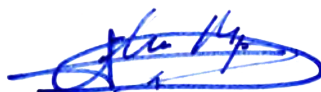


A thesis submitted in fulfillment
of the requirements for the Master degree of
Citizenship and Human Rights: Ethics and Politics
at University of Barcelona

by
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The challenged identities of the stateless Rohingya

Visto bueno:

A handwritten signature in blue ink, appearing to be 'José Antonio Estévez Araujo', written over a horizontal line.

Supervisor: José Antonio Estévez Araujo

2015/2016

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List of abbreviations

ASEAN = Association of Southeast Nations

BNP = Bangladesh Nationalist Party

BDT = Bangladesh Thaka

EFA = Education For All

IDP =Internally Displaced Person

IOM = International Organization for Migration

MoU = Memorandum of Understanding

NaSaKa = Nay-Sat Kut-Kwey Ye

NDPHR = National Democratic Party for Human Rights

NLD = National League for Democracy

NRC = National Registration Card

RM = Malaysia Ringgit

RSM = Rohingya Society in Malaysia

TRC = Temporary Registration Card

UDHR = Universal Declaration of Human Rights

UNESCO = The United Nations Educational, Scientific and Cultural Organization

UNHCR = United Nations High Commissioner for Refugees

WFP = World Food Program

Introduction

While the international community applauds democratization of the country, and as the US and the EU lift sanctions, Myanmar remains one of the top refugee-producing countries, accused by a number of INGO's for silently witnessing a 'slow genocide'¹ of the Muslim minority known as the Rohingya.

Myanmar's long history counts 124 years of British colonial rule, followed by 12 years of independence that was interrupted by a military coup in 1962. The coup consequently resulted in 49 years of military rule.

In 1989 the military regime changed the name of the country from Burma to Myanmar. Many countries around the world, as well as the democracy movement inside Myanmar prefer the denomination Burma, since they do not recognize the legitimacy of the unelected military regime. The United Nations accepted the name Myanmar, relying on the principle that every member country can name itself as it wishes.²

In this thesis, I will use both names for the country, respective of their chronological applications. If the event took place before 1989, I will call the country Burma. If it was after, I will use the adopted name, Myanmar. However, I will keep the denomination "Burmese" for the country's people.

There is a certain pattern among post-colonial countries where nation-building and the rise of nationalism often turn into identity-based conflicts. Rohingya Muslims are not included in Myanmar's list of 135 official minorities, which is one of the reasons the international media and human rights organizations recognizes them as the world's most persecuted minority. However, the case of the Rohingya is more complex, as they are not only discriminated based on ethnicity and religion. Ever since the publication of the 1982 Citizenship Act, which deprived them of the right to citizenship, they have been denied their basic human, political, economic, and social rights. Stripped of their nationality, they inevitably lost the right to have any rights at all.

¹ Of the five acts of genocide spelled out in the 1948 United Nations Convention on the Punishment and Prevention of the Crime of Genocide, four of these acts have been committed against the Rohingya in Myanmar. Both the Buddhist society and the state have committed the first four acts, which include intentional killing, harm to body and mind of the victims as a group, inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, and preventing births (Found in: Maung Zarni and Alice Cowley, *The slow burning genocide of the Myanmar's Rohingya*, Pacific Rim Law & Policy Journal, volume 23 no.3, Seattle, 2014, p.705)

² BBC News, Should it be Burma or Myanmar?, 2007, available at: <http://news.bbc.co.uk/2/hi/7013943.stm>

What started as a political conflict, during the years of military rule, eventually turned into a social conflict that was manipulated by the regime. This resulted in a nation-wide hatred towards the Rohingya. It is more than just a coincidence that the most attractive areas, rich with minerals, gas and oil are in the same time the ethnic areas, in conflict with authorities throughout the country. In this context, one might assume that only the government would benefit from a conflict between ethnic groups, and the evidence of that same government fueling the violence only goes on to prove this.

In retrospect, it is apparent that the only thing that many Burmese and the military junta agreed upon is their mutual animosity towards the Rohingya.

Both Burma's current Constitution and the Citizenship Act of 1982 secure indigenous status to everyone that was permanently residing in Arakan³ or in the Union of Burma before 1825.⁴ Even though most Rohingya can trace their ancestry at least back to colonial times, many lack the formal documents to prove it due to several exoduses over the years of unstable governance. This gave their government a big enough reason to revoke their citizenship and label them as Bengalis, a derogatory term that defines and treats them as illegal immigrants from Bangladesh.

Recognized as stateless by their own government, the Rohingya people of Arakan are now scattered around the world. What is left of the Rohingya in Myanmar - an estimated 1.1 million - is concentrated in Rakhine State in the northwest part of the country, on the border of Bangladesh. Although Myanmar has no official state religion, Rohingya Muslims have been severely discriminated against in Rakhine, as well as in the rest of the country. The government is inclined towards Theravada Buddhism, the religion of the Bamar people who are the dominant ethnic group in Myanmar, and the majority of the population. The Rakhine people, though culturally distinct from the Bamar, are ethnically related to them and speak a dialect of Burmese.

This thesis is focused on the empowerment of Rohingya refugees and asylum seekers, as well as the alternative and unorthodox ways of education in the community that has been affected by violence and restrictions of movement, and is currently in exile.

³ Arakan is a former name for the Rakhine state, a region situated in western Myanmar where most Rohingya live.

⁴ Burma Citizenship Law 15 October 1982, Pyithu Hluttaw Law No 4 of 1982, Section 3 (It defines citizens as “nationals such as the Kachin, Kayak, Chin, Burman, Mon, Rakhine or Shan and ethnic groups as have settled in any of the territories...from a period anterior to 1185 BE 1823 AD)

Since the 1990s, education has become one of the top priorities in the humanitarian sector.⁵ Even though there are several international treaties that legally assure the right to education for all, some groups happen to be excluded. Given that the refugees living in the camps unregistered by an INGO do not have secure access to relief aid, one might assume that there are no educational systems inside these camps.

After the field research I conducted in Bangladesh and Malaysia I have drawn the conclusion that education is as a matter of fact one of the highest priorities, both among the registered and the unregistered Rohingya refugees,⁶ who live in camps as well as in developed cities and countries.

Upon closer examination, the division of the community is not only physical and geographical, but there is a huge social gap and mistrust created by feelings of abandonment by one's own government, sectarian violence and the practically innate fear of any authority figure. The question of mistrust and community fragmentation due to psychological trauma is extremely important, and it is something completely overlooked by traditional media. This kind of mistrust is like a virus that affects even the most noble and genuine, and this time it has led to a general disunity of the Rohingya people. This is not to say that there is a certainty that unity would lead to some kind of a solution. However, I was able to observe how numerous leaderships inside a single community were able to achieve very little, at least for their community as a whole. On the other hand, one idea is shared amongst many. All members of the community see education as the highest value, and I would argue that with the progression and development of educational systems, much could be done in terms of conflict prevention.

The first part of this thesis attempts to analyze the complex history of what was once Arakan, which is now divided between Rakhine state and Southern Bangladesh, in relation to Rohingya origins. I will also focus on the root of the yearlong animosity that eventually escalated into violence, and how it resulted in making the Rohingya stateless in their country of birth and becoming refugees around the world.

⁵ In 1990, the international community with 155 countries met in Jomtien, Thailand, where the "World Declaration on Education for All" was adopted. In 2000 in Dakar, Senegal, the international community met again. They agreed on the "Dakar Framework for Action" which re-affirmed their commitment to achieving Education for All by the year 2015, and identified six key measurable education goals aiming to meet the learning needs of all children, youth and adults.

⁶ Registered Rohingya refugees have managed to apply for protection with the UNHCR. A registration card provides them with access to services, but does not always protect them from arbitrary arrest and detention. Unregistered refugees have no protection or access to services whatsoever.

The second part of this thesis aims to understand life in exile, explaining in two chapters the different struggles faced in different countries.

Part three uses the framework introduced in the previous chapters to try and deal with the question of trauma and the importance of community in a trauma-prone environment. I will introduce some strong and irrepressible characters that I personally viewed as community heroes because of their enormous efforts and tireless work that is primarily focused on educating the children through a system of self-organized and self-constructed schools. Throughout this chapter, there is an emphasis on the importance of education for those with challenged identities, documented through the eyes of the interviewees, including children, adolescents, mothers and teachers.

Methodology

This thesis puts into focus Bangladesh and Malaysia as two important countries in the regional picture of the displacement of stateless Rohingya. It focuses both on the ‘newly’ arrived refugees as well as the refugees that were born in the host country. It is based on 70 interviews and 3 focus-group discussions (women, teachers, youth) with stateless Rohingya refugees, living in and around Teknaf (Bangladesh), Kuala Lumpur and Penang (Malaysia) and the villages surrounding these areas. In Bangladesh, I have chosen to work with three different interpreters, in order to avoid the risk of subjectivity as much as possible. In order to gain a better perspective on the lives of the people living inside and around the refugee camps, I have worked with interpreters belonging to these communities. Three interpreters helped this research: Amir, previously residing in Leda unregistered camp, now living in Chittagong,⁷ Ali, living in Nayapara registered camp, and Zahid, currently residing in Leda unregistered camp. Prior to each interview the purpose of the research was explained to the contributors and I obtained verbal consent for their participation in the recording of our conversations. The names of the refugees quoted in this report have been changed to protect their identity.

Other than formal interviews with Rohingya refugees, this thesis is also backed by the interviews with individual experts who work on the Rohingya issue, as well as constant informal discussions with leaders, activists and friends within the Rohingya community

⁷ Chittagong is a city in southeastern Bangladesh, and the second largest city in the country.

over the course of the research. Even though the majority of interviews took place between January and May 2016, the report is up-to-date as of September 2016. Interviews focused on individual stories that together tell a history of highly oppressed people with little or no voice, stateless and without a legal status. The lack of these substantial rights directly results in discrimination and exploitation, limits to freedom of movement and the right to work, and finally children's rights - with a special emphasis on education.

A thorough literature comprehension preceded this research, including information on the history of Myanmar, following a research on Bangladesh and Malaysia as host countries and their legal framework regarding refugees. The thesis was flexible to changing context by adapting its focus and conducting additional research. One such addition was my short visit to Rakhine State in May. I will portray the Rohingya still living there through a general picture of the community that they contribute to, but I will not engage in a thorough report of their living conditions in Myanmar. This decision was made after many obstacles I faced in an effort to interview them, but even more so for their complete and utter disempowerment, crowned with an absolute restriction of movement. I decided that the few interviews I was able to conduct and everything I witnessed does not suffice to create a chapter of it, as it could not contribute to the scope of my thesis, which aims at the empowerment and the evolution of Rohingya identities, and not the total denial and rejection of them.

Limitations of the Research

There were several things that appeared as obstacles in the beginning of this research. First of all, there is an overall lack of materials and literature on the subject of the Rohingya. Secondly, there is a gap in the official reporting on the current condition of the Rohingya, especially in Myanmar. This comes most likely as a result of various Burmese regimes concealing evidence surrounding the conflict for years.

Many books on the topic, especially the ones offering evidence of the origins of Rohingya and the history of Arakan, are only available in Burmese.

When it comes to the field research, one significant challenge was the constantly evolving situation, driven by political changes in Myanmar. In the eye of the November Election, there was a rise of hope among refugees. This directly influenced the way they

spoke about their present situation, hopes for the future, and sometimes even their past. Since my first contact with Rohingya in person happened in January this year, I got to witness the amount of trust that was laid on Aung San Suu Kyi, and the first Democratic government that was taking office on April 1st. Even the saddest of stories would end in a smile if her name were mentioned. This hopefulness is also one of the main reasons behind a decrease in number of people escaping the country. This is especially relevant in the case of many Rohingya escaping by boat, taking perilous and often deadly journeys to Malaysia.

Many spoke about their future with more enthusiasm, as the hope for the NLD to push towards the solution was spreading fast, after their landslide victory.

So far, their trust was rewarded with nothing but silence, and their patience with new acts of violence.

I found difficulty in gaining permission to many areas populated by Rohingya. In Bangladesh, I was not granted access to two registered refugee camps, both controlled by the UNHCR. The situation in the unregistered camps was not much better. Since the conditions are very dire, and they are not in any way improving with time, the social gap and hostility amongst the refugees themselves is on the rise. Sometimes I was not welcomed by everyone, due to conflicting feelings or rivalry between members of the community. This in particular resulted in a few unpleasant experiences in two unregistered camps, leading to an encounter with Bangladeshi authorities, and eventually slight restriction of my movement within these areas.

It is important to mention that most of my work was done with the help of an interpreter. Unfortunately, many times it happened that the translation would contain only the essential elements of a conversation, eliminating a lot of the personal affinity. This was the case with all three countries that I visited.

While visiting villages in Bangladesh and interviewing the Rohingya people that live outside the refugee camps, who have become somewhat integrated with the local Bangladeshi communities, an issue arose with my first translator. He was not comfortable declaring himself a Rohingya, in fear that the local Bangladeshi might report him accusing him of collaborating with a foreigner. This fear is understandable, as the Rohingya issue is a matter of national security for Bangladesh, and they approach

it with many strict rules and limitations, including many police check points surrounding the camps.

The security situation in Myanmar is on a much higher level, which reveals a lack of governmental plans for a permanent solution for Rohingya. In addition to the problems I faced in gaining access to the IDP camps, there was a stricter restriction placed on the Rohingya at the time of my visit, severely restricting their movement. The only way to meet them was through alternative means in entering the camps by avoiding numerous police check points through adjacent villages. My visits were, therefore, also limited in time.

Even though Bangladeshi authorities hold a firm grip on the Rohingya refugees, over the years the Rohingya have learned to camouflage their Rohingya language, which is very similar to the Chittagonian language spoken in this part of Bangladesh. This has helped them to integrate with the local community. However, across the river in Myanmar, because of their ethnicity, the physical difference is much more evident. This kind of isolation has turned the Rohingya into passive observers, waiting for justice quietly and constantly in fear. All of this has deeply influenced the type of questions I could ask, and the answers I would get.

CHAPTER I

FORGOTTEN HISTORY

Most ethnic conflicts are deeply rooted in history. There are numerous events that took place before the confrontation occurred. These events typically help us to understand the nature of the conflict that continues today. Such is the case with the conflict between the Rohingya and the Rakhine peoples. The long-lasting adversity of these two groups, who have historically shared the same territory under different regimes over the years, eventually led to what we have today, and that is a deeply segregated Rakhine State. In this part of the paper, I am going to discuss the history of the conflict chronologically, although briefly, as this paper more so focuses on the condition of the Rohingya today.

1.1 Arakan

The area that is known historically as North Arakan was once ruled by Hindu kings, much earlier than the current Buddhist majority took hold. It was isolated from the rest of Myanmar by a big mountain range, and for a long time, symbolized the frontier between the Muslim and Buddhist territories of Asia. Somewhere near the 8th century, the capital of Arakan was established under the name Wesali, and the religion changed from Hinduism to Buddhism.⁸ Following this, and up until the 9th century, Arakan was untouched by other religions.

“The Burmese do not seem to have settled in Arakan until possibly as late as the 10th century AD. Hence earlier dynasties are thought to have been Indian, ruling over a population similar to that of Bengal.”⁹

Most likely, the first contact Arakan had with Islam came through the Arab merchants who arrived by boats in the 9th century. Four principal towns served as successive capitals, the last one being Mrauk-U, which, formed in 1430, would be the last independent kingdom on the territory of Arakan.

⁸ M.S. Collis and San Shwe Bu, *Arakan's place in the civilization of the Bay*, in Journal of the Burma Research Society, Rangoon, 1960, p.486

⁹ D. G. E Hall, *A History of South East Asia*, New York, 1968, p.389

Military support from the Sultan of Bengal made this possible, which is why the kingdom initially subordinated to him. The kingdom renounced being a vassal of the Bengal, eventually leading to its independence in 1531.

Picture 1. Kingdom of Arakan (1531-1666)



The fall of the Mrauk-U kingdom was caused by a power struggle amongst the Arakanese nobility. The kingdom's decline began in the 17th century, after the loss of Chittagong to the Mughal Empire in 1666.

Myanmar thus took the opportunity to invade Arakan in 1784-1785. Consequently, the state of Arakan was annexed to Myanmar.¹⁰ In 1974, the military government under the General Ne Win constituted Rakhine State from Arakan Division, and its territory remains the same today.

Picture 2. Rakhine State (1974-2016)



¹⁰ International Crisis Group, *Myanmar: The Politics of Rakhine State*, Asia Report N°261, Brussels, 2014, p.2

1.2 Stateless people

The word “Rakhine” comes from two Pali words, “Rokkha” and “Rokkhaine.” The meaning of these two words indicates a conservative nation, a nation that protects their religion and culture.¹¹ The geographical origin of Rakhine is said to be the kingdom of Arakan, where the population is predominately Buddhist, who continue to maintain the majority population of today’s Rakhine State. The word “Rohingya” comes “Rooinga” and it denotes natives of Rohang, which is the old Muslim name for Arakan.¹²

Towards the end of the 18th century, the Rakhine, as well as many other Arakanese including Rohingya, started to migrate to neighboring Bangladesh in order to escape the tyranny of the then Burmese king, Bo-daw-hpaya. During these 42 years of Burmese occupation of Arakan, nearly two thirds of Arakan’s population migrated to the southeastern part of Chittagong, presently known as Cox’s Bazaar and even further south along the Burmese border.¹³

The 1911 Census of India, a report on Burma, shows that the increase in number of Muslims in Arakan was due to the return of those who fled to Chittagong: “In 1829, a census taken in Arakan showed that the population was 121,288. Three years later, in 1832, it has risen to 195,107.”¹⁴ This notable increase of 61 percent was mainly due to the return of the Arakanese, both Rakhine and Rohingya. Some Arakanese that fled still remain in what is today Bangladesh, while others returned to Arakan in the years following the British occupation. In 1824, the first Anglo-Burmese war erupted, and just two years later Arakan became a part of the Burmese province of British India. When Burma gained independence in 1948, Arakan then became a part of the new federal republic.

It is difficult to retrace the history of the Rohingya in Myanmar. As it has been a controversial topic for the last three decades, the literature is diverse in bias and there are many variations on historical opinion from one author to another. Retracing a minority group’s history is a pressing issue, but it is extremely pertinent for the stateless

¹¹ Ibid., p.46

¹² Francis Buchanan, *A Comparative Vocabulary of Some of the Languages Spoken in the Burma Empire*, in *Asiatic Researches* 5, London, 1799, p.219-240

¹³ Moshe Yegar, *The Muslims of Burma*, Wiesbaden, 1972, p.21

¹⁴ Census of India, Volume IX, *Burma Part I-Report*, 1911, p.97

Rohingya to prove their indigenous roots in the territory of Myanmar. Their uncertain origin serves as a justification for the denial of their citizenship in Myanmar, but what lies behind it is institutionalized racial discrimination. What holds true is that many other ethnic minorities in Myanmar were not forced to prove their origins, at least never to the extent in which it was brought upon the Rohingya. Furthermore, it is important to distinguish and differentiate the Rohingya's name and language from those of the Bengali people, as they are continually and wrongfully labeled in Myanmar.

One of the earliest documents that offers proof of the Rohingya origin in Myanmar is a study entitled 'A comparative vocabulary of some of the languages spoken in the Burma Empire,' written by Francis Buchanan. It was published in 1799 in London, as a part of the journal 'Asiatic researches, or Transactions of the Society instituted in Bengal, for inquiring into the History and Antiquities, the Arts, Sciences and Literature of Asia.' This was the first time that a historical document mentioned the name "Rooinga" (today's Rohingya). In his publication, Buchanan also described the three dialects spoken in the Burma Empire at the time. During my visit to a Rohingya lawyer based in the Sittwe area of Myanmar, I was able to acquire a copy of Buchanan's writing. He distinguishes these three dialects spoken in Burma that are all derived from the language of the Hindu nation. They are dialects of the Hindustanee: one called "Aykobat" by the Burmese, another called "Rossawn," spoken by the Hindus of Arakan, and then the dialect of the "Mohammedans, who have been long settled in Arakan, and who call themselves Rooinga, or natives of Arakan."¹⁵ Buchanan provided one of the first major Western assessments of the languages spoken in Burma. What is important for us today is that he also documented important data on the ethno-cultural identities and identifications of the various populations. Currently, the Rohingya language is classified in the Ethnologue Languages of the World under Indo-European> Indo-Iranian> Indo-Aryan> Easter Zone> Bengali-Assamese> Rohingya.¹⁶ This codification is distinct and it separates the Rohingya, Chittagonian, Chakma, Bengali, Burmese and Rakhine languages. This divide is another major factor that proves that the Rohingya are a distinct ethnic group.

Maung Zarni, a Buddhist-Burmese human rights campaigner, and a co-author of "The

¹⁵ Francis Buchanan, *A comparative vocabulary of some of the languages spoken in the Burma Empire*, in *Asiatic researches, or Transactions of the Society instituted in Bengal, for inquiring into the History and Antiquities, the Arts, Sciences and Literature of Asia*, London, 1799, p. 237

¹⁶ *Ibid.*, p.238

Slow-Burning Genocide of Myanmar's Rohingya," has been leading a long-standing fight against the authorities who silence this genocide. He wrote an open letter to the leaders of Myanmar from his permanent exile in the UK, in which he offers another evidence of Rohingya history: "Besides, the Burma Encyclopedia, the official publication of the central government, included a lengthy entry under the Burmese alphabet Ma "Mayu Administrative District": there the northern most Rakhine State bordering with the then East Pakistan was officially described as the predominantly Muslim Rohingya geographic region, a historical homeland of the people so-named."¹⁷

Up until World War II, there is neither historical proof nor obvious documented adversity that occurred between the two majority ethnic groups in Arakan.

During the Second World War, General Aung Sun¹⁸ saw an opportunity for independence from the British. In 1941 he formed the Burma Independence Army (BIA) with support of the Japanese government to fight against the colonial ruler. Most of the ethnic minorities, including the Rohingya, remained loyal to the British, who armed the population of Northern Arakan in order to create a buffer zone against the Japanese occupation. The Rakhines were one of the few ethnic minorities that sided with the BIA and Japan, considerably due to the fact that Japan is a predominantly Buddhist country. This led to many violent clashes between the Rakhine and Rohingya, with massacres suffered on both sides during the war. In the Japanese-controlled Buddhist majority regions in Arakan, the Muslims were persecuted and many fled to the relatively safe British-controlled Muslim zones in northern Arakan. Others fled across the border, into Bengal. Although the Japanese proclaimed Burma an independent nation in 1943, General Aung Sun became disillusioned with their promise of a full independence, should they win the War. In 1945 he led the then Burma Nationalist Army (BNA) against the Japanese, helping the Allies secure the victory against the Japanese.¹⁹

After Burma gained independence in 1948, it seemed that the Rohingya people remained the only enemy of the country, and consequently many clashes took place

¹⁷ Maung Zarni, *An Open letter to Myanmar's leaders*, 2015, available at:

<http://www.maungzarni.net/2015/12/an-open-letter-to-myanmars-leaders.html>

¹⁸ U Aung Sun was a revolutionary, still regarded as the "Father of the Nation" of modern-day Myanmar. He is also the father of Aung Sun Suu Kyi, today's leader of National League for Democracy, which is currently a ruling party in the country

¹⁹ Field-Marshal Viscount William Slim, *Defeat Into Victory: Battling Japan in Burma and India 1942-1945*, 2009, p.114

between the Rohingya and Rakhine, even decades after the war.

Shortly after independence, from 1947 to 1961, an armed rebellion group of Arakanese Muslims (including the Rohingya), calling themselves “Mujahedin,”²⁰ demanded the creation of an independent Muslim state on territory formerly party of Northern Arakan. Although the rebellion was unsuccessful, it left in its wake an inherent distrust and hatred towards the Arakanese Muslims, throughout the whole country.²¹

Thirty years later, Aung Gyi, the retired Brigadier of the Armed Forces under General Ne Win who was responsible for the Mujahideen surrender, published the details of the Rohingya political settlement: “Eventually, the Rohingya warriors (Mujahideen) gave up their armed rebellion. In the discussion that ensued during the Surrender Ceremony they made a specific request to the army representatives: that we don’t address or refer to their people in ways they consider racist and derogatory. Specifically, the Rohingya leaders asked us not to call the Rohingya ‘Khaw Taw,’ nor ‘Bengali,’ nor Chittagonian Kalar (niggers), nor ‘Rakhine Muslims.’ Instead they said their preferred and self-referential ethnic name was the Arabic word Rohingya (meaning the Easterners – east of the old Bengal). In terms of the administrative name of their region, they proposed a completely secular term, which is devoid of any religious connotations (namely Mayu after the river Mayu). This matter was subsequently brought to the attention of the senior most leadership at the War Office in Rangoon who discussed the Rohingya leaders’ requests and proposals thoroughly. The War Office agreed to the Rohingya’s proposal – about both their ethnic name and the name of their administrative region based on the other historical and contemporary cases where indigenous ethnic groups chose their own preferred group names and identities...The War Office agreed to organize the two majority Rohingya towns – Buthidaung and Maungdaw – into a single administrative district which was to be directly commanded by the War office (Ministry of Defense) as part of the Tatmadaw’s wider strategic border affairs paradigm (where ‘development’ was pursued as a tool to combat ethnic rebellions). This arrangement by the War Office was subsequently officially approved by the Cabinet, thus having given

²⁰ Mujahideen means “warriors in a holy war”

²¹ Bertil Lintner, *Burma in Revolt: Opium and Insurgency Since 1948*, Chiang Mai Silkworm Books, 2000, p.110

birth to the Administrative Region of Mayu and resulting in the official recognition of the Rohingya as an ethnic group and name.”²²

All that was promised to the Rohingya, documented in Aung Gyi’s record, never came to fruition. Soon after, the Myanmar government started orchestrating several operations against the Rohingya to ethnically cleanse the area. This severely affected their present displacement inside Myanmar and why they are now scattered around the world. Differing in religion, culture and language, those Rohingya that remain in the predominantly Buddhist region of Rakhine, are a minority within a minority in the scope of the country’s diverse and segregated ethnic landscape.

1.3 From Stateless to Refugee

The Rohingya’s struggle for recognition under the British administration turned out to be much more desperate with the leaders of the new Burmese National Movement.

After General Aung Sun’s assassination, six months previous to the country’s official independence, his dream of democracy didn’t last long.

In 1962, a coup d’état materialized, and the military overthrew the civilian government, then led by Prime Minister U Nu who was soon to be replaced by General Ne Win. General Ne Win brought a new era to Burma, an era of total power of majority over the minority.

During the years of military rule, there were many ethnic clashes in Arakan State, with the military playing a big role, leading numerous campaigns of violence specifically against the Rohingya. The government adopted laws and policies that brought discrimination against them to a countrywide level and which cultivated many human rights violations. The mere fact that Ne Win changed the name of Arakan to Rakhine State in 1974, acknowledging the preferred ethnicity and the soon-to-be majority of the region, is just one of the evidences of the military regime supporting this discrimination. As soon as he took the power, he expelled Muslims from the Burmese army.²³

In 1977 the government started a military operation, allegedly a routine census, named “Naga Min.” The name means “Dragon King,” and the purpose was to “scrutinize each

²² Aung Gyi, *The Rohingya Problem That I was Personally Involved in Resolving*, The newsletter of the Union Nationals Development Party, Rangoon, 1992, p.8, available at: <http://www.maungzarni.net/2015/12/an-open-letter-to-myanmars-leaders.html>

²³ Human Rights Watch, *Crack Down on Burmese Muslims*, Human Rights Watch Briefing Paper, 2002, p.3

individual living in the state, designating citizens and foreigner in accordance with the law and taking actions against foreigners who have filtered into the country illegally.”²⁴ In Arakan, Naga Min was a campaign specifically designed to forcibly drive out the Rohingya. The authorities conducted brutal mass arrests while security forces, sometimes acting with local Rakhines, engaged in torture and committed murders throughout entire Rohingya villages. Over the course of 1977, approximately 200,000 Rohingya fled across the border to Bangladesh.²⁵ The government of Bangladesh initially denied access to INGOs and aid agencies, even blocking food aid for the refugees, in order to force them out and back to Burma. More than 12,000 died of starvation.²⁶ As a result of obligatory negotiations and external pressures, the governments of Myanmar and Bangladesh started an Operation called “Shiwe Hintha”(Golden Bird) that aimed to assist the repatriation in 1979. The scope of this program indicated that the Rohingya needed to be forcibly pushed back, primarily to areas in northern Rakhine State. They were pushed to villages far from areas populated by Rakhine, and more often than not, far away from their homes. This brought on a major and sudden concentration of Rohingyas in the northern part of the state.

A few years later, in 1982, the government enacted the National Citizenship Law, officially stripping the Rohingya of citizenship in Myanmar. According to this law, there were three categories of citizenship in Burma: 1) Full citizenship is given to the people who belong to the eight major ethnic groups recognized by the state or indigenous people who were residing in Burma since 1823 (prior to the First Anglo-Burmese War). The color pink marked these citizenship cards. 2) Associate citizenship was given to those who had Burmese citizenship previously, through the 1948 Union Citizenship Act, after Burma gained independence. People who were part of mixed marriages mostly belonged in this category. The color blue marked these cards. 3) Naturalized citizenship was given to people who had been naturalized after the suspension of the 1948 Union Law, in 1950. One of the requirements was fluency in any indigenous language. The color of these cards was green.

²⁴ Human Rights Watch, *Burma: Rohingya Muslims: Ending a Cycle of Exodus*, 1996, p.12

²⁵ Human Rights Watch, *Malaysia/Burma: Living in Limbo: Burmese Rohingyas in Malaysia*, 2013, p.139

²⁶ Report on the 1978-1979 Bangladesh Refugee Relief Operation, 1979 (quoted in Human Rights Watch)

The Rohingyas did not belong to any of these three categories, and they were only given something called a Foreigner's Registration Certificate (FRC),²⁷ which was given to registered foreigners under Foreigners Registration Act and Rule of 1948.

What followed was harassment on all levels, starting with boycotts on Rohingya businesses and the rejection of economic prosperity, and continuing with the removal of Rohingya identities from official lists, and the implementation of several strictly anti-Rohingya policies. High-ranking Buddhist monks, who exercise a significant influence on the Myanmar population and play a major role in politics, led these practices. They were responsible for creating and spreading a kind of contagious Islamophobia by encouraging hate speech and violence in the country against Muslims. Interestingly enough, they were specifically and exclusively targeting the Rohingya in their campaigns, regardless of the fact that there are other Muslim groups present in the country, such as the Kaman or the Burmese Muslims. The only difference is that, unlike these Muslims, the government does not recognize the Rohingya as a native ethnic group.

The Citizenship Law has undoubtedly played a huge role in this process. Having their citizenship revoked immensely affected the Rohingya's quality of life, and it has inspired and supported large-scale human rights violations ever since. This act severely restricted or revoked, in particular, their freedom of movement (including the ability to travel within the country), their right to work, right to education, and even their right to marry and have a family.

In 1983 the national census was published, excluding the Rohingya from a list of 135 natural-born ethnic groups and condemning them to statelessness.²⁸ As a result, the rate of Rohingyas fleeing across the border to Bangladesh increased to several thousand every single day.²⁹

During 1988-1990 Burmese politics was marked by the mass demonstrations across the country, opposing the dictatorship of the general and the rise of Aung San Suu Kyi as the leader of democratic movement. Ne Win resigned shortly after the "8888 Uprising," which was a series of protests in the name of democracy, initially started by students in Yangon. After the governing body changed, the State Law and Order Restoration Council (SLORC) was implemented.

²⁷ Imtiaz Ahmed (ed.), *The Plight of the Stateless Rohingyas: Responses of the State, Society, and the International Community*, University Press Ltd, Dhaka, 2010, p. 4

²⁸ Human Rights Watch, *All you can do is Pray*, 2013, p.139

²⁹ *Ibid.*, p.40

Upon taking power, the SLORC introduced Citizenship Scrutiny Cards (CRCs): pink cards for full citizens, blue for associate citizens, and green for naturalized citizens.³⁰ The Rohingya, once again, were not issued any permanent identity cards at all, but in the 1990 general election they were at least allowed to vote. In order to partake, the Rohingya were issued temporary National Registration Certificates (NRCs), which function like identity cards. Each NRC card, except for their given and family names, bears the Rohingya's race, Muslim, and their religion, Islam. On the back, it is noted that the cardholder has no rights to claim nationality within Myanmar.

The National League for Democracy (NLD), under whose banner Aung San Suu Kyi emerged as a national and political icon, won the election in a landslide victory. However, the military junta, who originally organized the election, unsurprisingly did not accept the results of this election. NLD activists were arrested, along with those who tried to form a government, and even the democratic figure Aung Sun Suu Kyi was put in a house arrest, where she remained until 2010.

In the beginning of the 1990s there was a dramatic increase in the military presence in the northern stretches of Rakhine State. This marked a new wave of violence and oppression, where the military exploited the Rohingya as forced labor to construct roads and military barracks, all the while confiscating their land and property. There were many reports of excessive executions, rape, and torture in areas populated by Rohingya. During this time, a huge number of mosques were destroyed, and in some cases, they were immediately replaced with Buddhist temples, while any Muslim religious activities were additionally forbidden.

In 1992, the SLORC government formed a border security force known as "NaSaKa" (Nay-Sat Kut-kwey ye) that consisted of army, police and immigration units. Nasaka was in charge of enforcing many restrictions upon the Rohingya, especially in the predominantly Muslim sections of northern Rakhine State. Unlike any other security forces in Myanmar, Nasaka represented the gamut of law enforcement, including military and administrative authorities. There are many testimonies that are evidence of the widespread and corrupt practices of Nasaka, who would frequently extort sums of money from Rohingya, before they could consider carrying out even the most simple of affairs of their daily lives. Violating any restrictions resulted in physical abuse, harsh

³⁰ Aung Aung Oo, *Impact of Identity Card on Myanmar Democracy Process*, in Salem news, 2012, available at: <http://www.salem-news.com/articles/october172012/burma-id-cards-ao.php>

detention or general mistreatment. In 2012 alone it was estimated that Nasaka had detained more than 2,000 Rohingyas for negligible offenses, only to force them to pay the commanders a fee for their release.³¹ Towards the end of 2001, there was yet another wave of systematic violence, this time mainly targeting the youth, as many madrasas³² were burnt down and attacked, along with many mosques, in the state's capital of Sittwe.³³ This opened a new chapter for an entirely different generation to be deprived of the right to education.

There is still a cloud of confusion surrounding the catalyst of the violence between the two ethnic groups residing in Rakhine State in recent history.

Suddenly, in 2012, there were reports that three Muslim men had allegedly raped and murdered a Buddhist woman in Ramri Township, farther south in Rakhine State. This resulted dramatically with hundreds of Rakhine Buddhists stopping a bus and beating ten of the Muslim passengers to death on the side of the road. Police and other authorities were present, but did nothing to stop the murderers. For days, toxic propaganda exposing the rape in explicit detail circulated the country and became widely available on the internet. In the days to follow, particularly in Maungdaw and Sittwe townships, Rohingyas were brutally murdered. Houses, mosques and madrasas were burnt down. Most extensively, many of the unarmed and unprepared Muslim population were falsely arrested and locked up.³⁴

Once again, the Buddhist monks, playing a big role in the country's unstable political scene, violently led mobs of thousands of armed Rakhines into nine different townships in Rakhine State. This time, entire villages were burnt down. Men, women and children were attacked and brutally murdered with the same disregard, even with governmental security forces present. Those protective agencies even took part in the violence, continually siding with the monks.³⁵ It was later reported that, in many villages, security forces were not ever present, despite months of rising tensions across the state and increasingly frequent acts of violence.

³¹ Maung Zarni and Alice Cowley, *The slow burning genocide of the Myanmar's Rohingya*, Pacific Rim Law & Policy Journal, volume 23 no.3, Seattle, 2014, p.712

³² Madrasa is an Islamic school with a strong focus on religious subjects like Arabic, the Quran, moral and ethics.

³³ Human Rights Watch, *All you can do is Pray*, 2013, available at: <https://www.hrw.org/report/2013/04/22/all-you-can-do-pray/ Crimes-against-humanity-and-ethnic-cleansing-rohingya-muslims>

³⁴ Ibid.

³⁵ Ibid.

The aftermath of extreme violence lasted little more than a week, but the repercussions were irreversible. Kaman Muslims were also targeted, but as they hold citizenship and are protected by law, similarly to Muslims in the rest of the country, the consequences were not so devastating.

With new clashes and a general state of war in the region, the Burmese government continued to bring new restrictions upon the Rohingya as another means of torture and as a merciless pressure to emigrate. The right and access to education became even scarcer after the October 2012 violence. The government restricted Rohingya, but not the Rakhines, to schools and the university in Sittwe Township. University students were not even allowed to attend classes in neighboring Maungdaw and Buthidaung townships. This corrupt restriction on enrollment for Muslim students came with the excuse that Myanmar's authorities would not be able to provide adequate protection and security for them.

The authorities in Rakhine State introduced a two-child limit for Rohingya families, claiming that this would apply solely to the two Rakhine townships that have the highest populations of Muslims.³⁶ This exercise emerged as yet another means to blame the violent tensions on the overpopulation of Muslims. Additionally, it neglected the forced displacement of the Rohingyas, an ongoing operation that began in 1979 by the government, and how that has changed the demography of the state, concentrating many Rohingya into areas with no shelter and no access to basic necessities, food, water and aid.

1.4 NLD

The National League for Democracy is a democratic socialist and liberal democratic party that has won a landslide victory on November 8th 2015 in the country's general election. The party, with 75 percent of the seats in Parliament, is sharing reign over Myanmar with the military, which controls the remaining 25 percent.

The NLD was founded in 1988, in the aftermath of the 8888 Uprising, under the leadership of Aung Sun Suu Kyi, who is currently the President of the NLD and the State Counselor of Myanmar.

³⁶ South China Morning News, *Rakhine state Rohingya face two-child limit on family size*, 2013, available at: <http://www.scmp.com/news/asia/article/1246107/rakhine-state-rohingya-face-two-child-limit-family-size>

As Suu Kyi returned to Burma in 1988, after studying and working abroad, she found the country in the hands of a military dictatorship. She bravely spoke against the regime under General Ne Win, and stood up in defense of human rights, and for this she was put under a house arrest in 1989. Two years later during her detainment, she received the Nobel Peace Prize, admired by the people in Burma and by the international community for her strength and resilience, and her peaceful advocacy for the core values and principles of democracy. She remained under house arrest until the end of 2010.³⁷ Although Aung Sun Suu Kyi is commonly recognized as an activist and human rights advocate, she has still done very little for the people of Myanmar, and even less for the Rohingya. As evidence of this, in Rakhine State in 2012, the NLD completely removed the term ‘Rohingya Muslims’ from its membership application form. Instead of “Rohingya Muslim,” “Arakan Muslims,” or “Burmese Muslims,” they required the Rohingya supporters to simply write “Muslims” in the column for Race. This came as a surprise for many Rohingya, who have constituted a large support base for the party ever since the establishment of their foundation.

Just one year later, Aung Sun Suu Kyi was awarded another prestigious human rights award, this time by the European Union. What followed was an interview with the BBC, where she denied outright that the severe persecution of the Rohingya had reached the levels of ethnic cleansing or genocide.³⁸ When asked directly about the Muslims who were suffering from the violence, she responded in a vague way, avoiding to compromise herself: “No, no, it’s not ethnic cleansing [...] What the world needs to understand is that the fear is not just on the side of Muslims, but on the side of Buddhists as well.” She affirmed, “Muslim power is very great,” which sounds as if she were justifying the violence of the Rakhine Buddhists as acts born out of fear. Behind that same mask, she was subtly rallying those who spread anti-Muslim hatred by mentioning this troublesome “Muslim power.”

Having been a political prisoner, with her own rights limited and violated for a time, it would seem only natural that she would speak out for those living in her country whose rights are continuously being abused. This is clearly not the case.

³⁷ A&E Television Networks, *Aung San Suu Kyi’s Bio*, 2016, available at: <http://www.biography.com/people/aung-san-suu-kyi-9192617>

³⁸ Mishal Husein, *Suu Kyi Blames Burma Violence on ‘Climate of Fear,’* 2013, available at: <http://www.bbc.co.uk/news/world-asia-24651359>

No matter what label Suu Kyi or the NLD use to name the Rohingya, the categorical denial of the massive atrocities committed against Muslims in their own country is deeply troubling. The respect and admiration she earned during her house arrest from the international community, and the love she receives from practically the entire population of Myanmar is currently not justified. She has proven time and again that she is nothing more than a politician, and not the humanitarian that the public believes in. For the Rohingya population, the NLD and Suu Kyi symbolized the only hope for a change. But once she started to publicly deny the urgency of their situation, or avoid commenting at all, that began to fade. “We already knew the government won't stop the violence, and it is now clear the democratic opposition won't do anything either. If the UN also abandons us, we will be left without hope,”³⁹ the President of the Burmese Rohingya Association in the United Kingdom, Tun Khin, acknowledged.

The reason for her silence about the Rohingya during pre-election was undoubtedly a political calculation. Defending a Muslim minority would risk her losing the support of the Buddhist majority. Maung Zarni provides proof for such an assumption: “Dr. Aye Maung, the anti-Rohingya ultra-nationalist Rakhine leader and a Member of the Parliament, who is believed to be involved in the organized violence against the Rohingya, was publicly disclosing the fact that he had personally threatened Daw Aung San Suu Kyi to never mention the word ‘Rohingya,’ or else he would ensure that the Rakhine would turn against her party NLD, come the elections. He reportedly told this to the largest gathering of the Rakhine nationalists in Rathae Daung, in Northern Rakhine.” On the other hand, the support of the Rohingya meant very little to any party, as they were not allowed to vote regardless. On November 16th 2015, after the election results were confirmed in favor of the NLD, their spokesperson, Win Htein, finally addressed the major human rights violations against the Rohingya, and what stands directly behind it – the 1982 Citizenship law. “It must be reviewed because it's too extreme...review that law and make necessary amendments so that we consider those people who are already in our country, maybe second generation, so they will be considered as citizens.”⁴⁰

³⁹ Huffington Post, Tun Khin, the President of the Burmese Rohingya Association in the United Kingdom, *Aung San Suu Kyi's Comments on Muslims Expose Endemic Anti-Muslim Prejudice*, 2013, available at: http://www.huffingtonpost.co.uk/tun-khin/aung-san-suu-kyi-rohinga-muslims_b_4192319.html

⁴⁰ Reuters, *Myanmar's persecuted Rohingya see glimmer of hope in Suu Kyi victory*, 2015, available at: <http://www.reuters.com/article/us-myanmar-election-rohingya-idUSKCN0T219I20151113>

Win Htein expressed his wish for the Rohingya, with the help of the NLD administration, to settle anywhere else in Myanmar in order to decrease their concentration in Rakhine State. His words resonated with hope, as he is one of the most influential politicians in the party, but it has not been clear if that is his personal view or the attitude of the whole party. Nevertheless, five months after the NLD took office, no progress has been made towards a solution. Furthermore, the only substantial action that the new government has taken regarding the Rohingya is to ban all use of the term “Rohingya”⁴¹, privately and publicly, apparently as a mechanism against communal violence.

It is clear that the “people who believe in Islam in Rakhine state”⁴² are not at the top of the NLD’s priority list, despite the 34 years of oppression they have already suffered since the inception of the 1982 Citizenship Act. Criticisms from the international community, insufficient as they may be, do exist, but they cannot help without more exposure of the atrocities being committed in Myanmar. Even though the economic reforms that are taking place bear enormous significance and potential for the country, the conditions of the Rohingya in Burma remain deplorable and must be addressed immediately. Publicly recognizing this as genocide would be a first step towards ending it.

⁴¹ Peter Lloyd, *Burma leader Aung San Suu Kyi bans use of Rohingya name for oppressed Muslims*, in ABC News, 2016, available at: <http://www.abc.net.au/news/2016-06-22/aung-san-suu-kyi-bans-use-of-rohingya-name/7534410>

⁴² Ibid.

CHAPTER II

SCATTERED ROHINGYA COMMUNITY

2.1 Rohingya in Bangladesh

The history of discrimination and violence against the Rohingya has led to several of their exoduses over the years to neighboring countries such as Bangladesh, Thailand, Malaysia and Indonesia. This has led to a majorly scattered displacement of the Rohingya, making it very difficult to determine their exact number in today's world. Some are considered lucky enough to be resettled in Canada, the USA, Australia or New Zealand, but many more live undocumented in "host-countries"⁴³, or in squalid refugee camps, with little hope for the future.

The vast majority of Rohingya that flee on rickety boats, often by way of Thailand, to Malaysia and Indonesia, are men. They are forced to leave their families behind, in pursuit of more hopeful work opportunities overseas. Typically, these men focus on arriving in Muslim countries where they can feel welcome or safe, as they are already fleeing religious persecution at home or social discrimination in refugee camps. Since developed Muslim countries, such as Malaysia, Indonesia and Saudi Arabia are extremely difficult to get to because of distance and money, most Rohingya seek shelter in their closest Muslim neighbor, Bangladesh. This especially holds true for the Rohingya who are fleeing Maungdaw and Buthidaung in Myanmar, as those townships lie on the narrowest strip of the Naaf River that separates Bangladesh from Myanmar.⁴⁴

2.1.1 Life in an open prison

During the 1990 general elections, the first multi-party elections since 1960, the military government granted voting rights for the Rohingya and even allowed them to create political parties. When the NLD won eighty percent of the seats, the government immediately annulled the results. This led again to many students, monks and political prisoners' protests, which put the SLORC under a lot pressure. As previously

⁴³ Host country is referred here as the country that temporarily hosts refugees

⁴⁴ Human Rights Watch/Asia, *Burma, The Rohingya Muslims: Ending a Cycle of Exodus?*, Vol.8, No.9, (C), Human Rights Watch, 1996, p.11

mentioned, the military presence in Rakhine State increased in 1991, as shifting the focus onto an already unprivileged minority was the perfect scapegoat to avoid addressing the election injustice.⁴⁵

In 1991, the SLORC launched another operation called “Pyi Thaya” (“Clean and Beautiful Nation”). Rohingyas were forced to surrender their lands, and in some cases were even relocated to military garrisons, without any compensation. They were obliged to work in road construction with little or no wages at all. After expelling the Rohingyas, the military regime occupied their lands and then handed them over directly to Buddhist Rakhines. In doing so, the military intended on promoting a Buddhist migration to a now “clean” state, eventually achieving a Buddhist majority population that we see today.⁴⁶

By 1991, about 10.000 Rohingya had already fled to Bangladesh, and just one year later the government of Bangladesh urgently requested international assistance for the refugees. In 1992, the UNHCR constructed nineteen camps along the road between Teknaf and Cox’s Bazar, in the southernmost district of the Division of Chittagong. The UN’s WFP struggled to provide food for over 270.000 displaced Rohingya.⁴⁷

However, towards the end of that same year, Bangladesh signed a Memorandum of Understanding (MoU) with Myanmar, an agreement to voluntarily repatriate the refugees under the supervision of the UNHCR. As part of the MoU, Rohingya were given Temporary Resident Certificates, commonly known as “white cards.” This type of card, however, did not represent citizenship in Myanmar, nor did it give Rohingya any basic rights. The government continued the oppression through several policies: they discontinued issuance of birth certificates for Rohingya children, implemented high marriage fees, and pushed for a rigorous two-child limitation policy. Between 1992 and 1994, around 50.000 refugees were repatriated, but none of the conditions inside Myanmar had improved. Their own country had yet again failed to provide protection for them.⁴⁸

Faced with terror and reassured that their rights would not be recognized, thousands of Rohingya hastily retreated back to Bangladesh. In the meantime, by the end of 1996, all

⁴⁵ Leonie Krueger, *Statelessness in Myanmar and the Dominican Republic: Is human rights protection contingent on the possession of a citizenship?*, University of Barcelona, 2014/2015, p.34

⁴⁶ Imtiaz Ahmed (ed.), *The Plight of the Stateless Rohingyas: Responses of the State, Society, and the International Community*, University Press Ltd, Dhaka, 2010, p.17

⁴⁷ Amnesty International, *Myanmar, The Rohingya Minority: Fundamental Rights Denied*, 2004, p.12

⁴⁸ Human Rights Watch, *Burma/Bangladesh, Burmese Refugees in Bangladesh: Still no durable Solution*, p.8

the camps set up by the UNHCR had closed and the remaining refugees had settled into newly constructed camps, Kutupalong under Ukhiya Police Station and Nayapara in Teknaf, both of which are registered with the UN.

Since Bangladesh is not affiliated with the 1951 Convention or its 1967 Protocol on Refugees,⁴⁹ the country has been able to avoid legal responsibilities regarding the status and welfare of the refugees. Consequently, the vast majority of the refugees were not registered for asylum, and even the ones that were, prior to repatriation, had lost that privilege upon their return. This resulted in many of them becoming victims of imprisonment, deportation, prostitution and human trafficking. Many went into hiding in the Chittagong Hill Tracts, and the villages surrounding Teknaf and Cox Bazar, integrating with the local Bangladeshis. Yet still, the highest number of unregistered Rohingyas live in self-constructed, unregistered camps, in the shadows of the UN-registered ones, hoping to obtain an official refugee status or a safe return to Myanmar.

On the other hand, the existence of these relatively large, ethnically, racially and linguistically homogenous settlements resembles a construction of a small city, a village. French anthropologist, Michel Agier, argues that the “humanitarian device of the camps produces cities, ‘delaville,’ if one considers the city from the point of view of its essential complexity.”⁵⁰

Inside these camp-villages, there are established businesses running along the most visited street of the camp – called the main street. Walking down this road, surrounded by sheds from all sides, you find a variety of goods. Fruits and vegetables stalls, small food shops, resale of food rations, clothing and cosmetics, but there are also shops offering different services: carpentry, metal-work, electricians, tea and coffee shops, internet shop, hairdressing salons, etc. Many vendors are in fact local Bangladeshis, but since the prices are somewhat adjusted to the refugees’ standards, local shoppers often visit this market. Effectively, life in these camps goes from a planned utopia – in the

⁴⁹ 1951 Refugee Convention is a legal document where the status of refugees is defined, as well as the minimum standards for their treatment. The Convention defines a refugee as any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. 1967 Protocol widens the scope of the Convention when defining a refugee, available at: <http://www.unhcr.org/en-us/1951-refugee-convention.html>

⁵⁰ Michel Agier, *Between the War and the City*, Field for Thought, Ethnography, 2002, p. 322

words of Foucault, “a site with no real place” – to heterotopia, “spaces that are outside of all places even though it is possible to indicate their location.”⁵¹

Activities and habits observed during my stay arguably helped recreate lifestyles of refugees before exile, adapting to the structure and needs of one rural village in Myanmar. Coffee and teashops offer snacks as well, but they are most importantly places of gathering, debates and information exchange. This recreation of a familiar setting is especially pertinent for the redrafting of one’s identity, when being forced to redefine her/himself as a registered/unregistered refugee, and no longer as a doctor or a university student.

“Their world, which was empty at the beginning, has been transformed and has been filled up from the interior. The initial bare space has been populated, and social, cultural, and political relations have developed within a limited if not totally closed off space.”⁵²

Registered Refugees

Currently, there are 34.000 officially registered refugees residing in two camps in the Division of Chittagong, called Kutupalong and Nayapara. The two official refugee camps are under the joint administration of the Government of Bangladesh and the UNHCR.

There are also implementing partners, consisting of both national and international agencies, who provide services such as health, sanitation and education. Protection, in terms of ensuring security, is implemented by the camp administration, led by the Camp in Charge of each camp, who answers to the Government of Bangladesh. Senior protection officials from the UNHCR supervise this process. Despite such complex arrangements, the residents do not recognize the situation in the camps as safe or protection-friendly, especially when it comes to young women and women without a male figure in the family.

It is rather complicated for many NGO officials and relief workers to restrain from the image of refugees as simply the passive victims, which results in not much participation

⁵¹ Foucault (1984 752), found in Michel Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge: Polity Press, 2011, p. 278

⁵² Michel Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge: Polity Press, 2011, p.278

from the subjects in the programs that these NGOs implement.⁵³ Even though the UNHCR retains the core of camp management, they have implemented elections amongst the refugees to create a body of representatives who are able to echo their concerns. “CMCs” (Camp Management Coordinators) and “BMCs” (Block Management Coordinators) are elected by the UNHCR in the case of the registered camps, but I have learned that this model was also adopted and executed in the two unregistered camps. Although both the registered and the unregistered camps count more people than they could fit, there is a certain hierarchy among its residents, the one that safeguards their internal organization. Michel Agier, in his publication “From Refuge the Ghetto is Born: Contemporary Figures of Heterotopias” links these internal organizations with complete integration of the camp’s space into refugees’ lives, increasingly as the prospect of returning home decreases from year to year.⁵⁴

In 2006, the UNHCR started the resettlement process. Around 1.100 refugees were resettled to America, Canada, Australia, New Zealand, United Kingdom and Ireland. Unfortunately, the government of Bangladesh stopped the process in 2009, without any substantial explanation, arguing that this opportunity would attract a higher number of refugees crossing the border from Myanmar, an unbearable burden for an already impoverished and overpopulated country. An uncontrolled immigration like that would be a weight on all sectors – food, medical care, education and protection.

After unsuccessful repatriations and a constant rise in the number of new refugees, the UNHCR faced a lot of challenges in collaborating with the government of Bangladesh. According to my translator, thirty-eight year old Ali, the government approved the construction of new sheds in his camp back in 2008. Even the improved sheds, in which they currently reside, consist of only one room that is a crowded 4.5 meters long and 4.5 meters wide, hosting up to 7 family members.

In conversation with Ali, a resident of Nayapara Registered Camp and father of four girls, he explained: “It is like a prison where the refugees live and their movement outside the camp is restricted. Their protection from involving in false cases by the government should be ensured. Due to crowded environment, our children’s attitude, respect, confidence, morality and knowledge are decreasing day by day while the

⁵³ Seth M. Holmes, Annastiina Kallius, and Daniel Monterescu, Heide Castañeda, *Virtual issue: Refugees and im/migrants Anthropology and human displacement: Mobilities, ex/inclusions, and activism*, 2016, p.9

⁵⁴ Michel Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge: Polity Press, 2011, p.275

UNHCR and other organizations are trying to improve their lives by spending millions continuously.”

As insufficient as it may seem to many of the refugees living in the registered camps, they do benefit from governmental and nongovernmental organizations that provide some relief, a privilege that the unregistered refugees do not experience. As far as food relief for the residents of the camps, WFP has been providing rations since 1992. Recently, however, they have introduced a digital system for food distribution with cash vouchers, allowing refugees to buy supplies in accordance with their own habits and needs at WFP-sponsored shops.

The camp clinics exist to provide medical care and aid to the refugees and are implemented by the Ministry Of Health (MOH) through donor countries’ sponsorships. Unfortunately, due to corruption or otherwise, it seems that oftentimes the donations fail to reach the intended recipients, and because medication is so scarce, many people die of curable diseases or insufficient treatment due to a shortage of doctors.

The Bangladeshi government’s role in the camps entails providing security around the camps and the administration of the physical territory of the camps, as they lie on state property. But as the world’s most densely populated country, drowning in political controversy and an unstable economy, the Bangladeshi authorities are hardly able to offer considerable protection for the Rohingya.

Concerning education in the registered camps, one of the numerous/few school programs is called Village Education Resource Center (VERC) that offers informal education⁵⁵ from primary level up to class eight. There are currently ten schools with more than 4.000 students in Nayapara Camp and eleven schools with about 4.000 students in Kutupalong Camp. There are also two junior high schools, one in Nayapara and one in Kutupalong, which also offer informal, yet more advanced education. In addition to that, Technical Assistance Inc. (TAI), a development company, has been working on vocational training, computer learning and education on sexual, gender-based violence.

Providing education above grade 5 was considered another way of attracting more Rohingya from Rakhine State, and only in 2014 has the Government allowed

⁵⁵ Informal education reflects an educational system where a student does not receive a degree recognized by the government. It is a system designed by the NGOs, and not by the Ministry of Education.

implementation of the grade 6 and 7.⁵⁶ This was the first time the secondary education was available to refugees in more than two decades of their first big exodus.

In regard to this most pertinent camp-related issue, Ali underlines the importance of education: “Education is the heart of a nation.” For seventeen years he worked as a camp schoolteacher and for the last three as a head teacher appointed by the UNHCR, with a salary of 13.000 BDT (about \$165 USD).

He expressed his concerns over the informal education that is provided, arguing that the students have no future, or a shot at university, unless they receive a formal certificate upon completing their classes. Overcrowded classrooms and underpaid faculty do not make for an adequate environment in which to focus and benefit from school, yet Ali connects the importance of the school atmosphere more with their forward progress, which is directly linked to their future as self-sustaining adults and heads of households. These various offerings in the registered camps are certainly benefits for the Rohingya children, but education should be a top priority. If host countries could allow everyone, refugee or not, access to public education, this would not be an issue. But it is of highest importance to no longer have educational systems as a burden for donors and relief agencies, who already struggle enough with political red tape. Without proper education, Ali fears, they will remain a burden for life. “The biggest priority should be on education of refugee children, more than anything else. All other things provided to refugees are useless if they are not educated well.”

Unregistered Refugees

The vast majority of the repatriated refugees have either come back to Bangladesh or fled to other neighboring countries due to continuous human rights violations in Myanmar. According to the Bangladeshi government and the UNHCR’s numbers, there are currently between 300.000 and 500.000 undocumented Rohingya refugees living in Bangladesh.⁵⁷, scattered mainly across the southern Chittagong Division, but also further afield in the country. Currently, about 17.000 Rohingya live in an unofficial camp near Leda Bazaar, outside of Teknaf, and 70.000 in an unofficial camp adjacent to

⁵⁶ UNHCR, *Bangladesh Factsheet*, 2015, available at: <http://www.unhcr.org/50001ae09.pdf>

⁵⁷ Dhaka Tribune, *Dhaka Tribune gets the experts to weigh in on the Rohingya issue*, 2016, available at: <http://archive.dhakatribune.com/bangladesh/2016/jun/20/dhakatribunes-adil-sakhawat-gets-experts-weigh-rohingya-issue>

Kutupalong Registered Camp.⁵⁸ Many are also dispersed around small fishing villages along the southern tip of Bangladesh, including Shaforidip. The undocumented refugees live in dire conditions, as they lack any kind of support or protection. Many of them rely on fishing jobs, where they work as cheap or free and exploited labor for the Bangladeshi fisherman. Commonly, men would face false accusations and imprisonment in attempt to extort money from them, or they would pass away due to hard labor. There are even plenty of accounts in which they go missing, falling into the hands of human traffickers without leaving a trace. As such, many women and children are left without a husband or father to support the family.

This border area is highly prone to criminal activity that exploits the unregistered and unprotected Rohingya refugees, struggling to earn money in order to survive. Besides drug and contraband smuggling, major profits are made through human trafficking on an international level. Often, the trafficking is arranged and paid for by the refugees themselves as they are trying to reach Malaysia on unknowingly overcrowded, rickety boats. However there are more extreme cases, such has happened with one boy whom I interviewed, where he was taken on the boat against his will, and left in a human trafficking camp near the Thai-Malay boarder for eight days.⁵⁹ Prearranged or not, all the trafficking victims end up with the same destiny – held up at the border between Thailand and Malaysia, in one camp or another, forced to dig their own graves in case their parents cannot afford to pay significant ransoms for their freedom.⁶⁰

On several occasions, the Bangladeshi government conducted crackdowns of the local villages, searching for undocumented refugees. This led to many refugees leaving their homes behind and attempting to seek shelter in the sizable Kutupalong registered camp. Although the territory of this camp is quite spacious, the population is quite below capacity, a hopeful sign it would seem. However, after being refused entrance to the camp, refugees started building huts from scraps and between 2007 and 2008, a makeshift, unregistered camp was created along the perimeter of the UNHCR registered camp.⁶¹

⁵⁸ Al Jazeera, *No respite for Rohingya in Bangladesh*, 2014, available at: <http://www.aljazeera.com/indepth/features/2014/01/no-respite-rohingya-bangladesh-201411675944519957.html>

⁵⁹ Michael Peel, *Asia's boat people: Nowhere is home*, in Financial Times, 2015, available at: <http://www.ft.com/cms/s/0/8a13d968-0908-11e5-881f-00144feabdc0.html#axzz47fV4pPah>

⁶⁰ The Straits Times, *Fourteen Rohingya refugees found abandoned in forest in Thailand, a year on from human trafficking crackdown*, 2016, available at: <http://www.straitstimes.com/asia/se-asia/14-rohingya-refugees-found-abandoned-in-forest-in-thailand-a-year-on-from-human>

⁶¹ Information acquired in an interview with Ali Ullah.

Those living in this makeshift camp make their living mostly by collecting and selling fire wood or working as daily laborers in nearby villages of Ukhiya. Completely unprotected under any law, often times they don't receive any compensation at all. Families without men suffer even more. Women are repeatedly victims of rape or kidnapping, or are forced into prostitution, leaving the children to go out and beg for themselves or collect firewood and old plastic bags to sell in order to feed their families. Their physical living conditions are also extremely dire, especially during the unforgiving climate of Bangladesh's monsoon season, occupying huts made of mud and bamboo, roofed with leaves, old tarps and sheet metal if lucky.

The unregistered refugees of Leda makeshift camp in Teknaf are in the same situation. The camp was formed in 2001 by those left with nowhere to go, after countless misfortunes on both sides of the border. The camp's formation and construction was organized in part by Islamic Relief, but today there are only a select few NGOs that are allowed to assist the people living there. The NGO Forum for Public Health provides sanitation and water supply, while medical care is poorly administered by IMO. In 2014, the government of Bangladesh banned an NGO called Muslim Aid from Leda Camp and consequently the furthering of any other Rohingya projects in the country.⁶² While this humanitarian charity focused mainly on health, it is speculated that they pressured for education inside the unregistered camp.⁶³ This was met with much resistance from local authorities, and it resulted in the closing of their offices along with their clinic in Leda.

Life in the unregistered camps is incredibly challenging and every last one of the inhabitants on a daily basis walks the fine line between survival and submissive surrender. The people whom I have interviewed, presumably because they were the ones most able to express themselves without fear or filter, would constantly remind me of their resilience and willingness to survive, their courage and pride, and the small victories that keep them going and help to trump their hopelessness.

There is no malice in that stubbornness and perseverance, but the struggle is much deeper than that. Depriving entire generations of education will continue to have much

⁶² Muslim Aid, *Muslim Aid's statement on closure of Rohingya projects in Bangladesh*, 2014, available at: <https://www.muslimaid.org/media-centre/news/muslim-aids-statement-on-closure-of-rohingya-projects-in-bangladesh/>

⁶³ Rosa-Lie Craps, *Education in Unregistered Refugee camps. Rohingya case study*, University of Gent, 2014-2015, p.6

greater consequences for the Rohingya and their children, but thankfully the awareness of its importance at least is wide. There are many small groups of people – refugees or under-the-radar volunteer organizations – who are working together on education of the children born inside the camps. They are not waiting for anyone’s help or approval, as there is no time to be wasted. I will talk about them further, and about alternative education in general in one of the following chapters more dedicated to that subject.

2.1.2 More integrated, more unwanted

The UNHCR has a framework with three categories of durable solutions through which it aims to ensure a safe and sustainable outcome for refugees. One is voluntary repatriation, when refugees return to their country of origin; another is local integration, when refugees are integrated into communities in their country of asylum; and the third is resettlement, which is the transfer of refugees from a country of asylum to a country that has agreed to admit them, and eventually grant them permanent settlement.⁶⁴

Although the repatriation stopped in 2005, there remains much fear and mistrust on the side of the Rohingya, as the Government of Bangladesh sustains that repatriation is the only durable solution and it staunchly opposes local integration. This is reflected in continuous restrictions and crackdowns on Rohingya households.⁶⁵

The dichotomy of the Rohingya as victims on either side of the border and as a burden for local and national government creates a setting where they are denied protection under humanitarian international law.

Both the registered and the unregistered refugees are seen as an unstable pressure on the country’s continually insufficient supplies and resources, and they are perceived as threats to national security. Bangladesh pushed back to sea many boats that were carrying Rohingya refugees who were fleeing in the aftermath of the 2012 violence in Myanmar, reasoning that they could not bear that kind of influx of people alone.⁶⁶ Under the same pretext, Bangladesh refused multi-million dollar infrastructural support

⁶⁴ Eleanor Ott, *Get up and go: Refugee resettlement and secondary migration in the USA*, 2011, available at: <http://www.unhcr.org/4e5f9a079.pdf>

⁶⁵ Médecins Sans Frontières, *Bangladesh: Violent Crackdown Fuels Humanitarian Crisis for Unrecognized Rohingya Refugees*, 2010, available at: <http://www.doctorswithoutborders.org/news-stories/special-report/bangladesh-violent-crackdown-fuels-humanitarian-crisis-unrecognized>

⁶⁶ Human Rights Watch, *Bangladesh: Stop Boat Push-backs to Burma*, 2012, available at: <https://www.hrw.org/news/2012/06/19/bangladesh-stop-boat-push-backs-burma>

offered by donor countries⁶⁷ for the Rohingya, and halted the third-country resettlement process.

During the wave of change in national politics,⁶⁸ there was an increasingly negative view regarding the Rohingya issue, especially on a local level. The administrative division of Bangladesh has three layers: divisions, zilas (districts) and upazilas (sub-districts). Ukhiya and Teknaf, the two sub-districts that host the majority of the Rohingya population in Bangladesh, are led by the Bangladesh Nationalist Party and the country's current governing party, the Bangladesh Awami League, respectively. In Ukhiya, several local politicians have formed the "Rohingya Resist Committee," consisting of about twenty members, who are attempting to drive the Rohingya out of Bangladesh under the banner of a "Rohingya-Free Bangladesh." This committee is active today, and although they pose no legal threat to the registered refugees, it still manifests itself as an enemy to the unregistered.⁶⁹

This whole region is highly conservative, and religion plays an important role in the lives of the people and their education, which is focused mainly on Islamic schools, called madrashas. This has helped the Rohingya gain some sympathy among the locals, but the economic pressure on the local market, fueled by the cheap labor of refugees, led to a decrease in wages which further provoked protests and violence against the Rohingya. Labeling refugees as thieves, traffickers, drug smugglers and even terrorists is one of the mechanisms that nationalists use to sway the public opinion against them. Having witnessed the chaos, corruption and depravity of these border and port areas, it was hard to distinguish between citizens and refugees, both grudgingly driven by poverty into hard labor and often into the hands of crime.

The localized anti-Rohingya sentiment compromises their protection on a political level as well. The discontent of the local population generated anti-refugee attitudes among policy-makers, who aimed to renounce those protective policies, justifying their

⁶⁷ Donor countries are some wealthier Muslim countries, often providing means for the survival of those Muslims struggling across the world. Saudi Arabia and Turkey have commonly contributed to the Rohingya cause.

⁶⁸ Bangladesh has a two-party system comprised of Bangladesh Nationalist Party and Bangladesh Awami League, in which the two leaders pursue a personal vendetta at the country's expense. From 1991 they have rotated in office. Since both parties are known for rigging the polls, they used to be conducted under a provisional caretaker administration. In 2006 BNP, at the end of a particularly corrupt and incompetent period in office, tried to bias that system too. The army stepped in to back a non-party "technocratic" government, which after two years held an election and resulted in a landslide victory by Sheikh Hasina's Awami League.

⁶⁹ Information acquired in an interview with Ali Ullah.

decisions with push-pull factors. In their minds, as the Rohingya are pushed out of Myanmar, they will hop the border to reap the benefits of their neighboring government's handouts. Every investment that Bangladesh makes towards the protection and provision for refugees will continue to pull those asylum-seekers in, but with false hopes. This would mean a higher influx of refugees and potential social and environmental complications in an already densely populated country. This pretext has often been used as a reason not to legalize the status of those refugees that reside outside the registered camps.

Although it is dealing with the highest number of Rohingya refugees in the region, Bangladesh is not the only country to turn them away. Thailand, Australia and Indonesia have pushed back thousands of Rohingya to sea, due to the 'security threat' that they allegedly posed.⁷⁰

The countries that do not have to deal with large numbers of Rohingya arriving unannounced on their shores, such as the USA and other western-hemisphere countries, admit that the Rohingya are oppressed in Myanmar and that neighboring host countries often fail to protect them. While this is true, their voice is still not loud enough, and no superpower has pressed for any solution. Many nations, especially the members of ASEAN, tend to focus on their own national and regional interests before intervening in the affairs of a troubled state. Each neighboring state is abstaining from setting an initiative forth to protect those that are unprotected, in fear of attracting more Rohingya to their territory.⁷¹ They call for a 'regional' solution, yet after three decades of severe oppression, that too is something still to be seen. They excuse themselves with a false air of diplomacy, arguing that Myanmar will have to deal with its own problem and accept all Rohingya back, as no other solution has been or will be offered.

2.2 Rohingya in Malaysia

In the early 1990s, of the approximately 270.000 Rohingya that fled Northern Rakhine State, some 15.000 of them reached Malaysia. Refugees started their perilous journey

⁷⁰ OHCHR: High Commissioner Zeid, *Pushbacks endanger thousands in Bay of Bengal*, 2015, available at: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15960&LangID=E>

⁷¹ Coral Bell School of Asia Pacific Affairs, *The Rohingya and regional failure*, in Australian National University News, 2015, available at: <http://bellschool.anu.edu.au/news-events/stories/3437/rohingya-and-regional-failure>

on overcrowded, rickety boats, either from Teknaf, in Bangladesh, or from Sittwe, the capital of Rakhine State. These boats would carry them far out to sea, where they would embark on a larger trawler anchored in the middle of nowhere.

After landing in Thailand, they were held captive in jungle camps by smugglers, denied sufficient food and water, and subjected to physical abuse. Seeking to reach Malaysia, they were essentially kidnapped and held in these camps for ransom. If their families were unable to pay for their freedom, the smugglers would sell them into slave labor, or force them to borrow large sums of money and repay them upon their arrival in Malaysia. Many succeeded in completing this journey, but many ended up with a tragic fate, dying at sea for any number of reasons. Families were left mourning over losses of their dear ones, compounded by the fact that often they lost all the money they put forth, sometimes adding up to their entire savings.

The ones that make it to Malaysia are typically traumatized, ill and indebted. Although the refugees I interviewed still talk about these events with much emotion, fear and hatred, they admit that it was the only way to complete their quest. Knowing the risk of such a venture, where the line between smugglers and traffickers is blurred, the stress, in selling all their valuables and leaving behind their families in the name of hope, is immense. The reason behind such risks is a better opportunity for employment, in a more stable, middle-income country.

Selection of geographic location is also relevant, as the vast majority aims for three major destinations: Kuala Lumpur, the state of Penang and Selangor state. Compared to the rural, ethnically segregated setting in Myanmar, or the coastal and hilly regions in Bangladesh, the urban environments in Malaysia leave more room to, blend in and achieve at least some illusion of freedom.

2.2.1 Malaysia's refugee policies

The refugee population in Malaysia comprises a small but significant part of a larger migrant population in the country. Foreign migrants count around 2 million amongst a total work force of 12 million.⁷²

⁷² Eileen Ng, Associated press, Malaysia urged to let refugees work to meet dearth, 2015, available at: <https://www.yahoo.com/news/malaysia-urged-let-refugees-meet-dearth-20110301-011104-010.html>

Out of 154.140 refugees in that migrant work force, the majority is from Myanmar, including about 53.410 Rohingyas.⁷³ This does not take into account the ones who are not registered by the UNHCR, and there are about 270.000 of these persons of concern.

In the early 1990s, a relatively small number of Rohingyas that reached Malaysia were issued protection and attestation letters by the UNHCR, and were granted financial assistance through the Malaysian Red Crescent Society. For the first decade after their arrival, the population was somewhat tolerated and integrated in the local society.

As the situation in Myanmar kept getting worse, and Bangladesh continued to overcrowd, Malaysia became a sort of a sanctuary in the minds of the persecuted Rohingyas. Since the country is not signatory to the Refugee Convention nor to its 1967 Protocol, it does not recognize the status of refugees, meaning it is not legally obliged to provide them with protection. With a sudden rise of refugees in the country in the beginning of the new millennium, the country introduced the Immigration Act in 2002. Under the Act, individuals are divided into two simple categories: legal, documented persons and illegal, undocumented persons.

All illegal, undocumented individuals thus face impulsive arrest, detention, prosecution, or imprisonment and in the absence of any legal documents to properly identify them as refugees, both refugees and asylum-seekers are treated in the same manner as illegal immigrants.

The Act also penalizes nationals for providing shelter to illegal immigrants. Not only did this affect individuals, but also even many national humanitarian organizations were left unable to offer health or educational assistance to refugees and asylum-seekers, in fear of facing new legal charges. Ever since the implementation of this Act, although fairly secure from refoulement⁷⁴, the refugees and asylum-seekers in Malaysia have been essentially missing out on a legalized right of stay.

Undifferentiated from the larger population of illegal immigrants, refugees are constantly fearing arrest or detention, they have no legal access to the labor market, and

⁷³ UNHCR, *Figures at Glance*, 2016, available at: http://www.unhcr.org/my/about_us-@-figures_at_a_glance.aspx

⁷⁴ Refoulement or repatriation is an act of forcibly returning persons to places where they may face persecution or other serious human rights violations. It also includes the act of sending refugees and asylum seekers to a country that does not guarantee protection for refugees. The principle of nonrefoulement is a norm of customary international law. In Malaysia, “soft deportations” have been known to take place along the Thailand–Malaysia border where refugees, asylum seekers and irregular migrants have been unofficially refouled, or deported from Malaysia, often into the hands of smugglers and traffickers’ (Found in: Equal Rights Trust, *Equal only in name*, 2014, p. 17)

their access to public services, such as health and education, is very limited or disallowed. Consequently, with the rise of these unprotected foreigners, Malaysian public and local political parties started treating them with some animosity. This is often an issue in big, urban settings, where the domestic population may not hold a high regard for the unfortunate ones, often overtly victimizing them and neglecting them as contributors to society.⁷⁵ Stuck in the long lasting “liminal drift”⁷⁶, undocumented immigrants remain on the fringe as only marginal members of the “host” society.

In 2004, the Rohingya came very close to an official, long-term solution. After long negotiations between the Malaysian Government and the UNHCR, it was decided that the government would issue 10.000 temporary residence permits to Rohingyas residing in Malaysia, providing adults with access to the job market, and their children access to public education. It was speculated to be a solution to a labor shortage in the country, following the government’s immigration crackdown strategy, where over one million illegal immigrants were deported.⁷⁷ In turn, the news of these permits spread, and boats controlled by reckless traffickers began to fill up again with hopeful Rohingyas and Bengalis alike. Unfortunately, claims of corruption followed, stating that the permits were granted to non-Rohingya, so the program was stopped.⁷⁸

UNHCR

Despite the organization’s struggles to provide protection to the refugees and asylum seekers, the UNHCR’s success is severely constrained by the political context in which it is operating.

Malaysia is a highly restrictive environment for nongovernmental organizations. Only a few INGOs have been able to register in Malaysia, and Amnesty International was consistently refused six times before it ever managed to register as a business.⁷⁹ This

⁷⁵ Michel Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge Polity Press, 2011, p.269-272

⁷⁶ Michel Agier, *On the Margins of the World: The Refugee*, Cambridge Polity Press 2008

⁷⁷ Jennifer Pagonis, *Rohingyas to receive temporary stay permits in Malaysia*, 2004, available at: <http://www.unhcr.org/en-us/news/latest/2004/11/4187af744/rohingyas-receive-temporary-stay-permits-malaysia.html>

⁷⁸ Chris Lewa, *Asia’s new boat people*, 2010, available at: <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/FMRpdfs/FMR30/40-41.pdf>

⁷⁹ Information acquired in an interview with RSM organization.

has been the case with many others, and even developed international organizations, such as MSF, are forced to work under the radar, until their official license is provided. With a lack of domestic institutions, the UNHCR is in charge of all immediate and long-term relief assistance, including registration, status determination and lastly, documentation. In Malaysia, the UNHCR is allowed to register the Rohingya, but not to protect them as refugees,⁸⁰ since the government still has not officially recognized the refugee and asylum cards that the UNHCR provides. While refugees used to face greater risk of deportation, this has decreased since 2009⁸¹ as a result of joint efforts by select INGOs. However, an increasing number of refugees are still being detained. As of 31 December 2015, 2,498 Rohingya were in detention in Malaysia, a 53% increase from the 1,634 detained by the end of 2014. This corresponds with an increase in Rohingya refugees arriving to Malaysia in 2014 and 2015.⁸² It is a matter of severe concern for the UNHCR to be able to intervene rapidly and effectively in cases of arrests of the refugees. In March 2010, twenty-three refugees from Myanmar were arrested at their workplace, even though they were registered with the UNHCR. At that time, the police said that if the UNHCR could confirm their status then they would be released. However, they had set a deadline for this action, and since the refugees' attempts to contact the UNHCR failed, as the arrest happened over a weekend, the refugees were transferred to an Immigration Detention Centre.⁸³ There have been many cases where refugees are forced to wait long periods of time for the UNHCR to reach these centers. Since their offices are based in Kuala Lumpur, in order to reach as many refugees as possible, they organize a team that goes to 11 detention centers around peninsular Malaysia. The entire route takes about seven to eight months, so if it happens that a refugee arrived in a center a mere day after the UNHCR has left, they will end up waiting for a release from eight months up to one year, and sometimes even longer. In theory, if a refugee or an asylum-seeker is in possession of a UNHCR card, upon providing proof, they will be immediately released. In the case that they are not registered when the UNHCR's mobile team reaches the given detention center, they will

⁸⁰ Peter Popham, *Asia's migrant crisis: Thousands of trafficked boat people cast back out to sea by Indonesia, Malaysia and Thailand*, 2015, available at: <http://www.independent.co.uk/news/world/asia/asias-migrant-crisis-thousands-of-trafficked-boat-people-cast-back-out-to-sea-by-indonesia-malaysia-10254262.html>

⁸¹ Amnesty International, *Abused and Abandoned: Refugees Denied Rights in Malaysia*, 2010, p.14

⁸² UNHCR, *Mixed Maritime Movements in South-East Asia*, 2015, p.12

⁸³ Ibid.

provide registration on the spot.⁸⁴

It is clear that the UN agency ultimately fails to ensure the protection of even the registered refugees, depending mainly on external factors such as the sporadic willingness of local authorities to validate it, or not. Therefore, possessing this kind of document is ineffectual, and it may not even prevent harsh execution of immigration law. Similarly to Bangladesh, the Rohingya outside the camps, as well as many locals, do not hold formal documentation, which diminishes the risk of properly identifying and arresting them.

In order to obtain a UNHCR card, refugees and asylum seekers must apply for registration first, and then wait to be given an appointment. They are advised to fax or send a letter with their data, consisting of their full name, date and place of birth and ethnicity.

During my stay in Kuala Lumpur, I managed to interview a number of volunteers for the UNHCR, who are working as interpreters for the newly arriving Rohingya. Their role was to explain the process of registration, and translate all the instructions provided by the UNHCR officials. As Rohingyas themselves, one of their responsibilities is to verify and confirm the identity of the refugee or asylum-seeker, having to distinguish between the dialect and the appearance of a Bengali migrant. Unsurprisingly, in conversation, they gave me the impression that there is a general lack of understanding within the Rohingya community about the registration process and who is prioritized for registration.

The UNHCR currently prioritizes three general groups for registration: undocumented refugees who are held in detention, people with serious medical conditions, and unaccompanied children. This leaves thousands of refugees who do not meet this criteria unregistered. Consequently, the ones that are not registered cannot access medical treatment at government hospitals at a reduced price, or apply for resettlement to a third country. One of the reasons behind such a slow, unclear process is due to the fact that the higher number of refugees that are registering with the UNHCR, the more that will be pulled from Myanmar to this haven in Malaysia. Beyond that, the UNHCR has a reputation to maintain, and scaling up registration only means more risk of losing that.

⁸⁴Acquired in an interview with James, Penang Stop Human Trafficking Organization.

The long, frustrating application process, especially for the elderly and the uneducated, has sparked a lack of trust in the services offered by the UNHCR, even though its widely known that it is the only mere protection available to them.

More recently, during the 2015 Southeast Asian Boat Crisis, the UNHCR's urgency to press ASEAN's governments to provide shelter for the boat people succeeded fairly. Malaysia, as well as Thailand and Indonesia, often responded to refugees and asylum-seekers arriving by boats by pushing them back to sea.⁸⁵ After the UNHCR's insistence, Malaysian Foreign Ministry approved "temporary shelter provided that the resettlement and repatriation process will be done in one year by the international community."⁸⁶

There are some grass-roots, community-based organizations that also keep tabs, and I had the opportunity to talk to representatives from RSM (Rohingya Society Malaysia) and RARC (Rohingya Arkanese Refugee Committee), both funded by membership fees and focused solely on the Rohingya community in Malaysia. I visited the studios of RVision, a news-broadcasting channel dedicated to and very popular among the Rohingya, accessible to anyone with an internet connection. It serves as an informative source to those in Myanmar, as well as those in exile, reporting everything from contemporary domestic and international news, to programs about the history of the world, and to religious and social principles. This independent media channel is available publicly in English, Burmese and Arabic.⁸⁷

As for RSM, they provide a range of services to refugee members, including certain types of documentation. They provide assistance in applying for asylum-seeker or refugee card, but they also issue marriage certificates. In extreme cases, they are compelled to offer shelter, in their offices, to ill or vulnerable refugees. RSM sometimes collaborates with the UNHCR, and for that it receives some project-based funding.

Despite the limited aid available to refugees in Malaysia, the government expects the international community to meet their needs alone: "Malaysia considers the task of providing refugees with protection, assistance and solutions to be the responsibility of

⁸⁵ BBC, *Why are so many Rohingya migrants stranded at sea?*, 2015, available at: <http://www.bbc.com/news/world-asia-32740637>

⁸⁶ Joe Cochrane, *Indonesia and Malaysia Agree to Care for Stranded Migrants*, 2015, available at: <http://www.nytimes.com/2015/05/21/world/asia/indonesia-malaysia-rohingya-bangladeshi-migrants-agreement.html>

⁸⁷ Available at: <http://www.rvisiontv.com/>

the international community in general, and the UNHCR in particular, rather than that of the state.”⁸⁸ This would be easier if the government adopted laws that worked in favor of such organizations. There is a shadow of doubt regarding the willingness of the government to end the exploitation of the most vulnerable, as various reports show that local authorities partake in the corruptive side of refugee smuggling, making profits off the unprotected. The long list of accomplices involved with the trafficking begins in Myanmar, and ends with the help of corrupt Thai authorities, allowing the refugees to arrive in Malaysia.⁸⁹

Besides the neglected ‘temporary stay permits’ program in 2004, little solution was offered towards formal integration. Resettlement remains the main, if not only, durable solution and in 2009, it was noted that, as one of the largest resettlement operations for the UNHCR, Malaysia had already resettled 7.500 people.⁹⁰

Earlier this year it was discovered that many UNHCR cardholders were not, in fact, registered with the agency, nor were they Rohingya. After tracking down the source of these fake IDs, it was established that there were a multitude of outlets selling them for as little as \$42 USD. The price varied depending on the source, but the UNHCR responded by implementing new and improved cards, including 3D holograms, barcodes and a large Secure Quick Response (SQR) code.⁹¹ This kind of technology and progress is extremely important for further collaboration between the UNHCR and the Malaysian Government. As the UNHCR's representative to Malaysia, Richard Towle underlines – it is crucial to combat the exploitation of the most vulnerable. Recently, the country’s Deputy Home Minister, Nur Jazlan, made a statement regarding the permission to work for the legally registered refugees, but no substantial move was made in that direction.⁹²

⁸⁸ Crisp, J., N. Obi and L. Ulmas, *But When Will Our Turn Come? A Review of the Implementation of UNHCR's Urban Refugee Policy in Malaysia*, 2012, p.11

⁸⁹ Fortify Rights, *Myanmar: Authorities Complicit in Rohingya Trafficking, Smuggling*, 2014, available at: <http://www.fortifyrights.org/publication-20141107.html>

⁹⁰ UNHCR, *UNHCR's policy on refugee protection and solutions in urban areas*, 2009, available at: <http://www.unhcr.org/protection/hcdialogue%20/4ab356ab6/unhcr-policy-refugee-protection-solutions-urban-areas.html>

⁹¹ P Prem Kumar, *UNHCR introduces new refugee ID cards in Malaysia*, in Anadolu Agency, 2016, available at: <http://aa.com.tr/en/asia-pacific/unhcr-introduces-new-refugee-id-cards-in-malaysia/595062>

⁹² Sumisha Naidu, *UNHCR defends registration card system in Malaysia*, 2016, available at: <http://www.channelnewsasia.com/news/asiapacific/unhcr-defends/2627594.html>

2.2.2 Illusions of a stable life

During my stays in Bangladesh and Malaysia, I witnessed the various protective strategies and survival mechanisms in place amidst the Rohingya communities. During such a long absence from legal protection, they developed and learned to safeguard their own space.

The demographic profile of Rohingya in Malaysia reveals a traditional urban migration, with a high number of males, mainly young and unmarried, and less small- to average-sized households moving in, contrasting deeply with life in the crowded shacks of the refugee camps in Bangladesh. Many refugees participating in the research accredited their decision to move to Malaysia to strong networks of family and friends. Refugees typically shared a home with a wider circle of family or friends, dividing equally the living costs.

It is precisely this advice from friends and family already living in Malaysia that helps them to plan, or even to help pay for the journey, and settle upon a destination.

The wages in the urban setting, though lower and with longer hours than in the legal market, are much higher in comparison to Bangladesh. Labor needs are also different in a more service-oriented Malaysia: Rohingyas here work more in construction sites, factories, restaurants and cleaning services, compared to the seasonal and irregular day labor in agriculture and fishing in Bangladesh. Just like in Bangladesh, the UNHCR and other NGOs employ refugees as ‘voluntary community workers.’ For that, they receive unofficial salaries (a UNHCR interpreter will receive 1000 RM, about \$250 USD).

Although their jobs are very demanding and often emotionally involving, they remain unofficial full-time employees, because Malaysian law doesn’t authorize refugees to work.

As can be seen from this summary, there is an obvious social classification among the refugees, depending on their employment and their set of skills that are seen as useful in the host country. This classification poses many threats to one general unity of the Rohingya community, and it consequently keeps them further away from legal recognition and integration into the host country’s society.

Local integration is characterized as encompassing three components: economic, social/cultural, and political.⁹³ Briefly, the economic component involves self-reliance and a sustainable livelihood. The socio-cultural component relies on interactions with host communities without discrimination or exploitation. And the political component involves the recognition of rights and entitlements enjoyed by local citizens.⁹⁴

In comparison to Bangladesh, the general impression of the interviewees holds that there is a medium to high level of integration, with little to no organized hatred or open discrimination. A large number have learned to speak the local language, which helps greatly – especially in cooperating with law enforcement.

Malaysian citizens primarily help refugees by employing them, renting apartments to them, and simply developing friendly bonds. Having been forced to flee their own country for reasons of religious persecution, acceptance by the locals in a host country is pertinent for their security, but it is also extremely important for their sense of peace and stability. Taking this into consideration, Rohingya continue to be attracted to Malaysia, regardless of strict migration controls and constant exploitation by the police. To make matters worse, as refugees with no legal status, their children are unmistakably born refugees as well. Babies that are born in Malaysian government hospitals, even to UNHCR-registered refugees, may be able to obtain a birth certificate, but the baby will not automatically be eligible for Malaysian citizenship – which puts them at a high risk for statelessness. This constant circle of statelessness gives an image of their life in limbo.⁹⁵

The refugees lacking legal status here are as similarly helpless as the unregistered refugees in Bangladesh. Employment-related abuse and exploitation, verbal and physical abuse and sexual harassment against the Rohingya are common in both countries, and since these refugees have no rights or protection, most incidents go unpunished. Nearly all of the refugees interviewed mentioned bribes to authorities – a price they have already paid for their freedom - in order to avoid arrest. Malaysia ranked 50th out of 175 countries on the 2014 Corruption Perceptions Index.⁹⁶

⁹³ Core Group on Durable Solutions, *Framework for Durable Solutions for Refugees and Persons of Concern*, Core Group on Durable Solutions, UNHCR, 2003, p.24, available at: <http://www.refworld.org/docid/4124b6a04.html>

⁹⁴ Ibid, p.25

⁹⁵ Human Rights Watch, *Living in Limbo: Burmese Rohingyas in Malaysia*, 2000, available at: <https://www.hrw.org/reports/2000/malaysia/>

⁹⁶ Available at: <https://www.transparency.org/cpi2014/results>

The UNHCR estimates that only 40% of the school-age refugee children have access to any form of education⁹⁷. Since they are not allowed to attend public schools, education is offered through informal learning centers supported by the UNHCR, and a few national NGOs, religious organizations, and there are even some self-constructed schools or classrooms set up by refugees themselves.

Although the refugees registered with the UNHCR are entitled to a 50% discount on medical bills at Malaysian public health facilities, the cost for most treatments is still excessively high with respect to the average income. Those without UNHCR cards who are not eligible for this ‘foreigner’s rate’ have extremely limited options for accessing affordable secondary care.

Another important thing to acknowledge, across the refuge world, but especially in the urban setting – is the interesting notion of refugees translating and transforming old skills or adopting new ones, with the changes brought on by various environments. In Bangladesh, I encountered a lawyer, unable to practice without a license, who now works as a shop owner. In Malaysia, former shop owners found work cutting grass or as construction workers. In Myanmar, a teacher now works in the field, and everybody else is forced to adapt to the necessities of the market and whatever conditions were provided to them. These examples show the clear discord between the skills and job experiences that the Rohingya practiced in the rural towns of their homeland, Arakan, and the skills and experiences they have had to adopt in exile. The elderly and those with health issues inevitably face much different challenges in finding a source of income.

The life stories of the Rohingya showed me that this displacement, in circumstances with little or no protection, the importance and trust of the community and the social ties that come with it are vital to success. However, although many stories highlight this kind of solidarity, in Malaysia especially I have gotten the impression that it comes as an automatic response to a communal crisis, rather than as a nod to the general unity of the community.

⁹⁷ UNESCO, *No more excuses: Provide education to all forcibly displaced people*, 2016, p.5, available at: <http://unesdoc.unesco.org/images/0024/002448/244847E.pdf>

Chapter III

DIVISION, TRAUMA AND CHALLENGED IDENTITIES

3.1 Scattered internally

During my field research, I visited the countries with the highest concentrations of Rohingya (Bangladesh, Malaysia and Myanmar) with a purpose beyond just witnessing or reporting on the atrocities that are committed against them. I wanted to meet and converse with people that have rarely gotten the chance to share their story, their personal views and hopes for the future.

I searched for examples of activities that break the figurative prison in which they were stuck, asking every interviewee about their interests, goals and ambitions, while discussing the current political situation. Most of these questions received similar answers, as all of their stories come to the same conclusion – in an IDP or refugee camp, or in the city. They all end in statelessness. The most emotionally driven answers would come when I asked personal questions, or about views of and relationships within their communities. The conclusion I have drawn is that the division is not only physical and geographical, but there is a certain emotional or psychological gap inside the community. Contrary to my first impressions, there is very little unity among the Rohingya abroad.

The interviews underlined a sense of mistrust and even fear amongst Rohingyas towards their fellow refugees. Judith Herman, a psychiatrist and a researcher in the field of traumatic stress, claims that “The damage to the survivor’s faith and sense of community is particularly severe when the traumatic events themselves involve the betrayal of important relationships.”⁹⁸ In the case of the Rohingya, this comes from concerns regarding human smuggling, as some of the community members’ work is linked to these gang-like chains. Especially in Malaysia, I have documented stories of these hazardous journeys on the sea arranged or supervised by Rohingya smugglers. Yet, there were some that were much more heavily involved in the violent and exploitative parts of the operations, working for trafficking gangs to extort payments, or

⁹⁸ Judith Herman, *Trauma and recovery*, Volume 551, Basic books, New York, 1992, p.40

torturing people in the trafficking camps in the jungles of Thailand. I met a man named Mohammed in the offices of the RSM in late February, two years after a Rohingya woman, who had arranged for his pregnant wife's trip to Malaysia, kidnapped her and their newborn son from the hospital. His wife was alive and well, but he has never been able to see his son, even after the police arrested the trafficker, as they demanded an amount he could not yet afford. I noticed growing tensions amongst the Rohingya, trapped between needing and wanting to trust those within their community, while at the same time fearing exploitation by someone more desperate. This is particularly troubling with the arrivals of newcomers, who need help from those who are already trying to protect themselves.

The aforementioned social classification amongst the refugees, dependent on their employment in the host country, is one of the dominant reasons behind the community division. Unprotected by their country of birth, their current host country and, in most cases, even by the humanitarian organizations, the Rohingya are left to fend for themselves. Some found it easier to translate their skills and apply them in the new country's job market, but many were left out. Teachers, UNHCR interpreters and international news correspondents all required a certain set of skills that were not granted to everybody. It was especially common in Malaysia that the young ones had more secure and better-paid jobs, with their developed knowledge of computers and language skills and their adaptive abilities. On the other hand, older generations coming from their less developed homelands were seldom successful in transferring their skills to an urban and technological society.

However, there lies an even greater gap in Bangladesh, as the feeling of lethargy dominates life in the camps. It affects everyone, but the ones who were previously recognized with an official job and status in Myanmar feel it the most. The moral suffering and even the psychological pathologies linked to the lack of occupational activity assume an important place in the texture of individual daily life. Most of the time, these formerly certified people are elected to the camp committee, partaking in and organizing camp events and attempting to resolve day-to-day issues of refugees. Along with the CMCs (Camp Management Coordinators) and the BMCs (Block Management Coordinators), these people create a category of refugees who hold a certain level of power and represent the highest authority. As there are not many reputable jobs to compete for, these positions are highly regarded and most desirable, and for that, they are often the apple of discord between friends and families.

The mistrust can have deep long term consequences, making it more difficult to tidily present a solution for the community as a whole. But in the short term, acts of open jealousy bring many members in danger. Since the 2012 violence, many news outlets have “picked up” on the Rohingya story, finally exposing it to a wider audience. Since then, journalists from all over the world have expressed their interests to cover this slow genocide, with documentaries and photographic stories. All of this required help from the “inside,” which in turn created a job market for those fluent in English.

The ones that felt left out, pressed by jealousy and their own misery, have often put at risk their own comrades, the individuals who are helping international journalists to spread the word about the realities of Myanmar, Bangladesh and Malaysia. This “backbiting,” as it is commonly called among the Rohingya, often involves bribes and agreements with the local police in return for small incentives or some sort of protection.

This crippling and contagious issue of mistrust is born in instances of trauma, whether due to abandonment by your own government, sectarian violence or the almost innate fear of any authority figure.

To the stresses and traumas that have caused the refugees to escape, one must add the difficulties, instability and fear that the refugees face in their host countries. Identity-confusion due to the loss of status, language problems, poverty, concern and guilt towards family members, and, on top of everything, a host country’s hostility are some of the factors that add to the pressure of being a refugee in a foreign land.

A senior author in the field, H. B. M. Murphy, in UNESCO’s publication, “Flight and Resettlement,” finds that it is particularly during camp experience that the reality of what was endured finally dawns on the refugee.⁹⁹ The frictions inside the refugee camps tend to be more intense than the ones in the urban setting, which can be attributed to different lifestyles in each. As opposed to the more individual habits in Malaysia, forceful territorial and social unions of the camps had various consequences for its residents, beyond the obvious political connotations. Isolated from the host country’s community, a life without any privacy in overcrowded spaces where all of life’s activities are conducted on a daily basis, affects the moral strength of every resident. These camps become their refuge, having lost their homes and now facing a reality

⁹⁹ H. B. M. MURPHY and others, *Flight and Resettlement*, Paris: UNESCO, 1955, p.201

which they would most like to escape. Intruding this space in any way, such as is the case with sporadic Bangladeshi police raids or the closing of these camps due to forced repatriation, as in the 1990s, brings even more anxiety into the already unstable lives of refugees. As Agier claims "...a forced displacement - closing a camp or sending its occupants away - can be just as violent as the displacement that led to the refugees' arrival at the camp."¹⁰⁰

In the late 1960's, former professor at the University of California, Stephen Keller, surveyed Hindu and Sikh partition refugees who were living in the states of Punjab and Hayana in India. He compared them, based upon caste and others, in order to discover the long-term effects of being a refugee. He studied the reactions to terrorization and the impact of progressive stress and trauma on future behavior. Keller suggests that the trauma of persecution creates enduring psychological conditions in refugees, which will have effects on their behavior for years to come. Since they undergo a great deal of suffering and loss, the ones that flee experience residual characteristics such as guilt, invulnerability, and aggressiveness. The aggressiveness is seen by Keller as a consequence of the former two states: a shift of guilt onto others, but also a motivation to take risks, because the refugee has gone through these hardships and survived, therefore he feels invulnerable. The aggressiveness may be translated into increased violence, crime or suicide, or, as Keller witnessed in the Punjab: "...an increased willingness to innovate, to take risks, to make the effort to build a new life."¹⁰¹ Keller pinpointed the consequence of the refugees' experiences on their subsequent behaviors, and my encounter with the skills and character traces, used to revert the image of refugees as solely victims, were extraordinary examples of human resistance to moral oppression.

When discussing the social class system among the Rohingya, I failed to underline the incredible importance of education. Although any job that saves them from daily labor often leads to a feeling of elitism, this particular advantage – knowledge – pushes them even further. The more they understand how important (especially higher) education is, the more they want it. This was expressed in several interviews, how much it helped them in a practical sense, for example, knowing how to read. Yet, the feeling that they

¹⁰⁰ Michele Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge Polity Press, 2011, p.284

¹⁰¹ Stephen L. Keller, *Uprooting and Social Change: The Role of Refugees in Development*, Manohar Book Service, New Delhi, 1975

are worth something because of it has saved them from losing moral values or confidence, or going down the dark road of envy and betrayal. Judith Herman argues that the psychological trauma is a condition of the powerless.¹⁰² Realizing that knowledge is their biggest and most precious gift, they feel the need to share it with others. In many places, this ideal transformed into alternative schools organized across the camps and even into educational programs for the elderly. The survivor's senses of self, of worth, and of humanity strongly rely on a feeling of connection to others. By reconnecting with others after experiencing trauma, the psychological abilities that were damaged due to such events are recreated. This includes the basic capacities for trust, autonomy, initiative, competence, identity, and intimacy. Since these capabilities are formed in relationships with others, they must be reformed in such relationships.¹⁰³ Sixty-five year old Abdul was a historian and a chairman in his village in Myanmar for 25 years. Back in Myanmar, he was falsely accused of taking part in political organizations and speaking against the military regime. Fearing arrest, he was forced to flee to Bangladesh in 2003, leaving his wife and children behind. He was the first to mention how the government of Myanmar targeted educated people, or people with high social status, fearing they had the influence to organize the masses and rebel against a decades-long oppression. When he arrived to Bangladesh, he settled in the unregistered Leda camp. He started imparting history and reading lessons not just to the children, but to the elderly as well. On one occasion, he told me: "It takes a really big misfortune to realize how fortunate you are, for being educated. They cannot manipulate you as easily."

Initiatives always exist that aim to recreate something more individual, in work, social life, in recalling sentimental past events and even in conflicts. As Michel Agier points out: "Being human, winning back this minimum of identity, of being-in-the-world, which war and exodus endanger, therefore consists for each refugee in redefining his or her place by taking advantage of the ambivalence of the life of the camps, between emergency and duration, the here-and-now and the long term, the sentiment of physical or social death and the recommencement of life."¹⁰⁴

¹⁰² Judith Herman, *Trauma and recovery*, Volume 551, Basic books, New York, 1992, p. 24

¹⁰³ *Ibid*, p. 94

¹⁰⁴ Michel Agier, *Between war and city: Towards an urban anthropology of refugee camps*, 2009, p.337

3.2 Education as a hope for the future

While Myanmar denies education to the Rohingya, the governments of Bangladesh and Malaysia do not allow the refugees to enroll in schools. They become trapped and discouraged. Education is, in this case, a weapon to fight the repression and violation of every human right. The mere fact that the governments of both Myanmar and Bangladesh are targeting educated people, often imprisoning them, shows that not only is education a weapon in the case of the Rohingya, but it is their only defense against repression. These governments prevent the refugees' advancement with a force as strong as one they would use against their political opponents – as if they were equals. They treat them as ruthlessly as they would treat someone with actual political power. Education for the refugees thus becomes an advantage in the political sphere, as they learn about and seriously understand the suffering brought upon them. This prevents them from blindly following their oppressors and thus allowing them to speak out against these corrupt policies. Education is this new means to a dignified life and a strong communal spine.

Some of the refugees I encountered had levels of education that allowed them to communicate with foreigners interested in their statelessness. But more than anything, it inspired them to use this knowledge and available technology for further studies, that they would later promote in self-organized schools for unprivileged refugees.

In their countries of exile, where there is usually more freedom of movement than in Myanmar, activism inside the refugee community mainly focuses on education. Even those suffering from distrust of any community or humanitarian organizations, recognize the importance of fighting for the next generation's future – by providing them with education.

Because the situation of the stateless Rohingya sadly goes hand in hand with a general lack of hope for the future, the fight for education can be seen as futile. But education can also create hope, which I witnessed during interviews with not only pupils, but also their parents and teachers. With education comes social and intellectual growth, which is extremely important for children, in order to gain faith in their abilities and develop further ambitions.

The relevance of education is found in multiple segments of life. It is not only a basic right, but also an enabling right, "a law that ensures that other rights can be realized as the right to health and the right to a dignified life."¹⁰⁵

3.2.1 Camp versus urban environment

Regardless of the Education For All program, designed for extremely poor areas, war zones and other emergency relief areas, not every child has access to education. It is often the government of a host country that presents the biggest obstacle before education for refugees, fearing to attract high numbers of asylum-seekers to the country. This is the case in both Bangladesh and Malaysia. I will put into focus these two countries, not only because of their high concentrations of Rohingyas, but also because of the aforementioned social differentiation, which exists in the educational prism as well.

Despite all the obstacles presented by the government, and by the crowded camp environment for that matter, the Rohingya have a very clear idea about the importance of education, although they lack a universal approach to it. I interviewed teachers, parents and children involved in various approaches to education inside and outside the camps. Several times I visited schools during classes, observing incredible levels of focus, dedication and obedience among even the youngest ones. Though I interviewed teachers, parents and children from the registered camps of Nayapara and Kutupalong, I still was not allowed to visit these schools without an official permit from the UNHCR. This hindered me from interviewing a larger crowd, despite the few that managed to travel and meet me outside the camps. The interviews I conducted provided me with insights into their routines, hopes and dreams, but I will focus mainly on the educational system in and around Bangladesh's unregistered camp called Leda, where I had the chance to visit a variety of schools during lessons. Later, I will explain the far more disperse educational scene in Malaysia, with the intention of contrasting the two.

When the economies of industrialized countries were shaken up in the 1970s, they dragged their educational systems along. An educational crisis was proclaimed and there was an immediate need to redefine the education system. Writers Coombs and

¹⁰⁵ Dryden-Peterson, 2011 (Found in: Rosa-Lie Craps, *Education in Unregistered Refugee camps: Rohingya case study*, University of Gent, 2014, p.13

Ahmed were first to offer a new definition, which has now become the standard.¹⁰⁶ Distinction was made between formal, non-formal and informal education. The government typically offers formal education and it is often compulsory between certain ages. The acquired knowledge and skills are completed with a certificate or diploma. Non-formal education is provided outside schools but no institution legally recognizes it. Examples include religious, military or community-related activities. This usually involves technical and professional training, but can also follow the structure of formal education. The main difference from formal education is that it does not lead to an official certificate or diploma. Finally, there is the informal way for children and adults to gain knowledge through interactions with friends, family and colleagues, or personal experience. While these three definitions represent an international standard of education, there are four educational systems in place in camps in Bangladesh that combine all of these aspects. The four genres of education for residents in the camps are: Noorani madrasas, religious schools set up in mosques, integrated education with the local community and private lessons taught by members of the Rohingya community.

The Noorani madrasas is a combination of secular and religious education. For 100 BDT per month (about 1 Euro), they combine the Bangla curriculum¹⁰⁷ with Islamic religious studies. The madrasas are intended only for the youngest – kindergarten and primary level. Due to a lack of space, both classes are usually held in the same time and in the same room. The two groups sit on the ground, looking at opposite sides of the space. The education available at the mosques is similar in this way, as each mosque has an imam that imparts lessons between prayers, but the focus is exclusively on religious education (Arabic, the Quran, moral and ethics). For only 20 Taka (about 0.50 euros) per month, men can bring their children to school.

The education in the local community is considered decent, and more desirable, but for many it is too expensive. To be eligible, it is necessary to obtain a fake Bangladeshi birth certificate, typically for around 800 BDT (9 euros), pay the entry fee and additionally the transport costs to and from school. Besides being costly, using transportation along the highway between Teknaf and Cox's Bazar is also very risky.

¹⁰⁶ Paul Fordham, *Informal, non-formal and formal education programs*, London, 1993, available at: <http://infed.org/mobi/informal-non-formal-and-formal-education-programmes/>

¹⁰⁷ Bangla curriculum consists of Bangla, mathematics, English, science, religion, physical education, art and music.

The refugees fear arrest, especially if they are not fluent in the Bangla language, or there is the risk of kidnapping by many traffickers in the area. For this reason, many parents prefer the loose educational systems available within the camps.

I had the opportunity to visit Leda Junior High School and spoke with the head teacher, a local Bangladeshi, along with a few Rohingya students with strong English skills. The first thing I noticed, written on the board, was the total number of enrolled students next to a high number of the ones absent from the class. As Ali, my translator, explained, financial instability has a direct impact on the high absentees. Although enrolled, children attending schools of all forms are often missing classes, due to troubles with income, family, or other restrictions.

Education within the local community was secretly organized between Rohingya community leaders and the local school management and faculty. In a conversation with the head teacher, I realized the gravity of the risk that is implied for them too. Yet, that is no matter to him, as much as the willingness and the “hunger for knowledge” that the Rohingya students presented, which he emphasized many times during the interview. The Rohingya represent one third of the total number of students at his junior high school, and are regarded as the top of the class. But most importantly, the difference between the students at Leda Junior High is the certificate upon graduation, which is not available to the Rohingya. This hinders their enrollment to university and creates yet another distinctive group. They are segregated from the local Bangladeshi students by a legal obstruction in their advancement, but also from the other Rohingya students that are financially unable to attend this course, even though they hold a proper level of education.

The Inter-Agency Network for Education in Emergencies (INEE)¹⁰⁸ retains that performance must be validated in the form of a certificate or diploma, as this not only awards them the opportunity to pursue higher education, but it is also a strong motivating factor for the students.

¹⁰⁸ The Inter-Agency Network for Education in Emergencies (INEE) was founded in 2001. It is an open network of NGOs, UN agencies, donors, academics and researchers, which makes it an umbrella organization. Its function is not executive in nature, but brings the actors together by sharing information and knowledge about the right to education. As an umbrella organization, INEE has prepared a number of minimum standards and guidelines in 2003 to lead the coordination of education in emergencies in the right direction. They outline the minimum level of humanitarian assistance in the field of education that is needed to provide a decent life to displaced persons. Because the standards are universal and quality, they often remain vague and are difficult to implement (INEE, 2004).

Finally, there are private lessons available in both the registered and the unregistered camps. The teachers are often those from the community who advocate the most for the importance of education. Lessons are usually available twice a day, in the morning and in the evening, with a two-hour break in between, for lunch and rest. The lessons typically take place at or outside the teacher's home, except in the case of more devoted teachers, who have sought external funding and constructed educational centers with the help of camp residents. Tuition fees are based on recommended monthly contributions, normally between 100 and 200 BDT (between 1-2 euros) per student. The parents pay for the books, but there is also a system of donation provided by all the residents, to make books available to everyone. In case the parents are unable to afford it, the teacher often allows the students to attend class regardless, designating many of them as volunteers with incredible dedication and belief in the cause.

These teachers are often previously educated individuals who managed to complete at least one year of University, and have specialized in a certain field. Some of them are fluent in English, learning through online interactions with foreigners who have visited or plan to visit the camps. A few of them stroke me as incredibly capable, fearless men who would never surrender to any threat. Faizul, from Nayapara registered camp, enclosed in his interview how the dedication to educate children in his private center helped with his own personal crisis. Besides the comforting feeling one is rewarded with when serving his community, which was expressed by many, 28-year-old Faizul talked about his personal enlightenment that the teaching experience brought him. As he was forced to escape Myanmar when he was only five years old, growing up in Bangladesh, he was left with no access to basic education. Once the UNHCR established schools in the registered camps in 2002, he enrolled himself in class one when he was already 16 years old. Starting school this late, he never dreamed about becoming a teacher, but his mature age helped him to realize the importance of education that he had lacked. Soon after finishing class five in the UNHCR school, which was the highest level offered at the time, he continued taking private classes inside the camp. He still remembers the encouragement from the teachers who helped him to keep up with his studies. Their commitment allowed him to see teaching as the most noble and rewarding job, and all his hopes for the future are now reflected in that. Today he is a well-spoken young man, fluent in English and sure that once he is granted citizenship, he will continue in this direction, obtaining a degree in what he has discovered suits him most.

Besides these positive examples, I have found many inconsistencies in teaching methods, but also in their approach to education. Although Unicef created 'Education for Repatriation,' a concept that requires the educational curriculum in a refugee's host country to be compatible with the curriculum in their homeland, this is rarely followed – either in registered or in unregistered camps. It is due mostly to an inability to obtain books from Myanmar, and because many young Rohingya teachers, born in exile, never learned Burmese at school. Consequently, they are not able to use the books written in Burmese, nor can they offer Burmese writing and reading lessons. Therefore, the teachers can offer only the subjects they followed during their own schooling. Furthermore, it exposes a major inconsistency between curriculums that are randomly drawn up and depend solely on the teacher.

Accordingly, it is impossible to coordinate a systematic approach and consistent management of the schools and their curriculums, at least regarding those available in the camps. Beyond that, cultural and gender differences continue to dictate rules regarding education, similarly to rural areas in Myanmar. For example, since mature women¹⁰⁹ are not allowed to the mosque at the same time as men, the proportion of girls over the age of 10 studying in mosques is considerably smaller than that of the boys, making this system of education disproportionately unavailable for girls. At the same time, in other schools, I noticed a higher number of girls, since boys are more likely to be sent to work in order to provide for a family in need, or without a father. In some cases, girls are kept at home either out of fear from kidnapping and rape, or because they are expected to help maintain the household, before marrying someone who will provide for them and their family. This was the general impression after a group interview with seven women, all of different ages and many of them too uncomfortable to express their opinion through my male translator, Zahid. Although many community leaders gave much importance to educating women, who should be treated as equal members of the community and who are equally necessary in the fight against the oppression of the Rohingya, most women in camps lack even the most basic education. In conversation with Rashida, a mother of 4, she explained how disabled she feels without the most basic skills, and all she wants for her children is to be much better than her. She believes reading and writing needs to be learnt at a young age, as it is the most formative time. What bothers her most about being illiterate is that she is unable to stay

¹⁰⁹ Women are considered mature after their first menstrual period.

informed on current events and important news, as many others in the camp manage through cellphones and newspapers.

Language skills are given particular importance by everybody. The Chittagonian dialect of Bangla is considered important only for life outside the camps, as a sort of protection from constant police checks. It is somewhat easy to learn for the Rohingya, due to its similarity with their mother tongue. Yet, English is still seen as “the language of the future.”¹¹⁰ As an international language, it is useful for communication with foreign visitors and social workers. English is used to explain problems and frustrations, and it is sometimes necessary in order to receive aid from private donors. The importance of Burmese seems to be neglected, and upon their potential return to Myanmar, this may present enormous difficulties for the generations born in exile. It is a gap that remains uncertain and with no clear solution in sight.

Besides the language barriers, there is a myriad of other uncertainties regarding the future of Rohingya children. It is important for them to receive some structured guidance, to learn the meaning of responsibility and to find relevance in learning, steadily connecting their achievements to what may be useful for them in the future. While the children, teachers, and parents all underline the psychological, social and eventually, economic, benefits of education, I noticed different perspectives on what impact this may have in the future. The teachers view the unofficial levels of education as a stepping-stone, something that would inspire their further studies, and especially self-discipline. The children, and particularly the parents who struggle to provide the means to send them to school, see it as a path to their desired profession, even though none of the schools available in either the registered or unregistered camps provide certificates that would lead to enrollment in higher education. Still, it is conceivable to attain enrollment to a public university in Bangladesh. The first condition is, of course, purchasing false Bangladeshi documentation and pretending to be Bengali among colleagues and teachers, and keeping a distance from Rohingya friends and family. Second is ensuring financial support from family, not only for tuition but also for accommodation and sustenance. All of this, while living in constant fear of arrest, is not easy, and it is of course very rare. But, again, hope and ambition play a big role in the lives of the Rohingya and refugees worldwide. Among the children interviewed, many

¹¹⁰ In an interview with Rashida, she expressed her wish that her son becomes an English teacher.

showed interest in becoming teachers, looking up to their own mentors, or doctors, adopting their parents' ambitions.

At the other end of their refuge, there is Malaysia, believed to be a safe haven by those who remain in Myanmar or Bangladesh. In Kuala Lumpur, the educational opportunities are limited, but available, through a few national and international organizations. Among those I interviewed, many attended the Dignity for Children Foundation, established in 1998. The organization started as a welfare program for the underprivileged, distributing food and providing access to basic services. Shortly after their inception, they shifted focus to education, proclaiming that it is the key to breaking the cycle of poverty, having a long lasting impact. Their work was officially renamed as the Harvest Centre from 2003, and their first preschool opened in January of 2004. Slowly, the programs reached primary and secondary level, which was an important opportunity for the children of young, Rohingya adults who had settled in Malaysia. Even though the president of the United States, Barack Obama, visited the school in 2015, praising Malaysia for allowing refugee education, there remains a very rare opportunity to study, affordable only to a small number of families. Holistic care, including meals, and a quality education cost 6.000 RM (around 1.300 euros) per child, per year.

At the primary level, there are only a few community-organized schools present in Malaysia, as rent and maintenance is very expensive in the city, and there are no Rohingya mosques in existence there that can be used. I was able to visit two such schools, which follow Noorani madrasa principles, combining a Malay curriculum with religious studies. Both were funded by different Islamic organizations and children of all ages are accepted, as well as parent's donations.

What I observed as the most promising system in Malaysia was a small, two-year-old school in Seberang Perai, part of Penang state on the Malay Peninsula. A few locals, along with some engaged foreigners, work and organize together for an NGO called "Penang Stop Human Trafficking." A few individuals inside this NGO recognized the importance of educating the young generations of the refugee community. With the help of a Rohingya community leader, Zayed, and legal support provided by the UNHCR, they train and employ novice teachers from the Rohingya community. This "refugees teaching refugees" school is called "Good Start Learning Center," and it is comprised of

sixty students who make up the kindergarten class and the first three levels of primary. Teachers are paid proper, livable salaries, comprised of donations collected by the organizers. This in particular contrasts the position of teachers in Bangladesh, whose salaries vary from month to month, depending on the number of students that can afford to attend the class.

Another big contrast I have seen is in the education for women, and more precisely the gender equality among refugees living in Malaysia. The women whom I interviewed were hired by the UNHCR as interpreters, alongside the men, and they were able to express their opinions and wishes freely, in fluent English. Having a basic academic background, provided by the Dignity for Children Foundation, two of these women, Musana and Minara, are focused on the next step: a pursuit for higher education, and eventually resettlement. While Musana has a son, and already imagines how her future would be in the United States, following her dream to play basketball on a university team, Minara is recently married and has no other dream but to continue supporting her community in every way, regardless of her location. Musana previously worked as a teacher at the Dignity for Children Foundation, and Minara is tireless in making sure that any information about assistance available to the Rohingya reaches whomever it may benefit. While I am aware that these women present a very small percentage and are, in fact, extraordinary – their dedication and contribution to the community reminded me of a similar spirit that I witnessed in Bangladesh.

There were an arguably smaller number of young children living in Malaysia, in comparison to Bangladesh, as those who risk their lives on uncertain smuggling trips are mainly young adults. This provoked a shift in my research towards young male adults and emancipated young women, and the interviews dealt not only with their pastimes and ambitions, but also with their identities formed in a foreign and urban land.

Egon Francis Kunz, a librarian and historian who was born in Hungary, but fled to Australia as a refugee, separates the refugees into two categories: those of the majority-identified and those of the events-alienated refugees.¹¹¹ The first category denotes refugees who identify with their nation, homeland and its people, but who fled from the current government or from a foreign oppressor. Events-alienated refugees usually come from marginal or minority groups who have tried to identify with their country,

¹¹¹ E.F. Kunz, *Exile and resettlement: Refugee theory*, International Migration Review, 1981, p.42-51

but who have been alienated by its rejection or persecution. The majority-identified refugee will tend to delay flight until danger is paramount and will hope to return home. The alienated refugee will often seek opportunities to escape and will eagerly seek a new identity, or a country of resettlement. I was able to draw a blurry line between the Rohingya I met in Bangladesh and those in Malaysia, placing them into these two categories, the majority-identified and the events-alienated, respectively. This does not mean that the ones living in Malaysia do not identify with their nation. Many of them arrive alone, without their families and friends, and their identities are shaped accordingly. Left alone, they focus mainly on their work and sending money home, while struggling to make ends meet and paying bribes to corrupt authorities, in order to escape imprisonment. It is important to note, however, that since they have surmounted all that is available to them as Rohingya, they shift their focus on the few opportunities that exist in Malaysia. The most desirable outcome is resettlement, followed by a job at a national or international NGO (mostly as an interpreter), and the rare opportunity to receive a scholarship from an Islamic university in Malaysia, which, again, requires fake documentation and excessive funds.

The ties to the culture of the country of origin is particularly relevant in Malaysia, where the urban setting and geographical distance alienate the refugees from Myanmar more so than in Bangladesh. Ties to that culture, which is not necessarily their country of birth, impact the ability of a refugee to adapt and integrate with the host community. Since the demographics of the camps in Bangladesh are very different from the neighborhoods in the cities in Malaysia, the native cultural heritage seems to be stronger inside the camps. This is most likely due to a high number of complete families and a greater concentration of homogeneity. In a cosmopolitan capital such as Kuala Lumpur, it is inevitable that the Rohingya connect with people from Malaysia and other nations, mixing their cultures with their own. In this case, a better integration into the host community is provided.

This determines only the difference, and not necessarily the advantage of one Rohingya settlement over another. On one side, there is support of the community and a shared sense of identity. And on the other side, there are benefits, not only in the material sense, but also those that pertain to local integration and a sense of being recognized by an established society.

From the standpoint of identity changes, it is interesting to contrast the city and the camp. Liisa Malkki, an anthropologist, carried out a research in the second half of the 1980s regarding Burundian Hutu refugees in Tanzania. She compared those living in camps with the 'self-settled' ones in town, concluding that the attachments of the refugees to the places they came from vary greatly. But more importantly, she observed that the effects of detachment also depended on their place of relocation. She separated the camp and the city into two spheres, regarding not only the geographical but also the symbolic value for the refugees. Camp falls into the sphere where a specific, moral and political community has been reconstructed, among which the memories and myths of origin are maintained. In the context of the camp, she notes, identity is reinforced. By contrast, the refugees who settle individually in towns produce more 'cosmopolitan' forms of identity and their ethnic attachment loses its mythico-historical roots, and it can be manipulated in this or that particular context. The ethno-nationalism of the camp residents contrasts with the cosmopolitanism of the city residents. The latter then find their place, among the actors and creators of a "post-national order."¹¹²

This might be relevant for the Rohingya who are born and raised in cities of the host country, in terms of the opportunities presented and the political milieu in which they might be able to take part. On the other hand, alarmingly, these children are growing up in a city, hopefully with more opportunity for education and progress, but - in sharp contrast with those growing up in dusty refugee camps, their attention focused on the Rohingya's oppressed history, and their experiences restricted to the struggle of their community. They are brought into the world with the weight of that identity.

Besides striving for EFA and quality of education, it is of great importance to achieve equality, starting in Bangladesh, and eventually covering the whole Rohingya community. It is more evidence that reveals a lack of unity, global cooperation and organization amongst the Rohingya. Education is one cause that is of supreme relevance to all of them in achieving this unity.

¹¹² Liisa Malkki, *Purity and Exile: Violence, Memory and National Cosmology Among Hutu Refugees in Tanzania*, Chicago, 1995 (Found in: Agier, 2002, p.322)

3.3 Importance of the community

Although there is an evident social differentiation between the camps and the urban self-settlements, it is not only in an urban setting where identity change can take place. The transformation of the camps into working, economical villages and small cities happens over time. The environment of limited, shared space and experience creates a foundation for new shapes of identity and multiple forms of expression. Judith Herman points out that as an outcome of traumatic life events, survivors become extremely vulnerable. Their identity is shaken, the sense of self is crushed. These can only be rebuilt the same way they were built initially, in connection with others.¹¹³ Community existence is pertinent to these changes, and it provides the support and need for new forms of expression. For example, if a child is deprived of even a single memory outside of a refugee camp, where her life passes by in vain, she would not feel responsible necessarily to test her own potential and help the rest of the children or herself to leave these camps one day, with at least some basic education. In the case of Faizul,¹¹⁴ his transformation worked out well on both sides, as it helped him to find occupation while giving something back to the community. The gratitude he received from both parents and children saved him from desolation and idleness experienced by many living in the camps. In some cases, Faizul expanded, the community-focused activities have saved refugees from depression or criminal activity.

Faizul constantly underlined the importance of community in his life and for his identity, but I witnessed a unity unlike any other among the Rohingya in exile, in a small village called Chikdarpara, near Nhila village in southern Bangladesh, on the road towards the unregistered camps. Rohingyas started to inhabit Chikdarpara in 1998, and today it consists of two hundred people, who live in 18 houses rented to them by the Bangladeshi landowner. Although their jobs and incomes do not differ much from the ones of the camp residents, there is a different atmosphere and the crowdedness of the place is not seen as an issue, rather it is a uniting factor. Given that the village is so small – it sits like an island in the middle of a rice field – everyone is aware of their neighbor's difficulties, and in that, they help one another. It is a system of collective empowerment. As Judith Herman says: "Though each is suffering and in need of help,

¹¹³ Judith Herman, *Trauma and recovery*, Volume 551, Basic books, New York, 1992, p.44

¹¹⁴ See page 57 of this paper.

each also has something to contribute. The group requisitions and nurtures the strengths of each of its members. As a result, the group as a whole has a capacity to bear and integrate traumatic experience that is greater than that of any individual member, and each member can draw upon the shared resources of the group to foster her own integration.”¹¹⁵ In the words of Sharifah, chairwoman of the village whose family was the first to arrive to Chikdarpara: “If you are forced to leave your homeland, you live more easily with others who experienced the same thing.” Sharifah is a fifty-five-year-old widow, a mother of seven girls and a twenty-seven-year-old young man, who currently supports the family. But even Sharifah, besides taking care of the household, works. She has a small shop set up, and she is also responsible for collecting everyone’s rent, which amounts to 700 BDT (about 8 euros) per house, shared by two or three families. This provides her family with a place to live, rent-free, in agreement with the landlord.

At the time of the interview, there were many more women than men around the village. As we discussed this, the villagers mentioned that the oldest woman living here is over one hundred years old, while the oldest man is forty-five. They told me that many of their fathers and husbands died in Myanmar or in Bangladesh, mostly due to hard labor and torture from police. Other men were out for work at that time of the day, along with most of the school-age children. Sharifah’s primary level kids attend a Bengali Noorani school, while the three older ones attend the government high school, both located in nearby Nhila village. While the Noorani madrasa does not require any legal documentation, her older children have false documentation for entrance to the high school.

This encounter reaffirms the importance of the community for one’s well being, especially in a state of exile. Herman, on recovering from trauma, writes:

“The solidarity of a group provides the strongest protection against terror and despair, and the strongest antidote to traumatic experience. Trauma isolates, the group re-creates a sense of belonging. Trauma shames and stigmatizes, the group bears witness and affirms. Trauma degrades the victim; the group exalts her. Trauma dehumanizes the victim; the group restores her humanity.”¹¹⁶

¹¹⁵ Judith Herman, *Trauma and recovery*, Volume 551, Basic books, New York, 1992, p.155

¹¹⁶ *Ibid*, p.154

The residents of this small village were neither shy nor secretive, and more than anything, they were surprised I insisted on talking about their unity. This was their reality from the moment they left Myanmar, slowly filling up this space in the middle of a field, but not far from the local villages. These people are slightly more fortunate, sharing this small piece of land with people they call friends and family. Bad weather and sporadic quarrels with the locals inevitably affect them as well, but they seem to have constructed a protection from the inside. Total solidarity amongst the scattered Rohingyas is not impossible, but with examples such as Chikdarpara, the workload to achieve that kind of empowerment seems to be more manageable, for the leaders of their worldwide community.

Conclusions and Recommendations

In 1995, the World Summit for Social Development was held in Copenhagen, and the commitment to poverty eradication was one of the most exalted decisions made.

The abject poverty was defined as a severe injustice and an abuse of human rights, and the role of education in eradicating poverty, in co-operation with other social sectors, was proclaimed crucial.

Colin Brock, an author and a research fellow in Comparative and International Education at the University of Oxford, argues that education contributes not only to the fight against poverty, but also to the prevention and resolution of conflicts.¹¹⁷

The three Rohingya interpreters mentioned in this thesis all vary in age and level of education, backgrounds, and even social status. Although they are confronted by diverse difficulties and expectations, through means of self-education – which helped them to become teachers, interpreters and journalists – they were able to reinvent their place in the community. Re-establishing oneself in a reformed community is not easy, and it comes with great moral responsibility. No matter how different these men are, they have reached the same level of understanding of the problem, starting from a lack of organization in the educational system they are a part of, to mistrust the community that acts as a hindrance to a unified resistance against the slow genocide being committed against them.

Nevertheless, along with other active members of the community, young men and women are working on the empowerment of the Rohingya, by reverting the image of refugees from victims into exemplary people, willing to take action.

As far as the external help goes, I would like to emphasize the need for continuous empowerment of the community, rather than externally handing down monetary, medical or legal help. Undoubtedly, both are necessary and, in some cases, essential, but ultimately insufficient. They may relieve the immediate suffering of refugees, but they do little to restore their dignity, or to break the chain of poverty and fight the hopelessness that comes from rigorously limited rights and freedoms. If Myanmar,

¹¹⁷ Brock Colin, *Education as a Global Concern*, Bloomsbury Academic, London, 2011

Bangladesh and Malaysia would allow an influx of NGOs and help from other advocates, these organizations should bear in mind the importance of the struggle that was done without their help and the achievements made without their presence. They must focus on providing a realm of possibilities, necessary for a further development of skills discovered, or not yet discovered, on the long, lonely and dirty road that the Rohingya community has travelled so far. According to Judith Herman, empowerment is the key to recovery: “The first principle of recovery is the empowerment of the survivor. She must be the author and arbiter of her own recovery. Others may offer advice, support, assistance, affection, and care, but not cure. Many benevolent and well-intentioned attempts to assist the survivor founder because this fundamental principle of empowerment is not observed. No intervention that takes power away from the survivor can possibly foster her recovery, no matter how much it appears to be in her immediate best interest.”¹¹⁸

Today’s refugee or displaced person is tomorrow’s citizen, and according to Thomas Nail, a professor and a researcher in the field of political philosophy, the 21st century is going to be the century of the migrant.¹¹⁹ Considering that, we as a society must ask ourselves - who do we want our citizens to be? If their rights, one of which is the paramount right to education, are not secured, what will shape their identities? The case of the Rohingya, and the examples set by them, is just one of the many reminders that we cannot wait for a change to be handed to us. We must take part in it, actively, to help redefine the challenged identities where necessary.

From a legal perspective, the undocumented refugees represent a serious challenge to democracy and political representation of the 21st-century world.¹²⁰ What continues to remain unchanged is the legal status of the Rohingya. They endure as noncitizens, students without certificates, teachers with uncertain salaries and people constantly adapting to new challenges and challenged identities. Michel Agier believes that it is this unbearable segregation from the society that creates a “ghetto,” symbolizing a dimension in which the refugees live that is both political and a question of identity.¹²¹

¹¹⁸ Judith Herman, *Trauma and recovery*, Volume 551, Basic books, New York, 1992, p.94

¹¹⁹ Thomas Nail, *Figure of the Migrant*, Stanford University Press, Stanford, 2015, p.1

¹²⁰ Ibid.

¹²¹ Michele Agier, *From Refuge the Ghetto Is Born: Contemporary Figures of Heterotopias*, Cambridge Polity Press, 2011

The other issues that need to be addressed are mostly linked to the matter of accountability. Public accountability differs from state accountability, since it includes civil society. Until now, immense relevance was given to the media and academia in order to raise awareness, inform and educate the public. This time, everyone can be considered accountable for the atrocities committed against the Rohingya.

Civil society groups or individuals inside and outside Myanmar have so far been successful in alerting the international community and general public of the state-sponsored violence against the Rohingya. Maung Zarni remains the only Burmese academic who is researching, publishing and speaking out against the genocide against the Rohingya.

In Sittwe, I met with Darko C, the front man of a punk rock band from Yangon, the old capital of Myanmar. When I disclosed the reason for my visit to the capital of Rakhine State, he explained that his band is dedicated to writing songs about the social change that is needed in the country, in the wake of the long-running civil war against non-Bamar and the life-threatening discrimination towards the Rohingya.

Along with his band members he travels the country, and with the help from other local artists he organizes events that resemble poetry workshops. He and his band travel to areas that are usually affected by communal violence, so the purpose of the workshops is to gather young people from both Rakhine and Rohingya communities and invite them to express their feelings, thoughts, and desires. Small ideas and phrases are then combined and reproduced in a song that they all write and perform together. He mentioned the positive experience he had had with the Rohingya and Rakhine youths that came together, even in Muslim-majority townships such as Maungdaw, Buthidaung and Rathedaung. These areas are especially segregated and under severe surveillance, so foreigners without proper paperwork are not allowed to go there. All of Darko's work is, of course, done under a veil of secrecy, as these young artists, who are ready to break free from the long cycle of division, are at great risk of arrest. However, there are not many initiatives like this one – or if there are they are kept quiet – as the people of Myanmar still fear speaking out against the government. The continuous anti-Rohingya propaganda, a legacy of the forty-nine year military dictatorship, explains why the public opinion is still extremely hateful.

It is urgent to take a step forward, and take responsibility for the Rohingya, before their resilience and cognizance sinks into despair, as new generations are born in exile every year.

The question remains: whose responsibility is it to protect the Rohingya? Although it was one of the first UN Member States to adopt the Universal Declaration of Human Rights, Rohingya in Myanmar have no right to freedom and equality, legal recognition, nationality, education, healthcare marriage, religion, mobility, employment, unlawful detainment to life, liberty or security.¹²² In Myanmar, which is the birth country of the majority of Rohingyas, their rights are violated in 30 articles. Since Myanmar's government is unable to protect their rights or address their troubles, the Rohingya shift their expectations to the humanitarian agencies and the host countries' governments. Many times during my interviews, the UNHCR was criticized for being unreliable and inconsistent, which brought on a spreading disillusionment among the Rohingya. A relationship of trust needs to be ensured between refugees and aid agencies. Refugees should be more involved in creating policies that concern them, and in turn, they would have a better understanding of both the policies and the difficult positions of the agencies trying to help.

Although the UNHCR acts as an umbrella organization¹²³ with national and international NGOs, it lacks the relationships with regional and Burmese civil society groups. This is especially alarming, given that the number of NGOs working on Rohingya issues is fairly limited.

It is of high importance that the regional countries continue pressuring the government of Myanmar, especially now, during its supposed shift towards democracy. Host countries could allow legal recognition to the ones already residing in the country, and authorize international organizations that wish to help improve their lives. Quite possibly, by implementing these changes, the economy would benefit from a large, determined and strong work force consisting of many young people, thirsty for knowledge and opportunity, who were born in the country. Not only is education significant in reducing poverty, it is considered a key to wealth formation. No country

¹²² Haikal Mansor, *If you were a Rohingya*, 2016, available at: <http://www.haikalmansor.com/if-you-were-a-rohingya/#more-530>

¹²³ An umbrella organization is an association of institutions who work together formally, to coordinate activities or collect resources.

has succeeded if it has not educated its people, and arming refugees with education could give them an opportunity to reveal their true potential and their ability to acquire wealth over time, eventually leading to poverty eradication in the country.

Although they are technically restricted from participating in the local economy, Rohingya have been used as a workforce in the fishing and farming industries, shop work and construction for a long time already. Even though they are socially excluded, they find ways to enroll in public schools or even in universities, with fake documents, which is something every country should fight to eliminate.

Finally, the NGOs that employ the local population and, informally, many refugees too, contribute to the economy of the country, by creating jobs for its own nationals. There are many instances on a smaller scale that point to the same thing. For example, inside the Leda unregistered camp, there is the Leda Bazar, a small but bustling market. Here, along with the refugees, the local Bangladeshis sell their goods, from fruits and vegetables to clothing and cosmetics. By moving their business to a less exploited market, they ensure a level of sales that they are not granted at other bigger markets available in town.

The most common solutions already offered to refugees were mentioned earlier in this paper. Repatriation, the situation where the refugees return home, was unsuccessful in the case of the Rohingya so far. Legal status, or a permit to stay, issued by a host country found much resistance, justified with a fear of causing a greater influx of refugees or economic migrants.¹²⁴ This is particularly troubling if the government fails to offer a durable solution to these perpetual refugees. At the moment, resettlement is the most desired scenario by many Rohingya, although some expressed reluctance, since the third country is often very far from home and the region of their cultural influence.

Beside these, no other solutions were offered to solve a thirty-four yearlong government-led persecution. Despite the presence of ASEAN, there has been no coordinated reaction to the regional humanitarian crisis of the Rohingya. While some live in protracted displacement, waiting, sometimes optimistically, for a durable solution, for most Rohingya, no durable solution is in sight. In such context, it is

¹²⁴ Economic migrant is person who travels from his country of birth to another area or a country, in order to improve his standard of living.

necessary to focus not only on durable solutions, but also on improving the quality of life and asylum protection while the refugees persist.

The major countries of asylum for Rohingya, which include Bangladesh, Malaysia, Thailand and Indonesia, are not bound by the 1951 Convention. Without the benefit of the legal framework provided by this Convention, the Rohingya are forced to create their own protection space, and fight for at least a minimum level of integration, necessary to avoid arrest. Although their abilities to affect the legal and political setting are limited, their skills and determination to participate in the economic, social and cultural aspects of a very limited space should be taken into consideration. Thousands have overcome barriers and managed to find work, educate their children, engage with the authorities and even manipulate them to some extent, which at times has led to full integration into the host society. Far from passively waiting for assistance or durable solution, Rohingya refugees in exile are actively pursuing goals, aspirations and economic activities over multiple generations of displacement.

However, neither this decisiveness nor the humanitarian assistance can replace the formal engagement of home and host governments, who ultimately provide the legal status and recognition, or assistance and integration, respectively. A successful, regional solution would ideally combine the legal protection and empowerment of refugees, and their competence to establish their own protection space and find a transformative solution.

While Aung Sun Suu Kyi, now a leader of the government, remains silent, the governments of the EU and the US continually condemn the violence and persecution committed in her name. The trouble is that once the NLD, at the time still in opposition, convinced the West to lift the sanctions¹²⁵, Europe was handling the Syrian refugee crisis and the US leading a war on terror. The matter of Rohingya lost its momentum and still, nothing has been done to grant the Rohingya basic human rights and to reestablish them as citizens of Myanmar. The international community should impose economic sanctions again, but interest there is low, as foreign investments have already been pouring into the country, which is considered an as-of-yet unexploited jewel of Asia, and China's access to the Bay of Bengal.

¹²⁵ In 2013 the European Union agreed to lift all sanctions on Myanmar, except for the arms embargo. In May 2016, in support of ongoing political reforms towards democracy, after decades of military rule, the US also lifted a number of sanctions on Myanmar, removing restrictions on state-owned banks and businesses.

What is left for the Rohingya, whose human rights have been put on hold, is the symbolic space secured by international human rights and its principles.

Even though the vast majority of Rohingya dream about returning to Myanmar, this return may involve more challenges than they could imagine. The cultural adjustment might not be an issue in the case of the adults, but the longer they were gone the greater the difficulties.

For the children growing up in exile, often without their families, they will face yet another integration. In exile, because they absorb new culture so rapidly, the children integrate faster and more easily, but what will happen when they go to their “home” country, where they have never been and whose language they do not speak? It is extremely important to secure these children’s access to education, but also consider what adequate tools would help them bridge the gap upon their return from exile, should that even happen in their lifetimes.

Education, as a social institution, influences the greatest portion of the population, aiming to provide them with a systematic learning process. It is an instrument for the mind that helps shape identity, and its certainty. It is as important to educate the Rohingya as it is to educate the Burmese about the Rohingya. As decades of inherent hatred can never be erased, it must still be questioned, challenged and demystified in order for the learning process to begin.

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