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The Deepening Rohingya Crisis: Will it Engulf the Region?

The simmering 'Rohingya issue' in Myanmar is rapidly threatening to engulf the neighbouring regions. Initially, a problem of domestic instability and violence in the Rakhine State of Myanmar, it has transformed into a regional crisis with a refugee surge that has involved several of Myanmar's neighbours including Bangladesh, India, Thailand, Malaysia and Indonesia. Malaysia had recently convened an Extraordinary Meeting of the Foreign Ministers of Islamic Organization for Cooperation (OIC) to address the burgeoning crisis. This was the start of a process that could internationalize the issue and bring opprobrium to the Myanmar authorities at a point in time when they require international support for their fledgling democracy. Furthermore the fear of the radicalization of the Rohingyas, and the exploitation by Islamist extremists of the situation remain genuine and growing.

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Introduction

The Rohingya issue, to paraphrase from Lord Alfred Douglas' poem 'Two Loves' published in 1894, is a crisis that literally 'dare not speak its name'. The Myanmar authorities have forbidden the use of the term by which much of the world knows the minority Muslim

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community in that country's Rakhine State, bordering Bangladesh. This ban on the use of the term 'Rohingya' was imposed on 29 March 2014, and the Muslim minority in Rakhine were asked to be registered as 'Bengalis'. Just as by whatever name a spade is called, it does not alter the object, not describing the Rakhine minorities by the name they have been widely known to-date, does not cause the issue to disappear. Indeed it is rapidly evolving as a deepening crisis, the name of the concerned notwithstanding, which if not appropriately addressed could engulf the neighbouring region in a mighty and disastrous conflagration.

Origin of the Term

According to an analyst Jacques Leider, the term 'Rohingya' appears in a writing by one Francis Buchanan-Hamilton as early as 1799.² The term itself means "inhabitant of Rohang", an early name used by Muslims for the Arakan State of then Burma (now Myanmar), presently known as 'Rakhine'. The Muslim community, according to Leider, an expert in the field, had been present there since the 15th century. This is also the time when they spread to the rest of Southeast Asia, in countries such as Malaysia and Indonesia. Even prior to the British colonial period, people from Bengal were brought in by Rakhine Kings and settled in the Arakan region as farmers. Eventually the English stopped Indian immigration, but the absence of borders meant unimpeded free movement.

The demographic numbers grew, and with it there was burgeoning resentment among the Rakhine Buddhists. The frays that followed were joined by a third party, the Myanmar armed forces. There were resultant conflicts which from time to time, led to the displacement of these people, initially to Bangladesh, but now to the other parts of South and Southeast Asia as well. Things came to such a pass that a respected English journal posed the query if the Rohingyas were the most "persecuted people on earth".³

History of Conflict

There was an attempt, though in vain, for Arakan to join Pakistan at one point, around 1947. But it was not till the early 1950s that the 'Rohingyas' began to describe themselves as such in

² Jacques P. Leider: "Interview: History Behind Arakan State Conflict" *The Irrawaddy*, retrieved on 16 January 2017.

³ *Economist*, 13 June 2015.

order to establish a distinct indigenous identity, to the chagrin of the Arakanese Buddhists. According to Thant Myint-U, even though the Burmese were historically exposed to mass immigration (he states that in 1927 Rangoon exceeded New York City as the greatest immigration port in the world!), the Arakanese Buddhists reacted to the Muslim presence with “racism that combined with feelings of superiority and fear”.⁴ The Rohingyas, themselves, founded a *Mujahid* Party as far back as in 1947 that supported a *Jihad* Movement, but were countered by the *coup d’etat* of General Ne Win in 1962.

Around 1978 the Burmese government introduced an immigration check-code named ‘Dragon King’, purported to upgrade its demographic information, to classify residents as ‘Burmese citizens’ or ‘foreigners’, and issue them with registration certificates. Most Rohingyas being classified as ‘foreigners’, there was a consequent influx of their numbers into Bangladesh, with figures exceeding 200,000, who arrived with complaints of atrocities perpetrated by the Burmese authorities.⁵ But on that occasion bilateral diplomacy was able to resolve the problem, mainly because of perceived national self-interest of both Bangladesh and Burma. By 1979, most Rohingya refugees were repatriated to the country of their origin.⁶

But simmering discontent among the Arakanese minority continued, largely flowing from their non-recognition as Burmese citizens. In 1982 the Burmese government enacted the citizenship law, by which Rohingyas were described as “Bengalis”, and thus as ‘foreigners’. In 1991, some 250,000 fled by foot and boat to Bangladesh, and had to be settled in camp for years as the hosts and international organizations negotiated their ‘wilful return’ to Burma. Between 2007 and 2009 the author, then Bangladesh Foreign Advisor (Foreign Minister), continued the negotiations with the Myanmar Foreign Minister U Nyan Win. But the problem was that the refugees were unwilling to return till the situation in Myanmar improved, socially politically and economically.⁷ This would be in consonance with the internationally accepted principle of *non-refoulement* according to which refugees should not be forced to return in risk.

Such a glimmer of hope seemed to appear in November 2015, when Aung San Suu Kyi, a Nobel peace laureate, led the National League for Democracy (NLD) to victory in the elections (the contested one in 25 years), following political reforms initiated by the armed forces. She

⁴ ‘The River of Lost Footsteps: A Personal History of Burma. (New York: Farrar, Strauss and Giroux) pp 185-187.

⁵ *Asiaweek*. 19 May, 1978, pp21-22.

⁶ *Bangladesh Observer*, 31 December, 1979.

⁷ Iftekhar Ahmed Chowdhury, ‘*The Malaise in Myanmar: What is to be Done?*’, ISAS INSIGHTS No 62, 8 May 2009.

assumed the office of State Councillor and Foreign Minister, and became the *de facto* head of government. But in terms of power-sharing with the Army, it was still a ‘pull devil, pull baker’ contest. The communal violence that had peaked in 2012, continued unabated, and now the Rohingyas had expanded their destinations to include other countries in Southeast Asia as well as the Middle East and Europe. The exodus assumed massive proportions, by land and sea, and in the process many lives were lost. On 7 May 2014 the United States House of Representatives adopted a resolution calling upon the Myanmar Government to end discrimination and persecution.⁸ The Rohingya resistance also stiffened. Insurgents attacked border posts on 9 October 2016, following which the Myanmar military reportedly unleashed a string of repressive measures, spiking refugee outflow.

Bangladesh and the Crisis

With regard to the Rohingya refugee crisis, Bangladesh has once again become a frontline State, harbouring this community as a diaspora.⁹ The issue has literally placed Bangladesh between the devil and the deep blue sea. An observer has written that “in the conditions which prevail today, morality suggests that Rohingya fleeing persecution in their country be let into Bangladesh. At the same time, a sense of reality points to the terrible burden that could be put on Bangladesh’s resources if they are allowed entry, with hardly any guarantee that they will soon, or ever, go back home”.¹⁰ The dilemma was sufficiently significant to have had a domestic political impact on the government led by Sheikh Hasina. While the silence of Aung San Suu Kyi, once greatly admired in Bangladesh as an icon of democratic forces, on the issue, or rather her failure to stand up for who the Bangladeshis saw as the obviously ‘repressed’, drew negative reactions, Myanmar did despatch a special envoy to interact with the Bangladesh Government in January 2017. The United Nations was reporting that between October 2016 and January 2017, over 65,000 more of the community had fled to Bangladesh.¹¹

⁸ Cristina Marcos: ‘House passes resolution pressuring Burmese government to end genocide’, *The Hill*, 7 May 2014.

⁹ There exists an excellent unpublished PhD dissertation, by Kazi Fahmida Farzana, entitled “Forced Migration and Statelessness: Voices and Memories of Burmese Rohingya Refugees in Bangladesh”, that was submitted at the National University of Singapore in 2011. It argues that: “A community of people may remain without a formal identity, being displaced from its geographical origin, but it can maintain its original identity in virtual memories and cultural means in Diaspora”. p. xi)

¹⁰ Syed Badrul Ahsan, ‘Dhaka’s Rohingya Dilemma’, *Indian Express*, 9 December, 2016. <http://indianexpress.com/article/opinion/columns/bangladesh-myanmar-rohingya-issue...13/1/2017>

¹¹ *Straits Times*, 13 January, 2017

The envoy, the Myanmar Deputy Minister for Foreign Minister Kyaw Tin met Sheikh Hasina. He was clearly told that normalcy must be returned in the Rakhine State of Myanmar quickly, so that the “*Myanmar nationals*” (the italics are meant to stress the Bangladeshi position that they are ‘Myanmarese’ rather than ‘Bengali’) who have taken shelter in Bangladesh can return home “in full safety and security” to their livelihood.¹²

International and Regional Ramifications

The ruling authorities of the Rakhine State, belonging to the Arakan National Party (ANP) are already in a collision course with the United Nations. They, including the Vice President of the ANP, Khine Pyi Soe, have refused to meet the UN Special Rapporteur on Myanmar, Yanghee Lee in January. She was in the region, investigating, among other things, the military ‘lock-down’. Lee has slammed the ‘lock-down’ as ‘unacceptable’ and called for an international inquiry into claims that troops raped, murdered and tortured civilians from the Muslim minority groups.¹³ Similarly, the Rakhine civil society organizations have declined to meet former UN Secretary General Kofi Annan (who heads the government-appointed Rakhine Advisory Commission, on account of his having used the term ‘Rohingya’ at a press conference).¹⁴ The current Secretary General of the UN, Antonio Guterres, when he headed the UN Refugee office, had expressed great concern at the humanitarian situation with regard to the Rohingya refugees at an event at the Ditchley Foundation in the UK in 2013.¹⁵ So this is a subject which will continue to find salience in the UN system.

The reaction from Malaysia, at the highest level of its government – that is, from Prime Minister Najib Razak – was unusually strong (particularly as Malaysia is also a fellow ASEAN country). He described the situation in the Rakhine State as a “*genocide*” and at a public rally, urged the UN “to do something”.¹⁶ He seems to have picked up the cudgels for the Rohingyas in a big way. His government has hosted an extraordinary meeting of the Foreign Ministers of the Organization of Islamic Cooperation (OIC) on the subject during the current month. Not only is Malaysia host to Rohingya refugees but is wary of reactions from extremists and jihadist

¹² Ibid.

¹³ *Straits Times*, 14 January 2017.

¹⁴ Radio Free Asia, 30 November 2016. <http://www.rfa.org/English/news/Myanmar/Malaysia-calls-on-asean-to-review-myanma...17/1/2017>

¹⁵ The author attended the Annual Lecture by Antonio Guterres at Ditchley Foundation, Oxford.

¹⁶ The Guardian, 4 December 2016. <http://www.theguardian.com/world/2016/dec/04/malaysia-pm-urges-world-to-act-agai...18/1/2018>

groups. In an article in *The Straits Times* on 8 December 2016 two experts from the S. Rajaratnam School of International Studies in Singapore, Jasminder Singh and Muhammad Haziq Jan, have stated: “That the Myanmar military is made up largely of Buddhists, and Rohingyas are Muslims has added a religious element to the situation (which has) drawn the attention not just of human rights groups but also (of) extremists and jihadists groups in Southeast Asia”.¹⁷ Daw Aung San Suu Kyi had to actually cancel a visit to Indonesia with the rising anti-Myanmar public sentiments there. But the government shunned what it called ‘megaphone diplomacy’, and instead the Foreign Minister Retno Marsudi met Aung San Suu Kyi in the Myanmar capital, Nay Pyi Taw, and conveyed her country’s “concerns” over the issue.¹⁸

‘Responsibility to Protect’

Once in the past, following Cyclone Nargis in 2009, when the Myanmar Government appeared to be unresponsive to the massive relief needs of the people, some Western politicians including the then French Foreign Minister Bernard Kouchner, had wondered in public if the UN principle of ‘Responsibility to Protect (‘R2P’)' could be invoked. While the Malaysian Prime Minister did not specifically cite it, he did call upon the UN to intervene. The ‘R2P’ was adopted by global leaders in the UN ‘Outcome Document’ unanimously in 2005. Simply put, it states that governments have a ‘responsibility to protect’ civilians from ‘genocide, war-crimes, crimes against humanity and ethnic cleansing’. When a government is unable or unwilling to protect its civilians from these crimes, the ‘responsibility to protect’ falls upon the international community to help the state to exercise the responsibility.

Should the state manifestly fail to protect civilians, the international community can act, first with peaceful measures, using economic, political and legal tools, and that failing, with collective use of force through the UN Security Council under Chapter VII of the Charter, only as a last resort. The responsibility of the international community also involves capacity-building in potentially vulnerable states so that situations calling for such interventions do not

¹⁷ Cited in’ *Malay Mail*’ 8 December 2016. <http://www.themalaymailonline.com/malaysia/article/rohingya-crisis-may-fuel-militant...13/1/17>

¹⁸ *Jakarta Post*, 8 December 2016. <http://www.thejakartapost.com/news/2016/12/08/indonesia-raises-rohingya-concerns-w...17/1/2017>

occur in the first place. This would mean that any ‘intervention’ would not imply military action, but economic and other support so that the issue can be addressed ‘upstream’.

OIC Foreign Ministers’ Extraordinary Meeting

Malaysia has already taken steps to internationalise the issue by taking the initiative for the OIC Foreign Ministers meeting on 19 January 2017 in Kuala Lumpur. The Communique, from information available as of now, called for three major measures; first, it called on Myanmar to abide by its obligations under international law and prevent the worsening of what is now an acute humanitarian crisis (implying Myanmar has not been doing so to-date); second, it urged Myanmar to ensure the safe return of displaced Rohingyas; and third, it called for unimpeded humanitarian access of the international authorities to the affected community (implying that so far it has been impeded).

Conclusion

The issue can be viewed from three different aspects: First, political. The goodwill that Aung San Suu Kyi commanded when she initiated the democratic transition in Myanmar is threatened to be eroded not only in the region, but also internationally because of this crisis. Already there are some calls for the withdrawal of her Nobel prize but these are unlikely to be heeded. Nonetheless the process of global opprobrium that has begun with the OIC meeting is likely to mount with resolutions and discussions in other multilateral bodies including the United Nations. Secondly, the humanitarian. Already it is said to be the largest embarrassment that the ASEAN confronts as a social issue. The regional grouping, which failed to forge a united position on the South China Sea issue, runs the risk of a division again. Third, the security issue. This is assuming alarming proportions, not just for Myanmar which can become a destination for eager-beaver ‘jihadists’ from the region, but also for Bangladesh, Thailand, Malaysia, and Indonesia. India, which now is said to shelter 50,000 Rohingyas in at least seven of its States, including Jammu and Kashmir, is not immune either, and needs to become an interested party. The Rohingyas are also fertile recruitment ground for the extremists all across the world, and this situation is likely to worsen unless the problem is vigorously tackled now.

A series of steps must begin, first, with an objective international examination of the problem. This could be conducted by a committee of Eminent Persons drawn from, mainly SAARC and

ASEAN countries, buttressed by some prominent global personalities. Their recommendations must be heeded. Second, financial resources to ameliorate the material problems of the Rohingyas should be raised, if necessary by the methods through which donors raise funds for Afghanistan. Third, the Myanmar authorities should cooperate in these efforts, which will only enhance their credibility and their fledgling democratic credentials. Finally, the international community and key neighbours and global actors should desist from stoking the fire of an admittedly complex situation that can easily blow up into a mighty conflagration.

Cecil Rhodes once said, to be born an Englishman is to win the first prize in the lottery of life. We are aware how his statue was removed in the University of Cape Town in 2015 after the ‘Rhodes Must Fall Campaign’. At this day and age, it would be sad, if to be born a Rohingya in Myanmar would mean having to lose out in the lottery of life altogether. This must be prevented at all costs, not just because it is right, but also because it is wise, given the consequences of failure.

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