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Ethnicity, Identity and Nationality: A Case Study of Rohingya Problem

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Introduction

The terms ethnicity, identity and nationality are generally understood to mean the following:

- *Ethnicity*: It is related to membership of a particular racial, national, or cultural group and observance of that group's customs, beliefs and language.[1]
- *Identity*: The Cambridge English Dictionary defines identity as related to a person or the qualities of a person or group that makes them different from others. In reality, what people perceive as ‘identity’ matters much more than definitions. [2]
- *Nationality*: confers the official right to belong to a country. It is also used in relation to a group of people of the same race, religion, traditions etc. This right is enshrined in law of the land, usually in conformity with international conventions.

However, peoples' understanding of these terms are conditioned by ethnic affinities, cultural, religious and historical experiences of the community and their socio-political interactions with other ethnic communities. Often, this gives rise to prejudices and friction between communities fanned by religious and ideological obscurantism.[3]

Rohingyas of Myanmar have been called “the most persecuted people on earth” ever since over 600,000 of them fled their homes to neighbouring Bangladesh to escape persecution at the hands of the army and Buddhist fringe elements August 2017 onwards.

[4] Rohingya community has been chosen for this case study as their plight has all the ingredients that cause ethnic conflict not only in Myanmar, but in many other multi-ethnic societies.

The case study is presented in four parts as follows:

1. Part I: Background
2. Part II: Myanmar's response to the 2017 crisis
3. Part III International intervention
4. Part IV Conclusion

PART I –BACKGROUND

Origin of Rohingya

Geographically, Indian subcontinent is the peninsular region of south -central Asia bound by the Himalayas in the north, the Hindu Kush mountains in the west and the Arakan mountains (in Myanmar) in the east. The region is home to over 1.7 billion people of different religions, ethnicities, nationalities and identity groups speaking a variety of languages and myriads of dialects. [5]

The British East India Company, which entered Indian subcontinent in 1600, had established control over three provinces of Madras (now Chennai), Bombay (now Mumbai) and Calcutta (now Kolkata) by 1708. After defeating the Burmese rulers of Konbaung dynasty in the First Anglo-Burmese War (5 March 1824 to 24 February 1826), the British gained control of Assam, Cachar (now part of Assam state) and Jaintia (now part of Meghalaya state) in India and Arakan (now Rakhine state) and Tenasserim in Burma.[6] Burma was placed under a separate colonial authority from 1824 onwards till 1948, when Burma gained independence.

The Rohingya community is of Indo-Aryan stock, concentrated in the Arakan region in Myanmar in the northern coastal area bordering Bangladesh. Arakan is separated from the rest of the country by Yoma hill range running north to south. The origin of the first settlers of Rakhine state is not clear. However, Dr. Abdul Karim, author of a Short History of Rohingyas, says there was evidence of people from Bengal interacting with Arab traders in Arakan coast from 4th century onwards.[7] According to Human Rights Watch, “the Rohingya have had a well-established presence in what is now Burma since, at least, the twelfth century,” though Rohingya leaders claim they are an ethnically distinct group, descendants of first Muslims, who began migrating to northern Arakan in the eighth century.[8] Arakan state existed as an independent kingdom till Burmese King Bodawpaya conquered it in 1784. The war saw Arakanese refugees fleeing to Bengal. The refugees appear to have had links with Rohingya in Rakhine since 1790 as recorded by the British emissary to the Burmese King in Mandalay.[9] . To summarise, it would appear that by 8th century Rohingya people of South Asian origin lived in the Arakan kingdom in the present Rakhine state. Between 9th and 14th century, they forged close ties with Bengal and came in contact with Islam through Arab traders.[10]

The total area of Rakhine state is 36,752 square kilometers with population 3,188,807 according to Myanmar’s first-ever population census in 2014. According to the census, ethnic Rakhine of Tibeto-Burman stock form the majority population. They live mostly in lowland valleys in the south and in Ramree and Manaung islands. A number of other ethnic minorities – Kaman (Muslims), Chin, Mru, Chakma, Khami and Bengali Hindu - inhabit the hill regions of the state. Myanmar government does not recognise Rohingya as a distinct ethnic identity as they are not included in 135 ethnic communities officially recognised as inhabitants of Myanmar. So the 2014 census excluded their count, There are estimated to be approximately 1.2 million Rohingyas, who are mostly Muslims, speaking a dialect similar to Chittagong dialect of Bengali, living in Myanmar.[11]

Army rule and Rohingya persecution

Buddhist-Muslim confrontation has a long history in Myanmar. It goes back to pre-independence days when Buddhist groups supporting the Japanese and the Muslims supporting allied forces, fought each other during the World War II (1942-43). Even after seven decades, the residual bitterness manifests itself in the religious, social, political and extremist discourse of both communities. As the Rakhine state has the largest concentration of Rohingya Muslims, they are targeted in any communal clashes between Muslims and Buddhists.

According to the International Crisis Group report of December 2016, “a mujahidin rebellion erupted in April 1948, a few months after independence.^[12] After Pakistan rejected the rebels demand for annexing northern Rakhine State to East Pakistan (now Bangladesh), they sought “to live as full citizens in an autonomous Muslim area in the north of the state.” However, the government placed restrictions on their movement from northern Rakhine to the state capital Sittwe. The Mujahidin attacked Rakhine Buddhist business and the government establishments and quickly seized control of large parts of the north, throwing out many Buddhist villagers. Burmese army already facing ethnic insurgencies across the country, had little control over the state other than Sittwe. In 1954 the army launched Operation Monsoon, a massive operation in Rakhine State and captured most of the mujahidin mountain strongholds along the East Pakistan border. The rebellion ended with the defeat of remaining groups in 1961 and a ceasefire was announced.

Burma as a whole had been facing ethnic conflicts ever since it gained independence in 1948, except for first few years. On the eve of independence minority ethnic communities like Arakanese, Chin, Kachin, Shan, Karen and Kayah(Karenni) became wary of domination by Burmese speaking Buddhist Bamar majority in independent Burma. However, Major General Aung San, the Burmese independence war icon, persuaded them to sign the Panglong Agreement promising autonomy for the ethnic groups. Accordingly, the Union of Burma and the Shan, Kachin, and Chin minority groups signed the agreement February 12, 1947.^[13]

However, after the first few years of independence in 1948 successive Burmese governments did not enforce the Panglong agreement in true spirit of reconciliation. As a result, the government lost the trust of non-Bamar ethnic groups and insurgency broke out in full swing in early 60s, paralyzing the government. Ethnic insurgencies and Communist insurgencies aided by Peoples Republic of China threatened the very existence of Burma as a united entity. The unwieldy coalition governments found it difficult to handle the situation. The confused political situation enabled General Ne Win, Burma’s army chief, to take over power in 1962 with a promise to safeguard the integrity of the Union.

Low level Rohingya extremism continued even after Army seized power in 1962. The army carried out military operations to suppress Rohingya support organisations. Non-Rohingya Rakhines believed most of the Rohingya are illegal migrants, assisted the army during the operations. Growth of Islamic fundamentalism in neighbouring East Pakistan fanned anti-Rohingya rhetoric among Buddhist majority in Myanmar, particularly in Rakhine.^[14]

During General Ne Win's military rule from 1962 to 1988, Myanmar went into self-imposed isolation, cutting off international participation. His unique economic experiment "Burmese way to socialism" turned Myanmar into one of the poorest ten countries. As the *Guardian* noted his "strategy was two-fold: to build up a monolithic system of government under the Burmese Socialist Programme party, while launching all out offensives against insurgent groups in the countryside. Foreigners were expelled, the economy nationalized and hundreds of political leaders imprisoned." He declared federalism was "impossible" as it would destroy the union of Burma.[15] His government adopted a hardline stance toward minorities prompting attempts to reform the mujahidin movement. During the same period, over a dozen non-Bamar ethnic communities continued their quest for independence resulting in ethnic insurgency that still continues in parts of the country. Fighting ethnic insurgency to defend the union provided the *raison d'être* for the army to hold on to power.

The army carried out 'Operation Dragon King' (February to July 1978) ostensibly to assist registration of citizens in Northern Arakan; however, it was in fact aimed at driving out Rohingyas declared as "foreigners" as well as to arrest the leaders of Rohingya Patriotic Front (RPF) operating from Bangladesh. During the operation an estimated 200,000 to 250,000 Rohingyas fled to Bangladesh as refugees. However, after UN intervention both Burma and Bangladesh signed an agreement on July 31, 1978. About 125,000 refugees were repatriated back to Burma.[16] .

The military regime from 1988 to 2011 is said to have encouraged the conversion of ethnic minorities, "often by force, as part of its campaign of assimilation." According to Monique Skidmore, the military regime promoted a vision of Burmese Buddhist nationalism as a cultural and a political ideology to legitimize its rule, trying to bring a religious syncretism with its totalitarian ideology,[17] This is the reason why Buddhist extremist movements like Ma Ba Tha led by Mandalay based Buddhist monk Ashin Wirathu spouting anti-Muslim rhetoric are able to continue their activity even today. These extremist movements continue to support strong arm tactics of the army against Rohingyas.

In 1982, the military regime passed a new citizenship law identifying 135 ethnicities entitled to citizenship.[18] As Rohingyas were not included among the "entitled" ethnicities, they are considered "foreigners," but in reality stateless.[19] Probably, the threat to Rohingya identity acted as the trigger that pushed sections to Rohingyas to try and establish contact with radical Muslim extremist groups overseas. Among them, the Rohingya Solidarity Organisation (RSO) which was formed in 1982, developed contacts with terrorist groups linked to the al-Qaeda in Afghanistan, Pakistan and Bangladesh. In 1989, the ruling junta promulgated martial law and carried out military operation against Rohingyas. In 1991-92, conscription of forced labour led to 250,000 Rohingyas fleeing their homes. However, UN Council for Human Rights (UNCHR) persuaded Myanmar to the repatriation of 230,000 Rohingyas to Rakhine.

In the 1980s and 1990s, the RSO had small bases in remote parts of Bangladesh near the Myanmar border but was not thought to have any inside Myanmar. In its highest-profile attack in April 1994, several dozen fighters entered Maungdaw from Bangladesh carried out attacks on the town's outskirts. Significantly, the group did not receive strong local support and security forces defeated them.

After that the RSO kept a low profile in Bangladesh and carried out occasional small attacks on Myanmar security forces into the early 2000s. Rohingya National Army (RNA) claimed in a press release that on May 27, 2001 it had carried out a Myanmar army camp near

Maungdaw in Rakhine state killing or injuring 20 soldiers. Significantly, the report claimed it was RNA -Arakan Army joint operation, which was the first of its kind.[20]

A Myanmar military intelligence report, cited in a U.S. diplomatic cable in 2002, made the “generally plausible” claim that 90 RSO/ARIF members attended a guerrilla war course, 13 also participated in explosives and heavy weapons courses in Libya and Afghanistan in August 2001. In the early 2000s, the RSO had an active weapons and explosives training arrangement with the Jamaat-ul Mujahideen Bangladesh (JMB), a notorious Bangladesh Islamist extremist outfit.[21]

End to military rule

After General Ne Win’s rule ended in 1988, public agitation spearheaded by students took to the streets demanding civilian rule. In order to satisfy them, the army held the first-ever multiparty elections in three decades in 1991. Aung San Suu Kyi, daughter of icon of Myanmar’s national icon Major General Aung San, who had led the National League for Democracy (NLD) campaigned for full restoration of civilian rule, and swept the polls. Her enormous popularity probably kindled military’s fears of losing its grip on power. So the ruling junta, never allowed NLD to come to power and incarcerated Suu Kyi and other NLD leaders. This created an international furore and spontaneous wave of sympathy for Suu Kyi led struggle for democratic rule.

In August 2003, the ruling military junta introduced the “Roadmap to Discipline Flourishing Democracy” providing a seven-step process to restore democracy in the country.[22] It reconvened the National Convention (NC) adjourned since 1996. The NC drafted a new constitution which was adopted in 2008 after holding a national referendum, though the country was devastated by cyclone Nargis. However, opposition parties and international NGOs considered the referendum a sham. The 2008 Constitution drafted under the guidance of the army, legitimizes army’s role in the legislature and executive by reserving 25 percent of the seats in the union and state legislative bodies for the army. The commander in chief appoints the ministers of defence, home and border affairs by selecting officers from the defence services, while the president appoints other ministers.[23] Thus effectively, the commander in chief controls defence, home and border affairs ministries.

Muslims including Rohingyas, who were generally averse to violence, supported Daw Aung San Suu Kyi and the NLD’s struggle for restoration of democracy from 1991 onwards. There were Muslim leaders within the ranks of NLD. The NLD boycotted the first multiparty-election held in 2011 under the 2008 constitution as many of its leaders in custody were not released. The pro-army Union Solidarity and Development Party (USDP) won the elections and formed the government under President Thein Sein, a former general. During his rule from 2011 to 2016, a number of structural reforms were carried out. There was improvement in human rights situation. The government restored media freedom, eased internet access and released most of the political prisoners. The government also constituted the State Human Rights Commission.

However, on the flip side, during this period Buddhist extremist elements became more active against Muslims, particularly the Rohingya in Rakhine State, under the benign watch of the law enforcing agencies controlled by the army. This led to some of the worst anti-Muslim riots

listed below: [24]

- June 2012: In Rakhine state, rape and murder of a Buddhist woman sparked off a deadly chain of events resulting in widespread rioting. In clashes between Rakhine Buddhists and Muslims, mostly Rohingyas, 200 people were killed and thousands were displaced. This set off a major exodus of Rohingyas to safe havens abroad, notably to Bangladesh.
- March 2013: In Meiktila in central Myanmar, an argument in a gold shop led to Buddhist-Muslim violence in which 40 people were killed and entire neighbourhood was razed.
- August 2013: In the central town of Kambalu rioters burned Muslim-owned shops and houses after the police refused to hand over Muslim man accused of raping a Buddhist woman.
- January 2014: According to the UN, in Rakhine state more than 40 Rohingya men, women and children were killed in violence after a Rohingya was reported killing a Rakhine policeman.
- June 2014: In Mandalay, after a rumour spread on social media that a Buddhist woman had been raped by Muslim men, rioters killed two people and injured five.

These attacks increased the feeling of insecurity among Muslim population living in Rakhine State, who were already facing severe restrictions on free movement outside the village or between townships resulting in loss of work opportunities and near absence of government services. Ultra-national Buddhist elements' demand for laws to protect race and religion targeted at Muslims made the minority community further nervous.

The feeling of insecurity among Muslims gave greater traction to the growth of Rohingya extremism, largely supported by expatriate Rohingyas. As early as 2009, media reports indicated that Rohingyas belonging to the Arakan Rohingya Nationalist Organisation (ARNO) and Rohingya Solidarity Organisation (RSO) were being trained in different Al Qaeda and Taliban camps in Afghanistan.[25]

The insurgent group Harakah al-Yaqin (Faith Movement, HaY) supported by Rohingya expatriates in Saudi Arabia gained a foothold in Rakhine State. According to the ICG report, HaY enjoyed considerable support from Muslims in northern Rakhine State, including several hundred locally trained recruits. The report also said HaY group had links with Rohingya expatriates in Saudi Arabia and Pakistan. It also added that Afghan and Pakistani fighters had secretly trained groups of Rohingya villagers in Rakhine state. Indian intelligence agencies have also accessed similar information, identifying different groups and their leaders.

Part II: Myanmar Response to Rohingya crisis 2017

Hopes of Rohingyas were kindled when the NLD decided to participate in the 2015 elections. However, Aung San Suu Kyi's politically loaded silence on Thein Sein government disenfranchisement of Muslims prior to the 2015 elections disappointed Muslims including Rohingyas. For the first time, the NLD did not field any Muslim candidate in the election. It indicated Suu Kyi's politics of compromise, rather than fair play, to achieve electoral success. Perhaps, this was the point of no return for the Muslim community as all avenues of political participation for

them were now closed.

Aung San Suu Kyi led the NLD to resounding victory in the elections. The 2008 Constitution did not permit her to be elected president as she was married to a foreigner. So in April 2016, the NLD struck a compromise and appointed Aung San Suu Kyi as State Counsellor, a position specially created for her. There was widespread expectation that she would carry out reforms to improve the human rights record of the state. She released imprisoned student protestors and promised to carry out more people oriented policies.

The year also saw turbulence in clashes with armed ethnic groups particularly in Kachin, Kokang, Arakan and Ta insurgent groups. In order to speed up the reconciliation process with 20 ethnic groups active in the country the Second 21st Century Panglong Conference was organised from May 24 to 29, 2017. However, 15 ethnic group representatives attended the conference, including eight groups which had signed a ceasefire agreement. Aung San Suu Kyi in her speech outlined three main goals of the conference: emergence of a democratic federal union based on democracy and federalism, all parties to sign a nationwide ceasefire agreement and finally to discuss the principles on which political dialogue will be based. The conference may be considered a partial success progressively more and more ethnic groups have participated in these efforts. Significantly, China's ambassador was present at the conference indicating China's role in the ethnic reconciliation process.^[26] Though Rohingya were not included in this conference, Aung San Suu Kyi's goal of a democratic federal union based on democracy and federalism spelled out at the conference, provides hope for favourably considering Rohingya's demand for autonomy within a federal union.

On August 23, 2016, State Counsellor Aung San Suu Kyi appointed an Advisory Commission on Rakhine State.^[27] The Advisory Commission chaired by former UN Secretary General Kofi Annan consisted of three international and five national persons of eminence. It was mandated to meet with all stakeholders, international experts and foreign dignitaries to hear their views and consider humanitarian and development issues, access to basic services, the assurance of basic rights and the security of the people of Rakhine. The Commission was also to undertake assessments and make recommendations on conflict prevention, humanitarian assistance, rights and reconciliation, institution building and promotion of development. The Commission had over 150 consultations and meetings, travelled extensively throughout Rakhine State and held meetings in Yangon, Naypyidaw in Myanmar and Indonesia, Thailand, Bangladesh and Geneva.

Even as the Advisory Commission was deliberating, Rohingya terrorists in large numbers attacked three Myanmar police posts located along the Bangladesh border on October 9, 2016. HaY based in Bangladesh claimed responsibility for the attacks that resulted in the death of 40 people. They killed nine officials and looted 51 weapons from the posts. According to the Myanmar Army statement on 15 November 2016, in all 69 Rohingya insurgents and 17 security forces including seven soldiers were killed in these clashes taking death toll to 134 (102 insurgents and 32 security forces). It said 234 suspects connected with the attack were arrested. ^[28]

The Advisory Commission submitted its final report to the government on August 23, 2017.^[29] The report recommended urgent and sustained action on a number of fronts to prevent violence, maintain peace, foster reconciliation and offer a sense of hope to "the State's hard-pressed population." It considered a broad range of structural issues that were impediments to the peace and prosperity of Rakhine State. Many of its recommendations focus specifically on citizenship verification, rights and equality before the law, documentation, the

situation of the internally displaced and freedom of movement which affect the Muslim population “disproportionately.” Commission chair Kofi Annan proposed a ministerial-level appointment with the sole function of coordinating policy on Rakhine State and ensuring the effective implementation of the Advisory Commission recommendations.

As though to underline the urgency of implementing the Commission’s recommendations, on August 25, 2017 150 Arakan Rohingya Salvation Army (ARSA) insurgents attacked 24 police posts and a military base, killing 12 security personnel. In the military operations that followed, the ARSA lost 59 insurgents. The Guardian report, quoting humanitarian agency *Médecins Sans Frontières*, said “more than 6,700 Rohingya Muslims, including at least 730 children under the age of five” were killed in the first month of military crackdown that started in August 2017.[30] Myanmar Army implemented a comprehensive “four cuts” counter insurgency strategy to deprive the militants of food, funds, intelligence and recruits.[31] During the course of operations villages were burned, crops destroyed, minefields laid and populations displaced in Rohingya villages.

The heavy handed military operations triggered a massive exodus of Rohingya to neighbouring Bangladesh from August 25, 2017 onwards. According to a Reliefweb report in February 2018 more than 671,000 Rohingya have fled Myanmar for Bangladesh causing a human rights crisis of global proportions. An Amnesty International report, citing satellite images, said 350 Rohingya villages were completely destroyed and the military was building bases where some of the Rohingya homes and mosques once stood.[32] Bangladesh’s foreign minister AH Mahmood Ali called it a “genocide” waged by Myanmar troops, while UN Human Rights Commissioner Zeid Ra’ad al-Husseini called it “a textbook example of ethnic cleansing”.

According to the UN High Commissioner for Refugees, in addition to the refugees in Bangladesh, around 120,000 internally displaced persons, mainly Rohingya, driven from their homes by inter-communal violence were now in their sixth year of confined encampment.[33]

The rise of Aung San Suu Kyi to power has been mainly due to huge international support during her long fight for democracy. The Nobel prize winner for peace was seen as the global upholder of universal rights. After the Rohingya exodus started after August 2017 violence, international community expected Suu Kyi to act swiftly to rein in the army, create conditions to halt the outflow of refugees from Rakhine State and bring to book those who committed human rights excesses. However, she failed to live up to their expectations on the Rohingya issue. She took a month to make an official statement on the issue, which glossed over army’s excesses and lacked remorse. In her public address, she said she did not “fear international scrutiny.” On accusations of ethnic cleansing against the army, she said “there have been allegations and counter allegations....We have to make sure those allegations are based on solid evidence before we take action.”

The government has continued to be in a state of denial; till date it has not permitted UN agencies, international NGOs and the press to visit Rakhine State although allowing free media coverage was one of the specific recommendations of the Kofi Annan Commission. Two Reuters reporters filed a highly damaging eye witness account of Buddhist villagers and Myanmar troops killing 10 Rohingya men and burying them in the village of Inn Din on September 2, 2017. The two Reuters reporters Wa Lone and Kyaw Soe Oo, who are Burmese citizens, have been arrested on December 12, 2017 and are held on charges of violating official secrets act. However, since then, the army has admitted the possibility of the massacre and arrested 10 soldiers pending an investigation.

Aung San Suu Kyi set up a 10-member Advisory Board for the Committee for Implementation of the Recommendations on Rakhine State as a follow up to the Kofi Annan-led Advisory Commission report. Even as the advisory panel chaired by former Thai deputy prime minister Surakiart Sathirathai was preparing to visit North Western Rakhine State, on January 25, 2018, a member of the panel Bill Richardson, former energy advisor to President Bill Clinton, quit the panel over the issue of panel refusing to discuss the arrest of two Reuters reporters. He called the panel a “white wash” and accused Suu Kyi of lacking “moral leadership.” This has further embarrassed the government.^[34]

Although, Myanmar and Bangladesh agreed in January 2018 to complete a voluntary repatriation of the refugees in two years. However, refugees continue to fear the conditions ar

e not secure in Rakhine State for them to return. Myanmar set up two reception centres near the border to receive returning refugees. However, there had been poor progress; Bangladesh has disputed Myanmar claims of receiving first five refugees made on April 15, 2018 and Rights groups have called it a publicity stunt.^[35] Media reports from Myanmar indicate the army is assisting to create Rohingya free buffer zones in areas where Rohingya had lived to settle other Rakhine people. This is a disturbing trend as it increases the possibility of Rohingya returnees being endlessly held in holding camps.^[36]

It is clear Myanmar and State Counsellor Aung San Suu Kyi are in no hurry to attend to the concerns of UN bodies and international community in creating a secure environment in Rakhine State for successful repatriation of Rohingya refugees from Bangladesh. Evidently, Myanmar is not implementing the agreement with Bangladesh on repatriation of Rohingyas both letter and spirit. So as in the past, the process of repatriation can be expected to drag on at a pace set by Myanmar.

Part III International Intervention

In the past, Myanmar and Bangladesh had bilaterally handled the Rohingya issue, making pragmatic compromises. However, the results were temporary as Myanmar never addressed the core issue of Rohingya citizenship status. However, after Rohingyas refugees figures swelled to nearly a million in Bangladesh in 2017, it placed a heavy economic and administrative burden on Bangladesh. The plight of Rohingya refugees in such large numbers triggered international concerns. The ushering in of democratic rule in Myanmar in 2011 saw it becoming the focus of international power play involving China, India and the US and its allies. Growth of Islamist terrorist groups in South Asia and their efforts to take advantage of Rohingyas plight has added yet another international security dimension to the issue.

All these changes have inevitably internationalized the process of resolving the Rohingya issue. This has transformed the national problem of both Myanmar and Bangladesh into an international one, making it difficult for the both the governments to handle it to the satisfaction of both internal and external stakeholders. International intervention through the UN agencies and other powers like India, China and ASEAN has to be examined in this complex backdrop.

UN intervention

In the past, international attention in Myanmar had focused to suppression of fundamental freedoms and ethnic conflicts during General Ne Win's autocratic military rule than specifically on the Rohingya issue. The military regime had been tardy in ratifying and enforcing international covenants on civil rights. In fact, even with an elected government in power now, Myanmar has not ratified a number of international covenants on civil and political rights, protection of all persons from enforced disappearances etc. So global attention was more focused on the restoration of democratic rights and ending ethnic conflicts in Myanmar. The UN mandated and established the Special Rapporteur on the situation of human rights in Myanmar in 1992. It has been extended annually since then.^[37] The UNHRC had been regularly reporting about the gross violations of human rights including those of Rohingyas in Myanmar from 1992 onwards. ^[38]

However, UN intervened in Myanmar to facilitate the repatriation of 250,000 Rohingyas who fled to Bangladesh as refugees when army carried out 'Operation Dragon King' in Northern Arakan in 1978. Thanks to the intervention about 125,000 refugees were repatriated back to Myanmar. Similarly, UN intervened in 1989 after about 250,000 Rohingya sought refuge in Bangladesh when army launched an operation in Rakhine State. In 1992 also Rohingya refugees were repatriated with the help of the UN Human Rights Council (UNHRC).

In a significant move relevant to the Rohingya crisis, Ban ki Moon, UN Secretary General introduced 'Human Rights Up Front' initiative in 2016 to bring the UN system together to be mutually supportive, help prevention and prioritise human rights. The initiative also seeks to prevent the most serious life threatening violations.^[39]

The UN is involved in helping to resolve the Rohingya crisis 2017 in the following ways:

1. The UN Security Council and the General Assembly to discuss political measures to ensure accountability of Myanmar for its actions and take follow up measures to bring peace;
2. The Office of the Commissioner for Human Rights (OCHR) to monitor and report on human rights violations perpetrated against Rohingyas
3. Coordinating and organizing relief assistance to Rohingya refugees in Bangladesh and internally displaced persons in Rakhine State through the UN High Commissioner for Refugees, the UN Humanitarian Affairs and Emergency Relief Coordinator and the International Organisation for Migration.

At UN-supported humanitarian conference held on October 23, 2017 raised more than \$344 million to fund critical programmes for aid to Rohingya refugees. Thirty five donor countries also pledged in-kind aid worth \$50 million.^[40] At the functional level in Bangladesh the UN agencies were active in coordinating distribution of relief and assist Bangladesh authorities in maintaining relief camps.

UN Security Council action

The UN Security Council unanimously approved a strongly worded statement on November 6, 2017 urged Myanmar to “ensure no further excessive use of military force in Rakhine State” after the presidential statement condemned the violence that led to more than 600,000 Rohingya flee to Bangladesh after an insurgent attack on security forces on August 25, 2017 led to brutal retaliatory action by security forces. ^[41]

The Security Council on Monday expressed "grave concern over reports of human rights violations and abuses in Rakhine State, including by the Myanmar security forces, in particular against persons belonging to the Rohingya community." It asked Myanmar to restore civilian administration and apply the rule of law, and take immediate steps in accordance with their obligations and commitments to respect human rights. However, given the constitutional and structural limitations of Myanmar government is functioning it is doubtful whether

The U.S.

The US response to the Rohingya issue was slow in coming. Secretary of State Rex Tillerson said the US held the military leadership for the Rohingya issue drawing a distinction with Aung San Suu Kyi-led government and the military in handling the Rohingya issue. It has already put an embargo on all military sales; it further restricted its engagement with Myanmar army and withdrew all military aid to emphasize its condemnation of the brutal actions against Rohingyas.

The US does not appear to have a carefully worked out strategy in handling the Rohingya issue. Secretary of State Rex Tillerson, who vacillated upon the issue during his visit to Myanmar earlier in November 2017, later condemned ethnic cleansing of Rohingya in a strong statement. He said “After careful and through analysis of available facts, it is clear that the situation in Northern Rakhine state constitutes ethnic cleansing against the Rohingya” and the US supported an independent investigation into what happened in Rakhine state.

Bangladesh

The Rohingya issue had always been a source of friction between Myanmar and Bangladesh. But the 2017 Rohingya crisis with its extremist dimensions has increased Bangladesh concerns as Sheikh Hasina’s Awami League government has been carrying out intense operations against jihadi terrorism infesting the country. So Bangladesh is extremely wary of giving asylum to Rohingya refugees flooding the country lest jihadi groups also infiltrate with them.

However, both the government and people of Bangladesh had been sympathetic to the plight of Rohingya refugees. Bangladesh is accommodating and administering them despite its limited resources with help from international agencies. Bangladesh’s generous help and empathy despite resources crunch has been praised by UN agencies and many countries. The US has conveyed President Trump’s appreciation for Bangladesh for hosting a million displaced persons and assured of the US’ continued political and humanitarian support in addressing the Rohingya crisis.^[42]

According eyewitness accounts, Bangladesh government has set up a separate civilian authority to manage the refugee as soon as the crisis started.^[43] All domestic and international aid agencies can work only after gaining approval from this governing body. In September 2017, thousands of troops of Bangladesh army have been deployed to manage the refugee camps. They manage the headquarters where goods are stored and guard roads leading to the camps. The camps are divided into administrative zones under leaders chosen by the army. Each leader is responsible for 200 families and ensure everyone gets provisions from distribution sites and handle issues like resolving disputes. A large surveillance system has been set up and intelligence officers control entry into camps to ensure prevention of drug and human trafficking as well as control recruitment by Rohingya militant bodies.

INDIA

India has always been averse to allow the Rohingyas to cross over both legally and illegally. It is untenable to permit the entry of Rohingya refugees both from national security and political points of view. Bangladesh and Myanmar borders have been conduits for illegal smuggling of arms and drugs and human trafficking. This has encouraged a number of extremist groups operating in the northeast region to seek sanctuaries both in Bangladesh and Myanmar to enable them to carry out hit and run attacks.

So despite the magnitude of the human tragedy, New Delhi had firmly sealed the border to prevent entry of Rohingyas. Already in the state of Jammu and Kashmir, where Pakistan is waging a proxy war using Jihadi extremist groups, 40,000 Rohingyas have settled down illegally.

Evicting them has already become a political issue. In the northeast, illegal immigration is a major political and the ruling Bharatiya Janata Party came to power for the first time in Assam state with a promise to cleanse the state of lakhs of illegal Bangladeshi migrants.

However, India is providing humanitarian assistance to both Bangladesh and Myanmar to handle the Rohingya refugees and to facilitate their rehabilitation after their return to Myanmar. It has avoided using its political and diplomatic pressure on Myanmar to assist the early repatriation of Rohingyas. Bangladesh as close neighbor and ally of India is a little unhappy at this.

India launched Operation *Insaniyat* to organize delivery of 700 tonnes of relief material to Bangladesh for Rohingya refugees.[44] 'In the first consignment, it airlifted 53 tonnes of multiple consignments of relief material urgently required by the refugees – rice, pulses, sugar, salt, cooking oil, tea, ready to eat food, biscuits, mosquito nets etc.

India views rapid socio-economic and infrastructure development that would have a positive impact on all communities in Rakhine state as the only long term solution for the Rohingya problem. With this in view, India signed a memorandum in December 2017 with Myanmar for providing \$25 million over the next five years “intended to help the government of Myanmar achieve its objective of restoration of normalcy in Rakhine state and enable the return of displaced persons.” Proposals under the Indian assistance include prefabricated houses, building schools, healthcare facilities and building bridges in the state to help Rohingya refugees returning from Bangladesh.[45]

China

China had built multi-faceted relations with Myanmar during the period of military rule from 1962 to 2010. China's assistance largely enabled the military regime to partly neutralize the impact of international sanctions regime during the military rule. China became the main supplier of weapons and military equipment to Myanmar armed forces after international sanctions banned arms supply to the country. China has been involved in a number of strategically important projects along the coast of Rakhine State. Chinese firms were involved in the construction of 2380 km of oil and gas pipelines from Arakan coast to China's Yunnan Province. China is also involved in upgrading Myanmar's oil fields and refineries. Petrochina is building a major gas pipeline from Shwe oil field off Rakhine coast to Yunnan to exploit around three trillion cubic feet of natural gas. After 2011, China's influence had started waning a little due to entry of Western powers and India. The Bangladesh-China-India-Myanmar infrastructure link (BCIM corridor) is a strategically important part of President Xi Jinping's Belt and Road Initiative (BRI). So it has become imperative for China to ensure the security of along the Western borders of Myanmar, particularly Rakhine State.

Usually, China prides itself in not interfering in the internal affairs of other countries. Moreover, China, not unlike India, has close strategic relations with Bangladesh also. So it has been cautious in handling the Rohingya issue. So China seems to have decided to assume the role of a mediator between Bangladesh and Myanmar, in view of its strategic interests. China persuaded both Myanmar and Bangladesh to sign an agreement on November 23, 2017 to allow the return of Rohingya refugees back to their homes in Rakhine state in Myanmar. The three-point Chinese peace plan draws upon the detailed recommendations of Kofi Annan Commission (KFC) report on the Rohingya issue, submitted to Myanmar government in September 2017.

Though China has suggested the three-point plan to defuse the Rohingya crisis, it is significant that it did not condemn the human rights abuses committed against them. According to Chinese foreign minister Wang Yi, the first phase of the three-phase plan was “to effect a ceasefire on the ground, to return to stability and order, so the people can enjoy peace and no longer be forced to flee.” The second and third phases would facilitate an orderly return of those who have fled to Bangladesh and “work toward a long term solution on poverty alleviation” to resolve the Rohingya crisis in the long term.

Myanmar has managed to seal the borders and announced a ceasefire on the ground in Rakhine State. However, Rohingya population in Rakhine State continues to suffer restrictions and fear army. This has not created a climate of confidence required to encourage Rohingya refugees to return to Rakhine State as agreed upon between Myanmar-Bangladesh. China will not be able to provide meaningful economic assistance as part of the long solution unless the refugees return to Rakhine State. However, China is unlikely to pressurize Myanmar for reasons of real politick. Its carefully calibrated approach is aimed to retain its involvement in the critical issue without irking both Myanmar and Bangladesh. With this, probably it hopes to fill the space created by the US failure to come up with a plan to enable Aung San Suu Kyi to handle the Rohingya crisis more effectively.

PART IV: CONCLUSION

Rohingya's have for long sought to lead a normal and peaceful life, in the Rakhine state where they have probably been living since 14th century. However, after 1978 military crackdown and the denial of citizenship rendering them stateless under the new citizenship and nationalities act, they have been periodically leaving Myanmar periodically as refugees or to emigrate overseas. According to the Arakan Project quoted by BBC in January 2018, Rohingyas population estimates in various countries are: Myanmar-484,000, Bangladesh-947,000 (including those who migrated since August 2017), India 40,000, Indonesia-1000, Malaysia-150,000, Pakistan-350,000, Saudi Arabia-500,000, Thailand-5000 and UAE-50,000. [46]

Nearly two million expatriate Rohingyas are supporting the struggle for preserving the Rohingya identity and culture and to seek justice in Myanmar. So the Rohingya struggle both within and outside Myanmar is likely to continue. The rise of Jihadi terrorism is probably increasingly finds favour with disillusioned Rohingya population; this segment could overwhelm the moderate segment of Rohingya population. Thus at present condition in Rakhine State provides perhaps ideal conditions of radical Islamic groups supported by expatriate Rohingyas community and armed and trained by Jihadi extremist groups, particularly in Bangladesh.

Myanmar has so far been tardy in implementing strategies to create a safe environment for refugees to return to Rakhine State with confidence. Myanmar has no option but to progressively implements an action plan based on the Koffi Annan Advisory Commissions's recommendations to create a safe and friendly environment. Aung San Suu Kyi as a leader of international stature, should be encouraged to draw up plans to integrate Rohingyas in the national mainstream. The government will have to systematically carryout a nation-wide integration campaign in schools and work places to create better understanding between Buddhist Bamar community and Muslims as a whole. Only then the government structural and systemic reforms both in the constitution and governance would become meaningful to yield long term results to usher in permanent peace.

Unless the 2008 constitution is amended to end army's role in the legislature and government, the elected civilian government cannot be expected to function effectively. Then only it can take charge and be accountable for defence, internal security and border security which are at present controlled by the commander in chief. Till Aung San Suu Kyi gathers enough support among the people and political parties to amend the constitution to make it truly democratic, she will continue to be compelled to make compromises on the Rohingya issue.

In the near term, international community has to ensure that Bangladesh is provided all assistance and resources to look after nearly a million Rohingya refugees. It should also assist Bangladesh in preventing spread of extremism among Rohingya refugees. Both Bangladesh and Myanmar should be encouraged to continue their bilateral interactions to evolve and implement a time-bound plan for systematic repatriation of refugees. Political and diplomatic intervention and development assistance by India, China and ASEAN can help this process to progress. They can also use their influence to ensure Myanmar creates suitable conditions are created in Rakhine State for Rohingyas to return home and settle down to resume their normal lives.

Rohingya insurgency in Rakhine State has the potential to grow in strength with the support of expatriate Rohingyas with its international fall out. As Kofi Annan cautioned “unless concerted action – led by the government and aided by all sectors of the government and society – is taken soon, we risk another cycle of violence and radicalization, which will further deepen the chronic poverty that afflicts Rakhine State.”^[47]

International community has to understand Myanmar government’s limitations in acting positively due to constitutional and legal road blocks. Rather than periodically threatening to impose sanctions, UN interlocutors can be usefully engaged to work out solutions with the military hierarchy and the government to cooperate in amending the citizenship and nationalities enactments. Major Powers involved in the region can use their strength to influence Myanmar to take measures to act positively on this aspect.

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