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Contacts:
Lynn Yoshikawa & Melanie Teff

BANGLADESH: THE SILENT CRISIS

The Rohingya ethnic minority of Burma are trapped between severe repression in their homeland and abuse in neighboring countries. Bangladesh has hosted hundreds of thousands of Rohingyas fleeing persecution for more than three decades, but at least 200,000 Rohingya refugees have no legal rights there. They live in squalor, receive very limited aid and are subject to arrest, extortion and detention. Unregistered refugee women and girls are particularly vulnerable to sexual and physical attacks. The international community must urge the Bangladeshi government to register undocumented refugees and improve protection for all vulnerable Rohingyas. Donor governments must also work to restart and increase resettlement of refugees to a third country and increase assistance for communities hosting refugees.

BACKGROUND

The Rohingya ethnic minority of Burma is one of the most persecuted groups in the world. Stripped of their citizenship by the Burmese government in 1982 and forced to flee through violent military campaigns and sustained persecution, over one million Rohingyas now live in exile in Bangladesh, Malaysia, Saudi Arabia and Pakistan. Inside Burma, approximately 800,000 Rohingyas live in three townships in Northern Rakhine State, a densely populated region and the poorest part of an already impoverished country. Rohingya children are three times more likely to die before their fifth birthday than other children in Burma and malnutrition rates frequently exceed emergency levels. The World Food Program reported that the food security in the region has worsened over the past two years, with two-thirds of the population hungry.

The Rohingya in Northern Rakhine State are subject to particularly severe violations of their human rights, including systematic violence and discrimination by the Burmese border military, known as the NaSaKa. The 1982

POLICY RECOMMENDATIONS

- Key donor governments, particularly Australia, Canada, the U.S. and the UK, should work with the Bangladeshi government and UNHCR to register undocumented Rohingya refugees in order to strengthen protection and humanitarian assistance and reduce sexual and gender-based violence.
- Key donor governments should develop a large-scale, needs-based assistance program to assist impoverished local communities hosting Rohingya refugees.
- The U.S. government, together with other recipient countries should initiate large-scale resettlement programs for registered Rohingya refugees.
- Donor governments should rapidly mobilize \$2 million to meet the World Food Program's funding gap to ensure the provision of full food rations in the official refugee camps this year.

citizenship law left them stateless and rendered them illegal migrants in their own country. They are the only ethnic group in Burma restricted from marriage, traveling beyond their village or building or maintaining religious structures. In addition, they are subject to frequent forced labor, arbitrary taxation, sexual violence and land confiscations by the NaSaKa.

Family lists, the basic registration system in Burma, include the names of all residents of each household. For Rohingyas, the lists also include a tally of livestock, and are checked by the NaSaKa on a regular basis. If a resident is not present during a family list check, their name is struck off and the resident is not allowed to return unless an exorbitant tax is paid. Rohingyas in Bangladesh told Refugees International (RI) that even if they could survive in their homeland, they could not sleep at night due to the deep-seated fear of arrest and abuse by the NaSaKa.

Violent Burmese military campaigns have been waged against the Rohingya leading to mass influxes into eastern Bangladesh in 1978 and 1991-1992, the vast majority of whom were forcibly repatriated. Today, only 28,000 are recognized as refugees with the Government of Bangladesh and live in Kutupalong and Nayapara camps. Registered refugees receive basic health services, primary education and food rations but about 5,000 of the camp residents were not properly registered and are barred from receiving food rations. At least 200,000 Rohingyas, which include new arrivals and those who had returned after being repatriated, live in unofficial refugee settlements and local villages, mainly in Cox's Bazar district. The Government only allows the UN Refugee Agency (UNHCR) and NGOs to work with refugees living in the official camps and even lifesaving activities targeting unregistered refugees are not authorized.

DEVELOP A REFUGEE POLICY BASED ON TOLERANCE

The central government has conducted a review of its policy on Rohingya refugees in the past year, but the cabinet has repeatedly delayed its finalization. Pending this finalization, the Government of Bangladesh has increased restrictions on aid agencies and centralized all decision-making pertaining to both the registered and unregistered refugees at the Dhaka-level, significantly delaying aid operations. Despite reports of global acute malnutrition rates of 30% in Kutupalong makeshift camp, which is double the emergency threshold, the Government has denied permits for aid agencies to assist unregistered refugees and host communities. Shelters are falling apart and are

unlikely to resist the upcoming monsoons. In the official camps, government officials abruptly halted refugee resettlement and have closed all income-generating activities, including small shops and tailoring, stating that skills were provided to only help refugees upon their return to Burma.

Enhancing the protection and self-sufficiency of all refugees would improve Bangladesh's internal security and rule of law, in addition to its record on refugee rights. Keeping hundreds of thousands of people undocumented limits adequate government oversight of activities on its territory and creates an environment permissive to criminality, including trafficking, corruption and exploitation. Furthermore, a new comprehensive aid package for Cox's Bazar, would help the district meet the Millennium Development Goals, which is unlikely to occur on its current track. Providing refugees with the right to work would reduce tensions over job competition, stabilize local wages and ensure that Bangladesh workers are not put at a disadvantage.

REGISTER THE UNPROTECTED

The Government of Bangladesh should work closely with UNHCR to establish a system to register vulnerable and undocumented refugees in order to provide urgent humanitarian aid protection against arrest and deportation and ensure access to justice. There are an estimated 200,000 to 500,000 unregistered Rohingyas living in Bangladesh. While some Rohingyas have been able to gain legal status or integrate into local communities, which share the same language, customs and religion, a significant number have no documentation and are subject to arrest, detention and a litany of abuses, including rape, starvation and indefinite detention and no recourse to justice when they suffer physical or sexual assaults.

Refugees are often arrested while collecting firewood in the nearby national forest or while working. If they are unable to pay a bribe or obtain a guarantee from a Bangladesh national for their immediate release, refugees are often charged with illegal entry and sent to jail. Refugees told RI that a bribe between \$110 to \$400 is required for release, forcing many families into heavy debt. One man interviewed by RI spent over five years in jail waiting for his family to pay a \$300 bribe. Over 300 Rohingyas are estimated to be in severely overcrowded conditions in Cox's Bazar jail, which houses about 3,000 prisoners in a space meant for 800. Fifty-eight Rohingyas in jail have completed their sentence, some more than a decade ago, but they have no family or relatives to pay a bribe and the Burmese authorities refuse to allow them back in Burma, leaving them in indefinite detention.

The 2008 national elections have exacerbated the vulnerability of unregistered Rohingyas. During the voter registration drive, thousands of undocumented Rohingyas were evicted from the villages where they had been living, often for more than a decade. They were driven to the precarious hillsides surrounding the Kutupalong official camp where they set up crude shelters and have since been struggling to survive. In 2009 and 2010, the government launched brutal crackdowns on Rohingyas in Bandarban and Cox's Bazar districts and the population of the Kutupalong makeshift camp peaked from 4,000 in 2008 to over 34,000 refugees in early 2010 - outnumbering those in the official camp. UNCHR was denied access and no aid agencies were officially permitted to provide assistance. Refugees feared leaving the camps to find jobs or food due to the intense campaign of arrests and violence, resulting in alarming malnutrition rates.

The upcoming roll-out of national ID cards may exacerbate the exclusion of unregistered refugees by further depriving them of access to jobs and services, making the registration of all refugees even more urgent. Since the voter registration drive, unregistered Rohingya children can no longer attend government schools due to requirements to show documentation of both parents and children. Contrary to its obligations under the Convention on the Rights of the Child, the Government of Bangladesh does not register Rohingya children born on its territory unless both parents can prove Bangladeshi nationality. This perpetuates Rohingyas' statelessness and lack of identity. Aid agencies also report increasing pressure from local authorities to ensure that aid beneficiaries present identification to access nutrition programs and micro-credit schemes. Job opportunities could also become restricted to ID card holders.

INCREASE SECURITY FOR WOMEN AND GIRLS

Without any legal rights for unregistered refugee women, a climate of fear and impunity pervades the unofficial settlements reinforced by the lack of accountability and oversight. Since last year's crackdown, reports of sexual violence against unregistered refugees have increased, yet services remain at a bare minimum. The registration of refugees should guarantee access to justice and humanitarian assistance, so that sexual and gender-based violence (SGBV) can be adequately prevented and addressed. Despite existing obstacles to addressing SGBV in Bangladesh, UNHCR has been able to make progress with registered refugees by raising awareness, increasing women's leadership roles and supporting legal cases. Nonetheless, UNHCR staff say their efforts are "only the tip of the iceberg" given the scale of abuses. For unregistered refugees, these crimes remain

invisible and the deep mental and social trauma on survivors and their communities remain untreated.

Sexual violence, early and forced marriages and domestic violence are endemic in both the host and refugee communities, but the stressful living conditions and the lack of access to the police or justice system and stressful living conditions for refugee women increase the risk of abuses. There are a high number of widows and women-headed households among Rohingya communities – estimated as high as 44% in Kutupalong makeshift camp – due to frequent arrests and work migration of male family members. Without a breadwinner, many women are forced to engage in begging and sex work and children are sometimes trafficked for domestic work in order to survive. Women are often reluctant to report sexual violence and need permission from their husband and local leaders to seek healthcare in the conservative, male-dominated society, which also severely limits the ability to provide much-needed support and raise awareness.

Donor governments and UNHCR should work with local authorities to increase refugee participation in the security patrols, organize protection for women collecting firewood and water and improve the safety of latrine areas to prevent sexual violence against women. Residents from Kutupalong and Leda unofficial sites told RI that there is no security and women are frequently attacked and raped when they go to latrines or to the forest to collect firewood. Kutupalong makeshift camp has no formal security arrangement. Leda site is patrolled by local Bangladeshi volunteers and border forces organized by an NGO, but they do little to protect refugees against a network of powerful locals. One refugee woman said, "We never feel safe. The villagers come in whenever they want and they do whatever they want." RI was told that refugees are routinely charged by locals at the gate for leaving the camp and are often robbed when they return.

Government restrictions on aid projects targeting unregistered refugees and host communities should be immediately lifted to reduce local resentment of refugees. In 2008, RI noted tensions between the impoverished local communities and the refugees in Leda over scarce water and fuel resources and now the situation is spiraling downward. During RI's March visit, no water was available for one week because of threats by a powerful local against those responsible for trucking it in. Primarily women and children were forced to collect water from wells in nearby villages but faced regular attacks, including rape, from locals. Three women interviewed by RI were attacked by a villager with a stick that morning and their families had to

go without water. One woman said, “Anywhere is better for us. Even the fire, the sea or desert. It’s better even to kill us,” a sentiment echoed by other refugees.

To mitigate SGBV against registered refugee women, UNHCR should urge the Government to switch to individual ration cards, as the current system disadvantages women. The current family-based ration cards are usually in the name and control of the male head of household, making it difficult for women to separate from abusive husbands without losing their ration. Furthermore, UNHCR should urgently address its frequent fuel pipeline breaks, which place refugees, particularly women and girls, in danger of arrests, rapes and attacks as they are forced to collect firewood outside the camp. Expansion of sustainable sources, like biogas, and improved budget planning by UNHCR would help avoid the cuts to fuel rations.

INCREASE AID FOR COMMUNITIES HOSTING REFUGEES

Communities hosting refugees are long overdue for increased development aid. Cox’s Bazar, bordering Burma and hosting the bulk of refugees, is one of the poorest districts in Bangladesh and is in economic decline, at an annual rate of 3%. The socio-economic indicators of local residents are well-below the national averages and only marginally better than refugees. These factors led five UN agencies to develop the Joint Initiative for Cox’s Bazar, a two-year, \$33 million development plan to strengthen education, health, livelihood and governance programs, but it failed to gain the Government’s approval. Government officials said that the improving conditions in Bangladesh would create pull factors for Rohingyas in Burma and instead, the program should be implemented in other poor districts.

While the rejection of the Joint Initiative is deeply disappointing for both aid agencies and local Bangladeshis, donor governments should continue to leverage their aid efforts and increase aid to Cox’s Bazar. They should urge the Government of Bangladesh to ensure national programs operate on a non-discriminatory basis and allow joint projects for both unregistered refugees and host communities. Such joint programs were promoted in the past year on a small-scale and have reduced tensions with locals. If expanded, these initiatives could help Cox’s Bazar indicators catch up with the rest of the country to meet the Millennium Development Goals. One villager said, “We are poor and they are poor. It’s better if NGOs help us all.” Such a program would also recognize the generosity of impoverished host communities over the past three decades.

IMPROVE CONDITIONS IN THE OFFICIAL REFUGEE CAMPS

In order to better support Rohingyas in the two official refugee camps, donor governments should increase funding for food and expand resettlement and education programs. First, donor governments must immediately mobilize \$2 million for the World Food Program (WFP) to avoid a humanitarian crisis. The U.S. and Canadian governments have already contributed cash and in-kind aid but without additional funds, the food pipeline could break in May. The funding gap has forced WFP to cut rations, which no longer meet the daily nutritional needs. The current global acute malnutrition rate of 14.6% in the official camps is almost at the emergency threshold - just months before the beginning of the seasonal hunger season. The situation is serious. With restrictions to livelihood activities and frequent sharing of rations with unregistered refugees in the makeshift camp, traditional coping mechanisms have already been degraded.

In February, the Government of Bangladesh requested large-scale resettlement of the 28,000 registered refugees from the official camps and this should move forward. First and foremost, the Government must lift its hold on resettlement processing imposed in October 2010 in order for resettlement countries to seriously consider the request. The U.S. government launched a successful resettlement program for more than 90,000 Burmese refugees from Thailand and Malaysia, but less than 100 Rohingyas have been resettled from Bangladesh. The U.S. government should work with other resettlement countries – such as Canada, the UK, Australia, Sweden and Norway – to accept more Rohingya refugees, while finding durable solutions with Bangladesh for those who do not want or are unable to resettle.

In addition, the Government of Bangladesh and UNHCR should expand secondary education programs, as previously agreed, to provide opportunities and hope for the large number of children in the camp. UNICEF only focuses on primary education and is expected to withdraw from the camp next year. UNHCR should be funded to bring in a new partner, strengthen the education program and expand secondary education opportunities.

Lynn Yoshikawa and Melanie Teff assessed the plight of Rohingya refugees in Bangladesh in March 2011.