Burma

Perilous Plight

Burma's Rohingya Take to the Seas

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In late December 2008, several small boats packed with hundreds of people, mostly ethnic Rohingya Muslims from western Burma, many of them emaciated, landed in India's Andaman Islands. Passengers told Indian authorities they had originally landed in Thailand, that Thai authorities held them for two days on a deserted island, and that they then towed them back out to sea, giving them only a few sacks of rice and a little water. Some told officials and doctors that while at sea they had been tortured by Burmese sailors who stopped their vessel. [1]

(opposite) A fishing vessel crowded with ethnic Rohingya, guarded by Royal Thai Navy forces who intercepted them off the coast of southern Thailand in January 2009.

Photo Royal Thai Navy

(above) Hundreds of Rohingya laid out on a beach in southern Thailand guarded by Thai security forces, after their vessel was apprehended by the Royal Thai Navy, January 2009.

Photo Royal Thai Navy

Sadly, this was not an unusual story. Rohingya, and other people fleeing Burma to escape oppression or to find a better life elsewhere, are a fact of life in Southeast Asia. What was different this time was that in January and February 2009 the plight of this group was captured on camera. The televised images of hundreds of men and boys crammed into rickety boats, gaunt, some of them bloodied, and expressing equal parts shock and surprise at having reached land were almost from another time. The pictures showed hundreds of Rohingya men lying head first in rows along the beach guarded by armed Thai authorities, including police, navy and national park service officials. Thai officials claimed later that their tactics were standard operating procedures for controlling large numbers of suspects, even though the approach appeared brutal to onlookers.

Some of these graphic photographs of Rohingya detained by authorities on Thai tourist beaches were taken by foreign tourists. If not for the fortuitous presence of these foreigners, these stories may have remained little more than a rumor or even completely unknown. Images of the Rohingya on Thai beaches appeared first in the *South China Morning Post,* the BBC, and then on CNN.[2]

The international outcry about the treatment of the Rohingya in Thailand centered on Thailand's callous "push-back" policy, which the new administration of Prime Minister Abhisit Vejjajiva at first denied, then announced it would investigate. As international concern grew, more boats began arriving as part of the annual transit organized by smugglers, many of the passengers unaware of the events on Thailand's coastline. Ultimately, Thai officials blamed media distortion, saying that the Rohingya were economic migrants, not refugees, and that Thailand could not absorb the flow.[3]

The Thai government dismissed proposals to set up temporary holding centers for the Rohingya to ascertain their status as refugees, asylum seekers, or undocumented migrants. It granted the Office of the United Nations High Commissioner for Refugees (UNHCR) only limited access to the hundreds of Rohingya in Thai custody. Thai authorities fined most for illegal entry, and prepared to send them back to Burma.[4] Rohingya fear being returned, given the likelihood that they will be harshly received by the Burmese authorities and vulnerable to arbitrary arrest as punishment for illegal exit from Burma, including imprisonment and fines, and being stricken from household registration lists.[5] Many of the men detained in January and February remain in custody in southern Thailand.

While the Rohingya finally gained international media and governmental attention, the reality is that this group was only the latest influx in an annual sailing season for people escaping poverty, misery, and rampant human rights violations in Burma and Bangladesh.[6] The Arakan Project, a Bangkok-based non-governmental organization, estimates that more than 6,000 men and boys have made the journey in dozens of fishing boats from Burma and Bangladesh since November 2008. Reports suggest that twice as many Rohingya are making the perilous journey than a year earlier.[7]

Recent media attention meant that instead of ignoring them as in the past, national leaders from the region announced that they would discuss the issue of the Rohingya "boat people" on the sidelines of the Association of Southeast Asian Nations (ASEAN) summit in Thailand in late February 2009. A regional solution was clearly needed. Little was done by the regional grouping, however, except to postpone solutions until a meeting in April of the Bali Process for People Smuggling, Trafficking in Persons, and Related Transnational Crime, a multilateral mechanism created in 2002 by Australia and Indonesia for increased cooperation between regional governments and law enforcement agencies on human trafficking and smuggling.

Instead of seeking real solutions, the Rohingya issue was relegated to a discussion outside the formal agenda. The only action agreed was an ad-hoc working group to discuss Rohingya movements at future meetings. The Burmese delegation, led by the National Police Chief, Brigadier-General Khin Ye, denied that the Rohingya were from Burma, prompting the foreign ministers of Australia, Indonesia and Bangladesh to criticize Burma's State Peace and Development Council (SPDC) for the harsh treatment which caused them to flee.[8]

ASEAN's failure to adequately address the issue reflected a long-standing disregard for the treatment of the Rohingya. The lack of urgency showed that the claims by Burma and many of its neighbors that the Rohingya pose a threat to national security are a smokescreen. For the countries involved, the Rohingya are a relatively minor case of unregulated human movement.

Raymond Hall, UNHCR regional coordinator for Asia, summed it up when he said that in terms of "generalized and systemic oppression of their most basic rights, the suffering of the Rohingya is about as bad as it gets. Other people in this situation often have homes they can return to, but for these people, they have nowhere they are welcome. That sense of home is being denied them. It is a terrible plight."[9]

(above and opposite) Rohingya men are apprehended by Thai security forces in southern Thailand, January 2009.

Photo Royal Thai Navy

CONDITIONS FOR ROHINGYA INSIDE BURMA

The Rohingya come from Burma, but for many years have fled repression there to Bangladesh, Thailand, Malaysia, and Indonesia. In total, the Rohingya number about two million people. Approximately 800,000 remain in Burma, primarily in western Arakan State and Rangoon. About 200,000 live in Bangladesh, of which 30,000 live in squalid refugee camps. An estimated half million live in the Middle East as migrant workers, 50,000 in Malaysia, while others are scattered throughout the region. Some make it to Japan, while others attempt the long sea voyage to Australia. Primarily because the Burmese government denies them citizenship, most are stateless.[10]

Even in Burma's dreadful human rights landscape, the ill-treatment of the Rohingya stands out. For decades they have borne the brunt of the military government's brutal state-building policies. The Rohingya are descended from a mix of Arakanese Buddhists, Chittagonian Bengalis, and Arabic sea traders. They speak a dialect of Bengali, but one that is distinct from the Bengali spoken across the border in Bangladesh, and many urban Rohingya also speak Burmese. Centuries of coexistence with Arakanese Buddhists was bifurcated by British colonialism, when the boundaries of India and Burma were demarcated. As a result, the Rohingya became a people caught between states, with the majority situated in newly independent Burma in 1948.[11]

Burma's treatment of its Muslim minority has generally been characterized by exclusion, neglect and scapegoating.[12] In the 1960s, the military-socialist regime of General Ne Win expelled hundreds of thousands of South Asians from Burma during its "Burmese Way to Socialism" nationalization program. Successive military governments have subjected Rohingya to particularly harsh treatment, possibly more than any other ethno-religious minority in Burma.[13]

In 1978, the Burmese army mounted a murderous "ethnic cleansing" campaign called Operation Dragon King *(Naga Min)* that drove more than 200,000 Rohingya into Bangladesh. After staying for a year in such squalid conditions that 10,000 of them died from starvation and disease because the Bangladeshi authorities withheld food aid, most of the survivors returned to Burma.[14]

In 1983 the Burmese government completed a nationwide census in which the Rohingya were not counted, rendering them stateless through exclusion. The 1982 Citizenship Act legalized this exclusion, creating two categories of people, full citizens of Burma, including most ethnic groups, and then "associate" citizens, such as the South Asian and Chinese minorities. The government disqualified the Rohingya from both groups because they could not prove their lineage as "associates" before 1948.[15]

In 1991, the Burmese army repeated its expulsion, driving more than a quarter million Rohingya out of Arakan State into Teknaf and Cox's Bazaar in Bangladesh. The Burmese army killed hundreds as soldiers slashed and burned their way through villages to force them out. Bangladesh was hostile to the new refugees and herded them into squalid refugee settlements. In 1995 the Bangladesh government forced most of them back over the border in a UN-supported repatriation process, which was marked by excessive force, including killings, by Bangladeshi security forces and Burmese troops receiving the Rohingya.[16] In 1995, some of the returnees were granted Temporary Registration Cards (TRC), which gave them only limited rights to movement and employment in western Arakan.

The survivors of this experience, and the remaining Rohingya in Arakan State, have been largely kept alive by international humanitarian agencies such as UNHCR and the UN World Food Program (WFP). A stark indicator of living conditions in western Arakan State is contained in the WFP's recent food security survey in Burma, where more than half of young boys and girls were seriously malnourished, and most households had no independent sources of food.[17] WFP Burma country director Chris Kaye said, "Economic hardship and chronic poverty prevents many thousands of people in north Rakhine (Arakan) State from gaining food security."[18]

Abuses by the Burmese military exacerbate the chronic poverty. Religious repression is widespread, with the military destroying many mosques or ordering them to be emptied. Extrajudicial killings are common.[19] Forced labor and expropriation of property are a daily reality. The state orchestrates violence either directly, to force the Rohingya to leave, or foments discriminatory attitudes and practices whose ultimate aim is to push the Rohingya out. Rohingya must obtain permission for travel even between villages from local military units; this is often denied. This limits employment opportunities, education and trade.

Some Rohingya communities have been confined to the outskirts of SPDC constructed "new villages," called *Na Ta La* (which stands for the SPDC's Ministry for Development of Border Areas and National Races, which administers the new village projects). This allows the military to monitor the Rohingya and seize their land for military-connected business projects. An estimated 100 new villages have been set up in northwestern Arakan, predominately for ethnic Burmese and Arakanese settlers who are given seized land and property. Displaced Rohingya populations often have to live close to

these villages to be monitored by the settlers, and reports of human rights violations by *Na Ta La* settlers against Rohingya are widespread.[20]

The SPDC's restrictions on the Rohingya affect women and young girls in particular. Travel restrictions have a particularly onerous impact on young women seeking education and employment, because it limits their interface with the broader Burmese community and international relief agencies to seek livelihoods and schooling. For the past decade, the authorities have imposed marriage restrictions on Rohingya women, forcing them to seek permission from the local *Na Sa Ka* (border security force, composed of officials from several agencies, including the army, police, immigration and customs). This often results in extortion, bribery and long delays. Rohingya women who become pregnant out of wedlock also face harassment from the authorities. Since 2005, marriage licenses state that a Rohingya couple must not have more than two children. Rohingya women are routinely denied employment in government agencies as teachers, nurses or administrators.[21]

BURMA'S DENIAL OF CITIZENSHIP RIGHTS TO ROHINGYA

Western Arakan State's isolation and underdevelopment historically meant that few Rohingya were registered at birth, or had documentation proving any citizenship, and this problem persists. Their lack of citizenship continues today. The Rohingya are officially an alien and illegal community, not listed as one of the 135 recognized "ethnic nationalities" in Burma, and thus the majority of them are not entitled to national identity cards. Despite this, those who flee and are deported back to Burma are often imprisoned for leaving the country illegally. In their absence, their names are removed from Burma's draconian household registration system that keeps track of people's movements, and they are often handed stiff fines and jailed. This lack of legal status has provided cover to security forces to perpetrate routine abuses against them with impunity, particularly in western Burma, where the security forces are involved in pacification campaigns against the local population.

The SPDC did not publicly comment during the recent arrival of Rohingya on the coastlines of Thailand, India and Indonesia. Eventually, the military government announced that the Rohingya were not Burmese citizens and so the event had nothing to do with Burma, creating the false impression that the tragedy involved only Bangladeshis. At the time of the ASEAN summit in February, the SPDC announced that any "Bengali" who could prove that they were born in Burma could return.[22] The announcement was disingenuous because it is Burmese authorities themselves who have routinely denied Rohingya the necessary documentation to demonstrate their citizenship.[23]

Discrimination against the Rohingya, though far from universally endorsed, runs deep in Burma.[24] The SPDC's denial of legal status to Rohingya has considerable public support among ethnic Arakanese and other Burmese, and among some opposition and exile groups. Many Rohingya groups are routinely excluded from multilateral exile movements and meetings.[25] Some Arakanese Buddhists, who have been neighbors of Rohingya for centuries, routinely deny that the Rohingya even exist, claiming instead that they are Bengalis residing in Burma.

The legal limbo in which the Rohingya have long lived in Burma—and the view that they should not be treated as full members of society–are at times married to outright racism. South Asians are derogatorily referred to as *kala* (foreigner) in Burma, but the Rohingya often are viewed as beneath even this level of disdain. This was starkly in evidence recently in a February 2009 letter from the Burmese Consul-General in Hong Kong, Ye Myint Aung, to his fellow heads of mission:

> In reality, Rohingya are neither 'Myanmar People' nor Myanmar's ethnic group. You will see in the photos that their complexion is 'dark brown'. The complexion of Myanmar people is fair and soft, good looking as well… They are as ugly as ogres.[26]

Proclamations of the outsider status of the Rohingya also take the form of unsubstantiated assertions that the Rohingya are not loyal to Burma and pose a serious threat to Burma's national security. While officials periodically raise such specters, history tells a different story. Since Burma's independence, the majority of Rohingya have attempted to live quiet lives and enjoy the same rights as other Burmese citizens. While some Rohingya have taken up arms, they have never posed a serious threat to Burma's territorial integrity. A short-lived Mujahid rebellion in the early 1950s in Arakan failed to attract widespread Rohingya support. Contemporary Rohingya armed resistance is small and militarily insignificant, as political and armed resistance groups are splintered and constantly bickering. Small numbers of Rohingya men who have reportedly traveled to the Middle East for terrorism training have evidently not returned with any jihadist designs. There has never been a Muslim-connected terrorism incident in Burma.[27]

Since the early 1990s, the militarization of western Burma has been dramatic, with a rise in the number of army battalions from 3 to 43, the biggest increase in the country.[28] The Burmese army uses the local population to maintain its presence, stealing food, appropriating land, and forcing civilians to build camps, excavate roads, and carry supplies.

The military-buildup has occurred in parallel with the need to safeguard massive infrastructure projects. In December 2008, the Chinese energy company PetroChina signed a 30-year lease with the Burmese to buy natural gas off the coast of western Arakan State, in the Shwe Gas field; the consortium involves Indian, Thai, South Korean, Chinese and Burmese interests. The gas will be transported across Burma to Yunnan province in China by pipeline, with a second pipeline running beside it that will transport crude oil from the Middle East. Although the majority of Rohingya communities are northwest of these planned pipeline routes, the increased troop presence has adversely impacted their already dismal existence.[29]

THAILAND'S CULPABILITY AND A FLAWED POLICY OF DETERRENCE

Thailand's recent ill-treatment of the Rohingya migrants and asylum seekers is an unfortunate continuation of past policy. Steadily increasing numbers of Rohingya arriving in southern Thailand have sparked a deterrence policy that violates Thailand's international legal obligations towards asylum seekers. In 2007, Thai authorities took into custody hundreds of Rohingya near Ranong in southern Thailand and sent them to a detention center further north in the Thai-Burma border town of Mae Sot. Soon after, over 80 detainees were forcibly returned to Burma in an area controlled by a pro-SPDC militia, the Democratic Karen Buddhist Army (DKBA).[30] The DKBA is notorious for its involvement in drug trafficking, illegal logging and extortion of migrant workers. Most of the rest could not afford to be smuggled home; many trickled back into Thailand and some were eventually trafficked to Malaysia.

Thailand claims the Rohingya are a threat to national security. Military officials routinely accuse Rohingya of being Muslim mercenaries masquerading as migrant workers, coming to Thailand to volunteer with southern Thai Muslim separatist militants. Royal Thai Navy Vice-Admiral Supot Prueska told reporters in 2007 that the authorities were "keeping a close watch on a group of Burmese Muslims called Rohingyas…(t)hey are not coming here to take up decent jobs, but only to help insurgents in the three provinces…(t)hese Rohingya mercenaries, aged between 20 and 40 have a violent past and were ready to take orders to do anything in exchange for money."[31]

While some of the human and contraband smuggling networks are also involved in arms smuggling from Cox's Bazaar in Bangladesh, no Rohingya has ever been implicated in violent attacks in Thailand or linked with the armed separatist groups fighting in Thailand's deep South.[32]

In early 2008, then Thai Prime Minister Samak Sundaravej threatened to intern the Rohingya on a "desert island."[33] In late December, Thai security forces used remote Ko Sai Deang (Red Sand Island) as a holding center for apprehended Rohingya before towing them out to sea.

In charge of the Rohingya security operation in early 2009 was Royal Thai Army officer Col. Manas Kongpan of the Internal Security Operations Command (ISOC). Five years earlier a Thai court had named Manas in an investigation of a massacre of Thai Muslims at the Krue Se mosque in April 2004. He was unapologetic about his unit's treatment of the Rohingya, denying any harsh measures and saying Thailand's policy was in line with international humanitarian practice. "The issue has become a scandal because of a newsman slandering the military and bad-mouthing Thailand," he told the *Bangkok Post*.[34] Prime Minister Abhisit has announced an investigation, but past investigations into abuses against migrants and asylum seekers indicate there is little likelihood that responsible officers will be punished.[35]

Malaysia is the preferred destination of Rohingya men looking for work. There is a thriving Rohingya community within the large Burmese population in Kuala Lumpur and Penang, yet all refugees, asylum seekers and migrant workers live a precarious existence, fearful of Malaysian police and the "deputized citizens corps" militia called RELA *(Ikatan Relawan Rakyat Malaysia)*, subjecting them to arbitrary arrests, beatings, and intimidation.[35]

In Indonesia, the nearly 400 Rohingya who arrived at Pulao Wei island off the coast of Sumatra appear to have won a temporary reprieve after Indonesia initially threatened to send them back to Burma.

Conditions in the remaining Rohingya refugee camps in Bangladesh have marginally improved in the past two years, but living standards are still primitive and options for resettlement slim. Thousands more Rohingya eke out a desperate survival around the Bangladesh coastline and border with Burma, with few options—too fearful to return to their own country and faced with little support from Bangladeshi authorities who refuse to register them as refugees or provide them with basic services. According to Medecins Sans Frontieres (MSF), an NGO which has long provided aid to the Rohingya in Bangladesh, "It is an impossible choice—return and face imprisonment or try to settle on otherwise unwanted patches of land in a country that gives you no recognition."[36]

In response to the intransigence of Burmese officials at the April 2009 Bali Process meeting, Bangladeshi foreign minister Dipu Moni refuted the claims that the Rohingya were not from Burma:

> The Rohingyas are living in Myanmar (Burma) for centuries and many Rohingyas even held high posts in the Government of Myanmar. Just dropping names from population list would not make them anything other than an ethnic entity of Myanmar. Previous repatriation of quite a few hundred thousand Rohingyas and acceptance of the list of further 28,000 Rohingyas proved that they are very much part of the population of Myanmar. Bangladesh with its limited resources had done more than enough for the refugees from Myanmar over the last three decades. Myanmar must now take back its own people. [37]

Not all those men in the boats are Rohingya fleeing oppression. Some are ethnic Bengalis from Chittagong in Bangladesh blending in to get a job in Malaysia. For both Rohingya and Bengalis, the trip is extremely expensive: US$300 for the journey from the Burma or Bangladesh coast to southern Thailand and later another US$500-700 in smuggling fees. The average annual wage in Burma is less than US$300, although most Rohingya would earn well below this. The willingness to spend such large sums underscores the urgency Rohingya feel to escape Burma—and is further indication why countries receiving the Rohingya should allow the UNHCR to have access to them and offer protection as it tries to determine who is an asylum seeker or refugee.

WAYS FORWARD FOR REGIONAL GOVERNMENTS

It is time to stop calling the Rohingya a "forgotten people," as many headlines have described them. They are a foresworn people. Because they have no constituency in the West and come from a strategic backwater, no one wants them, even though the world is well aware of their predicament. No government in the region or the West should deny their plight, which has been reported on over the past 20 years.[38] Their persecution has been a litany of horrors that the international community has been well aware of, but largely unwilling to address.

While Burma is primarily responsible for ensuring that the rights of Rohingya are respected, other Southeast Asian states are obligated to observe international law requirements in their treatment of refugees, asylum seekers, migrant workers, and stateless people. Ratifying and implementing the 1951 Refugee Convention and its 1967 Protocol, the 1954 and 1961 Statelessness Conventions, and the 2000 Migrant Workers Convention would be a good start.[39] ASEAN's collective failure to address the root causes of the flight of the Rohingya from Burma will ensure its continuation. The UN and concerned countries should press Burma, ASEAN countries, and Bangladesh to treat the Rohingya humanely. Western governments should offer greater humanitarian assistance so that poorer countries in the region do not have to bear the cost of providing basic needs. And they should treat Rohingya fairly in the lottery of refugee resettlement.

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[4] Aekarach Sattaburuth and Anucha Charoenpo, "Rohingya refugees fined for illegal entry," *Bangkok Post*, January 29, 2009.

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[6] Chris Lewa, "Asia's new boat people," *Forced Migration Review*, vol.30, April 2008, pp.40-42.

[7] Information compiled by Arakan Project, confidential updates from Chris Lewa, December 2008-March 2009. On file with Human Rights Watch.

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[10] The 1954 UN Convention Relating to the Status of Stateless Persons defines a stateless person as someone, "who is not considered as a national by any State under the operation of its law."

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[22] Thanida Tansubhapol and Anucha Charoenpo, "Burma: We'll take Bengali's, not Rohingya," *Bangkok Post*, February 28, 2009.

[23] When the SPDC benefits from treating Rohingya like citizens, it does. The Rohingya were granted the right to vote during the May 2008 constitutional referendum in Burma, with many granted temporary cards to allow them to cast a ballot. The SPDC claimed to have won 92 percent voter support our of a 98 percent voter turnout throughout Burma. This was yet another irregularity in a sham system of political reforms conducted by the military government. There are also plans to permit the Rohingya to vote in the 2010 multiparty elections, although there has been official word on whether the right to vote will also entail a right to citizenship.

[24] "Plain Speaking," *The Irrawaddy*, vol.17, no.2, March-April 2009, pp.26-27.

[25] Human Rights Watch interview with Rohingya asylum seeker, Tokyo, July 6, 2007.

[26] Letter from Ye Myint Aung, Consul General of Myanmar in Hong Kong, to heads of Mission, Consul Corps, Hong Kong and Macau SAR, February 9, 2009, copy on file with Human Rights Watch.

[27] As the Australian security analyst Andrew Selth has pointed out, Muslims in Burma are more likely to be terrorized by the Burmese military than to be terrorists. Andrew Selth, *Burma's Muslims. Terrorists or Terrorized?* Canberra, Australian National University, Strategic and Defence Studies Center, Canberra Papers on Strategy and Defence no.150, 2003.

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[33] "We'll Put Rohingya on Desert Island: Thai PM," *The Irrawaddy*, April 1, 2008. http://www.irrawaddy.org/article.php?art_id=11231 (accessed May 7, 2009).

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[37] "Myanmar requested to take back remaining Rohingya," *The New Nation*, April 17, 2008 http://nation.ittefaq.com/issues/2009/04/17/news0195.htm (accessed May 7, 2009).

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Map of main towns in Arakan State, Burma.

RECOMMENDATIONS

Following a visit by the UNHCR Commissioner António Guterres to Burma between March 7 and 12, it was agreed that, "current level of activities in northern Rakhine (Arakan) State does not correspond to the actual needs and a decision was taken to upgrade the programme with immediate effect." The new program is focusing particularly on the areas of health, education, water and sanitation, agriculture and infrastructure to assist Rohingya returnees and other local communities in Northwestern Arakan State.[40] The Australian government pledged A$3.2 million to assist the Rohingya inside Burma.

This is an important initiative. But the main responsibility lies with the SPDC. No serious improvements will come until the Burmese government ends its persecution of the Rohingya.

While changes in Burmese government policy and practices are the key to stemming the exodus of Rohingya and ending their perilous journeys across the Andaman Sea, where they fall prey to storms, lack of food and clean water, and traffickers, other states need to observe international legal requirements for their treatment of refugees, asylum seekers migrant workers, and stateless people. In particular, Human Rights Watch makes the following recommendations:

TO BURMA'S RULING STATE PEACE AND DEVELOPMENT COUNCIL

- **Immediately recognize or grant citizenship to persons of Rohingya ethnicity on the same basis as others with genuine and effective links to Burma by reasons such as birth, residency or descent, and treat them as equal citizens under international and Burmese law.**
- **Ensure Rohingya freedom of movement throughout Burma.**
- **Provide Rohingya with the same access to identification papers as other Burmese citizens.**
- **Reinstate Rohingya who return to Burma onto official household registration lists.**
- **Allow United Nations and international humanitarian agencies access to Arakan State to provide needed humanitarian assistance, in particular to address food security and livelihood issues for the Rohingya.**
- **Allow the international media and human rights organizations access to Arakan State to report on the human rights situation of the Rohingya.**

[40] "UNHCR to upgrade its mission in Myanmar," UNHCR press release, March 12, 2009.

TO THE GOVERNMENTS OF THAILAND, BANGLADESH, MALAYSIA, INDIA, INDONESIA AND OTHER COUNTRIES REACHED BY ROHINGYA ASYLUM SEEKERS

- **Press Burma to end abuses against the Rohingya and grant them full citizenship rights.**
- **Do not force boatloads of Rohingya or others found in their territorial waters back out to sea.**
- **End the forced return of the Rohingya to Burma. All returns to Burma should be voluntary. Provide at least temporary asylum to all Rohingya who are unwilling or unable to return and consider for resettlement to a third country for those with no prospects for local integration or repatriation.**
- **Grant UNHCR and humanitarian organizations full access to provide for the immediate needs of Rohingya.**
- **Allow UNHCR full access to currently detained Rohingya and permit appropriate refugee status determination procedures to take place.**
- **Ratify and implement the 1951 Refugee Convention and its 1967 Protocol, the 1954 and 1961 Statelessness Conventions, and the 2000 Migrant Workers Convention.**
- **Incorporate the international refugee definition into domestic law and introduce asylum procedures consistent with international standards that will give asylum seekers a fair opportunity to present their claims and protect them while their refugee claims are pending. Grant rights to residence, documentation, and work.**
- **In the absence of a domestic asylum procedure that enables Burmese to challenge the grounds for their deportation, end the practice of deporting Burmese without an opportunity for UNHCR to screen them to determine if they are asylum seekers or refugees.**
- **Develop mechanisms to provide refugees with legal residency.**

TO THE US, EU, AUSTRALIA, JAPAN, AND OTHER CONCERNED COUNTRIES

- **Press Burma to end abuses against the Rohingya and grant them full citizenship rights.**
- **Press regional states to treat Rohingya who reach their territory humanely and to allow access to them by UNHCR and other humanitarian organizations.**
- **Offer greater humanitarian assistance so that poorer countries in the region do not have to bear the cost of providing basic needs to the Rohingya.**
- **Offer equal access to the Rohingya for refugee resettlement.**

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Perilous Plight

Burma's Rohingya Take to the Seas

In early 2009, thousands of ethnic Rohingya Muslims from Burma and Bangladesh made perilous journeys by sea to southern Thailand and Indonesia. Scores are feared to have died as a result of Thailand's "push-back" policy – towing Rohingyas back out to sea to deter further arrivals. In January, cameras captured boatloads of starving Rohingya arriving in Southern Thailand and Indonesia, giving brief international prominence to the issue, but thousands of other journeys each year go unnoticed.

Perilous Plight: Burma's Rohingya Take to the Seas, examines the causes of the exodus of Rohingya people from Burma and Bangladesh and their treatment once in flight. Repression and human rights violations continue against the Rohingya inside Burma, including extra-judicial killings, forced labor, religious persecution, and restrictions on movement, all exacerbated by a draconian citizenship law that renders them stateless.

Decades of such mistreatment have pushed many Rohingya to flee to neighboring Bangladesh, and from there every year thousands of Rohingya men and boys pay to be smuggled to Malaysia via other Southeast Asian countries. Some are fleeing for their lives; others are economic migrants seeking to feed their families. Because they lack official papers, almost everywhere they go they live in fear of arrest and possible repatriation to Burma.

Perilous Plight outlines various steps Southeast Asian nations can adopt to ensure the protection of Rohingya refugees, asylum seekers, and migrant workers.

Ethnic Rohingya arrive on Sabang, an island off the coast of Banda Aceh, Indonesia, after being rescued by Acehnese fishermen, January 7, 2009.