Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Bangladesh - Researched and compiled by the Refugee Documentation Centre of Ireland on 30 June 2010

Re: Treatment of Rohingya in Bangladesh (information from 2010 only) including by police and if subject to mistreatment (i.e. detention and abuse) because of status (i.e. if illegal)

Information on the judicial process – how are Rohingya treated in court (information from 2010 only)

An article on the Rohingya in Bangladesh from *Radio Free Asia* states:

> "Bangladesh has rejected a U.N. proposal that it grant refugee status to tens of thousands of ethnic minority Muslims from Burma who fled in hope of asylum and a better life, Bangladesh Foreign Secretary Mohamed Mijarul Quayes has said. "They must go back to their land," Quayes told reporters Saturday in the Bangladesh capital, Dhaka, according to news reports. Some 200,000 Rohingya, ethnic Muslims who live in fear of arrest and deportation and lack access to the services provided at international refugee camps, have fled to Bangladesh from Burma, whose authorities don't recognize them as citizens. Bangladesh does recognize as refugees some 28,000 Rohingya who live in two official camps run by the U.N. High Commissioner for Refugees (UNHCR) and the Bangladesh government. Quayes said Bangladesh won't extend that recognition to any more asylum-seekers. Authorities in Bangladesh fear recognizing them would encourage a flood of new migrants." (Radio Free Asia (12 April 2010) *Myanmar, Bangladesh: "Rohingya Rejected Again"*)

A report from the *Congressional Research Service* states:

> "The Rohingya, a Mulsim ethnic group from Burma's western Arakan state, have sought refuge in Bangladesh for decades. The most recent Rohingya refugees include an estimated 250,000 to 260,000 who fled Burma in 1991-1992. In 2010, it was estimated by one source that 400,000 Burmese nationals, most of whom belong to the Rohingya group, were in Bangladesh, predominantly in the Cox's Bazaar district, along with approximately 28,000 Rohingya who are registered as refugees and are living in a United Nations camp. Another source estimated the number of Rohingya in Bangladesh in 2010 to be 220,000 with an additional 700,000 Rohingya still in Burma. The United Nations High Commissioner for Refugees (UNHCR) has sought to assist the repatriation of the Rohingya. Since 2006 it has resettled 749 Rohingya from those in the registered camp in Bangladesh to third countries.74 It has been reported that Bangladesh initiated a crackdown in 2009-2010 that led to the arrest of over 500 Rohingya, pushed an estimated 6,000 Rohingyas into the Kutu-Palong camp near the border with Burma, and pushed an additional 2,000 back over the border into Burma.75 Bangladesh has also reportedly sought the assistance of China to influence

> Burma to take back the Rohingya refugees. Burma reportedly agreed to take back 9,000 of the 28,000 refugees in December 2009.76" (Congressional Research Service (1 April 2010) *Bangladesh: "Political and Strategic Developments and U.S. Interests"*)

Under the heading d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons the *United States Department of States* annual report on Bangladesh states:

> "According to the UNHCR, there were cases of abuse against refugees, including rape, assault, domestic abuse, deprivation of food, arbitrary detention, and documentation problems. However, there were fewer such incidents reported in previous years.
>
> As in previous years, the government continued to ignore UNHCR requests to allow Rohingya refugees who were unable to return to Burma to work locally, get medical care, or attend school outside the camps. The government began to allow the UN Children's Fund (UNICEF) to operate schools through grade five in the camps. In practice, however, the provision of basic services from the UNHCR and other NGOs meant registered refugees often received better medical care than individuals in surrounding villages. The government insisted all Rohingya refugees remain in camps until their return to Burma. The government claimed Rohingya refugees were not allowed to possess money and that money in their possession could be confiscated. In practice, enforcement of these rules remained sporadic and depended on local authorities. For example, many refugees worked illegally as manual laborers or rickshaw pullers in the unregulated economy, and small numbers of students studied with the assistance of private tutors and participated in countrywide school exams through the high school level." (United States Department of State (11 March 2010) *Bangladesh: "Country Report on Human Rights Practices 2009"*)

A report from *Médecins Sans Frontières* states:

> "A violent crackdown against stateless Rohingya in Bangladesh is forcing thousands of people to flee in fear. Driven from their homes throughout Cox's Bazaar district by local authorities and citizens, many have sought refuge at Kutupalong makeshift camp. Here, medical organisation Médecins Sans Frontières (MSF) is treating victims of beatings and harassment, including people the Bangladeshi Border Force has attempted to forcibly repatriate to Myanmar. As camp numbers continue to swell, conditions pose a significant risk to people's health.
>
> In a report released today, February 18, 2010, MSF calls for an immediate end to the violence, along with urgent measures by the Government of Bangladesh and United Nations High Commission for Refugees (UNHCR) to increase protection to Rohingya seeking asylum in the country." (Médecins Sans Frontières (18 February 2010) *Bangladesh: "Stateless Rohingya victims of violent crackdown in Bangladesh")*

A 2010 report from *Physicians for Human Rights* states:

> “In an apparent attempt to dissuade the influx of any further refugees fleeing anticipated repression prior to elections in Burma later this year, Bangladesh police and border security forces are now systematically rounding up, jailing or summarily expelling these unregistered refugees across the Burmese border in flagrant violation of the country’s human rights obligations. Although Bangladesh has not acceded to the UN refugee convention, it is minimally obligated to protect this vulnerable population against refoulement (forced deportation across the border).
> Arbitrary arrest and expulsion by Bangladeshi authorities have acutely restricted all movement out of the unofficial camp, effectively quarantining tens of thousands of refugees in what one experienced humanitarian called “an open-air prison.” Because refugees fear leaving the camp, they are no longer able to find work to buy food. This confinement, coupled with the Bangladeshi government’s refusal to allow unregistered refugees access to food aid, presents an untenable situation: refugees are being left to die from starvation.” (Physicians for Human Rights (March 2010) *Bangladesh, Myanmar: "Stateless and Starving: Persecuted Rohingya Flee Burma and Starve in Bangladesh"*)

The report goes on to say

> “The Bangladeshi government’s ongoing crackdown against Rohingya refugees appears to be coordinated among local authorities, police, border security forces, and the ruling political elite. Bangladeshis near the southern coastal town of Cox’s Bazar have formed Rohingya “resistance committees” that demand the expulsion from Bangladesh of the Rohingya. Bangladeshi authorities threaten villagers with arrest if they do not turn in their Rohingya neighbors. Local media disseminate ominous anti-Rohingya propaganda in editorials and opinion pieces, all of which incite xenophobic antagonism among local inhabitants.” (Ibid)

An article from *IRIN News* states:

> “The Rohingya - an ethnic, linguistic and religious minority who fled en masse from neighbouring Myanmar decades ago - have long had a tenuous relationship with the Bangladeshi authorities.
>
> Under Myanmar law, they are de jure stateless.
>
> The Bangladeshi government views the Rohingya as illegal migrants, while local resentment over jobs and resources has intensified in recent months.
>
> In an 18 February report, MSF calls for an immediate end to the violence, which has already forced thousands to flee the district and head to the makeshift camp.
>
> Due to the crackdown, the number of unregistered Rohingya has swelled at the makeshift site by more than 6,000 since October, including 2,000 in January alone, according to MSF.

> The Arakan Project, an advocacy organization for Rohingya, reported on 16 February that Bangladesh law enforcement agencies had been targeting unregistered Rohingya in Cox's Bazar District since January.
>
> A similar campaign in Bandarban District, which started in mid-July 2009, is ongoing, it said." (IRIN News (18 February 2010) *Bangladesh, Myanmar: "Rohingya humanitarian crisis looms")*

A report from *BBC News* states:

> "Last month, another medical aid group, Medecins Sans Frontieres, also warned of a humanitarian crisis unfolding in a squatter camp where a growing number of Rohingya refugees now live.
>
> Another report, released by the Arakan Project, a Bangkok-based lobby group, made similar claims.
>
> UK-based aid group Islamic Relief Worldwide pulled out of Bangladesh last month because the government did not permit them to work with nearly 13,000 unregistered Rohingyas in the south.
>
> The Rohingyas are Muslims from north-west Burma who speak a dialect of Bengali.
>
> They are among the world's least wanted and most persecuted people.
>
> Burma denies them citizenship and refuses to let them own land. It does not allow them to travel or marry without first seeking permission. " (BBC News (9 March 2010) *Bangladesh 'ignoring plight' of starving Burma refugees*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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