from villages that the military razed to the ground after the 2017 exodus – would be sent after arriving at transit camps on the Myanmar side of the border.

To complicate the situation further, in December 2018 the Myanmar military began **fighting a new war** in Rakhine State against insurgents from the Arakan Army, a pro-Rakhine ethnic armed group. The **heavy fighting** that raged in the state over 2019 and 2020 meant that repatriation was virtually impossible for security reasons, above and beyond the Rohingyas' other concerns.

Most refugees are ... wary of returning to Myanmar when it is ruled by the very generals who orchestrated the 2017 violence against them.

Although Rakhine State has **largely been spared** the post-coup violence that has engulfed much of Myanmar since February 2021, the military's power grab has been a further setback to any prospect of repatriation. Despite the junta's public claims that it is committed to moving ahead with the process – likely a reflection of its desire to cultivate international approval and mitigate its post-coup isolation – Naypyitaw shows little inclination to do more than pay lip service to repatriation efforts. Pressure from Western governments, several Muslim countries and China (which has weighed in at Bangladesh's request) appears to have had little impact. In January, bilateral talks between Myanmar and Bangladesh finally resumed, but so far there has been little progress. Most refugees are, in any case, wary of returning to Myanmar when it is ruled by the very generals who orchestrated the 2017 violence against them.

As for hostilities between the Arakan Army and the military, fighting largely paused after the two sides reached an **informal ceasefire** in November 2020, but **new power dynamics have emerged** in the aftermath that any repatriation effort will need to take into account. The insurgents have consolidated control over much of the state, particularly its rural areas, rolling out an administrative, judicial and security system through which it polices communities, administers justice and collects taxes. This system is like a patchwork: in some areas, the Arakan Army has full control, while in others it shares authority with the military regime or has little direct control. The implications for repatriation are direct, as many Rohingya would be returning to areas now administered by the group or at least under its strong influence.

The Arakan Army's administrative rollout has also put it on a collision course with the military regime, which means fighting might resume. Clashes between the group and security forces have been reported across the state over the past months, with dozens of soldiers reportedly killed. Maungdaw Township in northern Rakhine State, where many of the refugees originated, appears to be a particular hotspot for conflict: located on the border with Bangladesh, the area is strategic for both the military and the Arakan Army. There have been several clashes in the area in recent months; on 18 July, the insurgents ambushed a convoy of the regime's Border Guard Police, killing at least four and capturing thirteen. These events do not bode well for Rohingyas' ability to return to Rakhine State.

How is the situation for the Rohingya who remain in Myanmar?

For the estimated 600,000 Rohingya still in Myanmar, nearly all of whom live in Rakhine State, the situation remains bleak, but there are at least some signs that popular attitudes toward them are shifting.

The Rohingya are still subject to discriminatory state policies – since the coup, the military regime has tightened restrictions on movement in some areas – and the country's economic collapse over the past eighteen months has further worsened their plight. Around 120,000 live in displacement camps that were set up following an outbreak of communal violence in 2012. They are almost entirely dependent on international aid. The remaining Rohingya are also often caught between the military and the Arakan Army – sometimes having to pay taxes to both sides or wrestle with duplicative administrative requirements. Many would likely be caught in the crossfire if war were to resume. Not surprisingly, some are trying to leave the country through risky and expensive overland journeys, mainly to Malaysia. The regime has arrested hundreds of Rohingya trying to flee the country over the last eighteen months; because the vast majority lack citizenship documents, it is a criminal offence for them to cross a state or region boundary.

At the same time, however, the rise of the Arakan Army has eased some of the ethnic tensions in Rakhine State. The ethnic armed group shifted the narrative in Rakhine, portraying the Burman-led central government, rather than the Muslim minority, as the real enemy of the Rakhine people. The two-year war that paused in 2020, in which Rakhine civilians suffered abuses at the hands of the military, which was backed by the NLD government, reinforced this idea. But the Arakan Army has also changed its tone on the Rohingya significantly. Prior to 2018, it was antagonistic, reflecting the group's desire to win popular support among local Rakhine Buddhists, who have long resented the Muslim minority. More recently, however, the Arakan Army has made some conciliatory moves: its leader, Twan Mrat Naing, tweeted greetings for the Muslim festival of Eid, and the group issued a condolence letter when a prominent Rohingya academic died in April.

The insurgents are facilitating greater freedom of movement for the Rohingya in areas they control and providing them with some services.

These gestures are in addition to more concrete measures the insurgents have taken to bring the Rakhine and Rohingya together and that could, over time, diminish the risk of communal violence. For example, the Arakan Army has organised sporting events involving the two communities, included Rohingya leaders in its administrative structures and asked Rakhine communities in some areas to refer to the Rohingya by the more neutral term “Muslims” rather than “Bengalis” (which the Rohingya consider derogatory, as it implies that they are illegal immigrants from Bangladesh). Perhaps most importantly, the insurgents are facilitating greater freedom of movement for the Rohingya in areas they control and providing them with some services, such as access to judicial mechanisms. Useful further steps would be for the Arakan Army to include Rohingya representatives in higher levels of its administrative system for the areas it controls and address complaints that some of its Rakhine administrators are not treating the community fairly.

Beyond Rakhine State, the coup also appears to have triggered something of a shift in the way at least some within the broader Myanmar population view the Rohingya. The vast majority among the country’s Burman majority population had accepted the military’s claims that its 2017 operations against the Muslim minority were a legitimate response to a terrorist attack, in part because the immensely popular Aung San Suu Kyi had also **propagated this narrative**. After the coup, though, many experienced or witnessed for the first time the military’s capacity for inflicting extreme violence on civilians, something that had until then been largely confined to ethnic minority regions. The junta’s brutality against Burman communities appears to have prompted some to reassess the events of 2017, concluding that the military did indeed commit atrocities against the Rohingya. Manifestations of this change in sentiment emerged in **numerous apologies** and **public expressions of support** for the Rohingya both online and at demonstrations against the coup, something that would have been previously unimaginable.

The National Unity Government (NUG), a parallel administration formed by ousted lawmakers and operating mostly from abroad, has also **adopted a policy** toward the Rohingya that guarantees their right to citizenship and commits to ending other discriminatory policies against them. Although these promises have **not been tested**, because the NUG is not in control of the state, they are nevertheless notable given that the NUG is largely an offshoot of Aung San Suu Kyi’s NLD, which **did little to dismantle repressive policies** against the Rohingya when it was in power.

What can donors and other outside actors do for Rohingya refugees?

With any meaningful repatriation highly unlikely in the foreseeable future, it is essential that donors increase their support for Bangladesh’s response to the refugee crisis. International funding for the refugee response has declined significantly in 2022, in part due to other humanitarian emergencies, such as the war in Ukraine, and there is a growing risk of donor fatigue. The funding gap is compounded by rising food prices, which means that the money that is coming in is not buying as much. Leaving Bangladesh to handle this massive refugee crisis on its own is hardly fair given the country’s own development challenges. It can only make things worse for a refugee population already living in miserable conditions.

But while more funding for the refugees in Bangladesh is necessary, it is also just a temporary fix. Improving the lives of the refugees and mitigating the impact on Bangladesh will require more than humanitarian aid. Thus, even though repatriation seems unlikely while the military is in charge of Myanmar, it remains important to make as much progress as possible, which means that Bangladesh will need to continue engaging the junta on the subject. Such engagement will at least keep the pressure on the military and give refugees some hope of returning home. While some may choose to return of their own accord, either through the formal mechanism or informally, regardless of who is in power, it is crucial that Dhaka stick to its policy of not forcing refugees to return against their will. Bangladesh should ensure that any repatriation is safe and dignified. Similarly, it should continue to work with international donors and humanitarian organisations to improve conditions both in the camps in Cox's Bazar and on Bhasan Char. Bangladesh's very active civil society – its universities, think-tanks and NGOs – should do its part to positively influence policy and public opinion toward the Rohingya in Myanmar by engaging counterparts in Myanmar civil society and the NUG.

Third-country resettlement should be part of the conversation about durable solutions for [the Rohingya].

With prospects for repatriation so dim and integration in Bangladesh infeasible given both public opinion toward the Rohingya and the sheer number of refugees, it seems increasingly clear that third-country resettlement should be part of the conversation about durable solutions for this population. Dhaka has previously resisted this idea, arguing that the possibility of resettlement would encourage more Rohingya to cross the border into Bangladesh and that it would reduce the pressure on Myanmar to take refugees back. These are both risks, but Bangladesh needs to weigh them against the risks created by the situation in Cox's Bazaar and the lack of other viable plans for drawing down the numbers in the camps. After five years, the time may now be ripe for Bangladesh to review its policy and for foreign governments – particularly in the West, but also in Asia – to make clear they are ready to support Dhaka by accepting some refugees for voluntary resettlement. At the same time, other countries hosting large Rohingya populations, including Malaysia, India and Saudi Arabia, should reverse a worrying trend toward greater restrictions and even threats to send them back to either Myanmar or Bangladesh. In order to help resolve the Rohingya humanitarian crisis, these countries should be normalising their Rohingya populations, not cracking down on them.

While pushing Naypyitaw to create the conditions for repatriation to begin, Dhaka should also consider engaging the Arakan Army. To date, the Bangladeshi government has largely ignored the group's overtures due to its policy of not engaging entities that undermine the sovereignty and territorial integrity of neighbouring countries. But given the insurgents' expanding grip on Rakhine State, it will likely need their backing for any repatriation to proceed on a significant scale. This is something the Arakan Army may be willing to entertain, not least because of its desire to open a dialogue and build a relationship with Dhaka. Given the fraying ceasefire between the military and Arakan Army, this step will require some discreet, careful diplomacy, but it is important.

Apart from providing humanitarian aid – both in the Bangladesh camps and in Rakhine State – foreign governments and other outside actors should continue to support efforts to hold the Myanmar military responsible for its abuses against the Rohingya. Prosecutors at the International Criminal Court are investigating the 2017 atrocities and an Argentine court, asserting universal jurisdiction, is similarly investigating claims of genocide. But the most advanced process is at the International Court of Justice in The Hague, where The Gambia has brought a case against Myanmar under the UN Genocide Convention. The first hearings got under way in December 2019, with Aung San Suu Kyi flying to the Netherlands to personally defend her country against allegations it had violated the convention. After the coup, the court allowed the military regime to [appoint a new legal team](#) to defend the case – a decision that was not without controversy, given how the regime took power – but

has recently **rejected the objections** to the case put forward by the junta's legal team. While hearings can now proceed, it is likely to be many years before the court reaches a verdict.

Five years after the massive exodus of 2017, it is clear there is no simple, straightforward solution to one of Asia's largest refugee crises. Focusing on repatriation alone, or on just funding the aid response, is not sufficient. While finding a way for the Rohingya to return home should remain the goal, it is important that a range of strategies are pursued in parallel in order to bring about the best outcome for this beleaguered population and for the communities hosting them in southern Bangladesh.