

Rohingya Refugee Crisis and Ethno-Religious Conflict in South East Asia: From Burma to Bangladesh and Back

By

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We are like deer caught between two tigers.

Rohingya proverb

During the last decade, new waves of ethnic violence in the Arakan (Rakhine) state of Burma/Myanmar have resulted in increased internal displacement and continued exodus of the Rohingya Muslim minority to neighbouring countries, including Bangladesh, India, Malaysia and Thailand. Both Burma/Myanmar,¹ which the Rohingyas claim as their ancestral land and Bangladesh, where the majority of the Rohingyas now live as unwelcome and/or undocumented refugees, deny the Rohingyas citizenship rights.² And both Burma/Myanmar and Bangladesh insist that the displaced Rohingyas are the responsibility of the other state.³ This brief examination of the current crisis pertaining to the Rohingyas will highlight the story/history of how the Rohingya identity has been shaped and reshaped while living as a suppressed minority, then living along the borders, finally living as refugees, continually struggling to exist in the midst of political sovereignty claims and across a social and economic space that exists in-between and across borders.

Indeed, the political identity of the displaced Rohingya is closely linked with their social memory and life experiences in the borderlands. Rohingyas' beliefs, their particular rendition of Islam and the reproduction of their culture while in exile strongly suggest a non-conventional form of resistance to being dispossessed. Similarly, the close proximity of the refugees to their ancestral homeland creates a condition of simultaneous attachment and alienation. This type of life-politics along the borders once more challenges traditional understanding of borderland conflicts within the framework of state-imposed boundaries in South Asia. Historical examples of border conflicts across the region would suggest that migrants and refugees

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who seek asylum in a brethren/kin state would have relatively easy entry and institutional welcome. In the case of the Rohingya, however, the Bangladeshi state is reticent and weary at best. There is an ongoing debate as to whether the Rohingyas are indeed an integral part of the Bangladeshi society simply due to their religious identity, which supposedly rendered them a stateless minority in Burma/Myanmar in the first place.

In this context, in this article I examine the regional as well as nation-state level dynamics that shaped the transformation of the Rohingya issue from an assumed internal ethno-religious conflict to a regional refugee crisis. The combination of humanitarian impulses, international pressure and the normative principle of popular sovereignty in Bangladesh led to difficult decisions concerning the Rohingyas who made their way across the border. Consequently, developing a policy of containment and enforcement of the right of return became a national priority. In the following pages, I will briefly trace the historical roots of the Rohingya problem in Burma/Myanmar, provide a summary of the current refugee crisis, and conclude with the challenges and responsibilities neighbouring countries face when inundated with the mass arrival of Rohingya refugees, in particular concerning the role played by Bangladesh.

A Short History of Ethno-Religious Conflicts in Burma/Myanmar

Multiple ethnic insurgencies plagued Burma/Myanmar since the country's independence back in 1948.⁴ The military governments' response has been extremely brutal at the tactical level, although eventually there were a series of ceasefires with most of the country's ethnic groups. Still, there is continued existence of quasi-independent armed groups as some ethnic movements have developed their own armed operations. At present, the overall picture is one of stalemate between the state and the ethnic movements. From the time of the signing of the Burmese Constitution back in 1948, ethnic minorities in Burma/Myanmar have been denied constitutional rights. Furthermore, access to lands that were traditionally controlled by their peoples and participation in the government has been curtailed. Various minority groups have been consistently oppressed by the dominant Burmese majority, in addition to suffering at the hands of warlords and regional ethnic alliances. At the outset, religion played a particularly salient role in the ethnic conflicts that have taken place since Muslims, Hindus, Christians and Buddhists lived in Burma/Myanmar side by side for centuries. Prior to the Rohingya tragedy, the Karen, Karenni, and Mon ethnic groups have been forced to seek asylum in neighbouring Thailand. These groups are perhaps more fortunate than the Wa and Shan ethnic groups who have become Internally Displaced Peoples (IDPs) in their own state since being removed from their ancestral lands by the military junta in 2000. There are reportedly 600,000 of IDPs living in Burma/Myanmar today.⁵ The continuous displacement of peoples has led to both human rights violations as well as the exploitation of minority ethnic groups. The Rohingya crisis is the latest episode in this long chain of events leading to mass waves of forced migration in Burma/Myanmar.

Under the recent transition process led by President Thein Sein (2011-2016), the Burma/Myanmar Government sought to pursue a complex set of economic and political reforms in order to resolve existing ethnic conflicts and to achieve national reconciliation. Although the reforms are intended to pave the way for peace, increased violent conflict has emerged as a key threat to stability in the country. Adding to the complexity, Burma/Myanmar simultaneously faces three distinct types of conflict: conflict with ethnic armed groups; violent opposition to resource exploitation staged by ethnic minorities; and, communal violence in regions with mixed populations. Interestingly, all of these conflicts contain a dimension that is related to extractive industries. Before the recent political and economic transition, Burma/Myanmar was an isolated South Asian post-colonial state, burdened by chronic mismanagement during five decades of military-led governments (1962-2011). The country's development was held back by a confusing multiple exchange-rate fiscal regime, an unstable regulatory environment for businesses, stifling restrictions on agricultural production, and regular bursts of high inflation, which created masses of urban and rural poor living below the poverty line. Adding to this *mélange*, successive military governments fought long running wars against ethnic armed groups struggling for self-determination and independence. These conflicts inflicted a heavy toll in terms of both casualties and state finance and led to the creation of large displaced populations. Furthermore, armed conflicts have seriously held back investments and state-induced development in ethnic minority areas. From the perspective of minorities, resource-rich ethnic states of Burma/Myanmar have been targeted for predatory resource extraction by the Burmese majority. That factor served to perpetuate the animosity towards military governments and fuelled the outcry for autonomy or independence. Historically, Burma is divided into seven regional (previously called divisions) divisions (*taing*) and seven states (*pyi-ne*), classified by ethnic composition. In each of these regions, there is a long history of ethno-religious conflicts marked by competing claims for land and resources.⁶ In other words, Rohingyas struggled to exist in a context that marked them as disposable not so much due to their identity but much more so where they lived and what they claimed as their ancestral rights.

In the period that followed the election of President Thein Sein (2011) and the gradual return of civilian politics, ethnic politics remained a major preoccupation for the government. Explaining the varieties of ethnic political interests in the country is crucial for understanding the emergence of the Rohingya crisis. Although there are different manifestations of ethnic political interests in contemporary Burma/Myanmar, the overall pattern of ethnic politics in the country is one of long-term, low-grade and militarised conflict. The challenge of fully reconciling Myanmar's diverse peoples and including them in one political system remains unfilled. Furthermore, given the nature of their exodus, it may indeed be too late for the Rohingya to be included in that grand tally.⁷

The Current Crisis

The simmering tension between Rakhine Buddhists and Rohingya Muslims in Western Myanmar escalated in 2012 to a violent conflict. The violence led to the loss of over a hundred lives, destruction of thousands of homes and displacement of thousands of people. The central government intervened to end the bloodshed but tension continued to linger. Despite the government's plan to undertake several programs to address the ramifications of the 2012 violence and its attempt to prevent the violence from happening again, the remedial measures did not lead to a sustained political solution. Consociational democracy model purported for the formation of a stable democratic government in a fragmented society such as Burma/Myanmar has long been suggested as a potential solution to this conundrum.⁸ However, this particular debate fails to attend to the status of Rohingyas and the constitutional denial of their rights. At least in theory, all eligible individuals should be entitled to full citizenship rights in Burma/Myanmar. However, Rohingyas have been categorically excluded from the Burmese citizenship regime. Both successive Burmese/Myanmar governments and the general public failed to embrace the Rohingya population as legitimate members of the society. And hence the conundrum: since they were not the only ethno-religious minority, why were they targeted so severely?

If we go back in history, the Rohingya people of Burma/Myanmar were stripped of their citizenship in 1982, with the reasoning that they could not meet the requirement of proving that their forefathers had settled in Burma before 1823. However, how that exact cutting date was decided is a matter of political rather than cultural speculation. Based on this creative fiction of ancestry determination, currently Rohingyas account for one/seventh of the global population of stateless people. To add insult to injury, of the total 1.5 million Rohingya people living in Burma/Myanmar and across Southeast Asia, only 82,000 have legal protection and rights obtained through UN-designated refugee status. Since 2012, hundreds of thousands Rohingyas have fled Burma/Myanmar, either marching on foot or in poorly constructed boats for journeys lasting several weeks to neighbouring countries, causing hundreds of deaths. Examination of the comparative experiences of Rohingyas who fled in the early 1990s to Bangladesh and Malaysia and their current exodus would indeed render the refugee protection regime in the regional context of Southeast Asia readily observable, though this lies beyond the scope of the current analysis.⁹ One common factor that defines the overall condition of the dispossessed Rohingyas, however, could be summarised in the following terms: although somewhat secure from *refoulement* and relatively invisible among larger irregular migrant populations, Rohingya refugees in the region had to develop protection strategies and livelihood mechanisms outside the boundaries of formal asylum by seeking communal survival and *de facto* integration.¹⁰ Still, in the face of severely limited regional responses and the *impasse* concerning tangible solutions to the Rohingya crisis, Rohingya refugees from the Arakan state of Burma/Myanmar who found their way to Bangladesh since August 2017 had to negotiate

further and deeper marginalisation in their destination points. The level of abuse and persecution perpetrated upon them surpass the possibility of quantification. Rohingyas were forced out by state-sponsored persecution in Burma/Myanmar, and yet they are currently forced to be repatriated due to the fact that Bangladesh cannot afford to welcome them either as migrants or as refugees. Hence the cycle of violence repeats itself, with each turn costing more lives and normalising the situation of the Rohingya as perpetually dispossessed.

Political Economy of Displacement in Burma/Myanmar

Mass displacement and refugeehood are characterised by unqualified suffering, and this kind of dark and deep suffering is not experienced by refugees alone. The host community itself may be as poverty stricken and devoid of means as the newly arriving populations, and hence the typical pitting of the poor against the poor and subtle forms of imposed warfare within subaltern classes. The pain exacerbates when the refugee situations are prolonged and no long-lasting solution appears feasible. The case of Rohingya refugees in Bangladesh is one of the most complex refugee situations in South Asia inducing multiple forms of suffering, which has been continuing for more than three decades. While the effectiveness of traditional durable solutions offered by the UN Refugee Agency (UNHCR) remain highly questionable, examining the nature of the political engagement exhibited by stakeholder state parties is essential for our understanding of the regional and historical nature of the problem.

At least in strict legal terms, being a refugee in the international context is considered a temporary phenomenon. In international refugee law, it is speculated that after the situation becomes ‘normalized’, refugees would either return to their own country or would be naturalised in their host country. And yet, for decades, the global trends repeatedly negate this perception or perhaps, deception. By the end of 2012, there were 10.5 million refugees worldwide and among them estimated 6.4 million were in protracted situations. UNHCR defines a protracted refugee situation as one in which 25,000 or more refugees of the same nationality have been in exile for five years or longer in a given asylum country. By 2013, 6.4 million protracted refugees were living in 25 host countries. In this context, Rohingya refugees living in Bangladesh constitute one of the key examples of protracted displacement whereby the right of return debate does not suffice to understand the true nature of the ongoing crisis. As of 2018, there are an estimated 65.6 million forcibly displaced people worldwide, of which only about 17 million falls under the mandate of the UNHCR.¹¹ In the midst of this vast sea of dispossession, do the Rohingyas constitute a particularly visible conglomeration of human suffering? What are the criteria used for us to reach such a dubious determination?

As an ethnic, linguistic and religious minority group of Northern Rakhine State (NRS) of Burma/Myanmar, since 1982 the Burma/Myanmar Government categorised Rohingyas as illegal immigrants from Bangladesh.

Being persecuted by the government forces and extremist section of the majority Buddhist Burmese, Rohingyas first came to Bangladesh in two major influxes in 1978 and 1992. Some of these first waves of refugees initially accepted by Bangladesh have been repatriated and the remaining about 30,000 Rohingyas are still living in two registered camps administered by the government and the UNHCR. However, a large number of Rohingya people, approximately 200,000, have been living in camps and local villages without registration or any valid legal status. Currently the repatriation process has virtually stagnated. The presence of such a large number of refugees has created escalating tension in the host communities and impacted adversely the economy and environment of the entire region. The backwardness and the remoteness of the Rakhine region in Burma/Myanmar, in addition to the brutal communal tension that existed between the Buddhist and the Muslim populations and the state sponsored repression led to this final exodus of the Rohingyas from their normal place of habitat. Similar to a dozen of other sub-national groups in Myanmar, the Rohingyas were not integrated into the mainstream Myanmar nation-building project and were severely marginalised.

Bangladesh as the Final Destination?

Although Bangladesh is not a signatory to the 1951 Convention, its acceptance of the Universal Declaration of Human Rights of 1948 and its own experience in the Liberation War as a result of which one out of every seven Bengalis became a refugee in India, created an environment of moral responsibility to uphold the basic rights of the refugees. In this regard, for decades, the Bangladesh Government has provided relief and shelter to Rohingyas, while UNHCR have provided support to the Bangladesh authorities in coping with repeated crises of such magnitude. In spite of the humanitarian assistance rendered to the refugees, however, Bangladesh authorities continually seek the 'quick and safe return' of the Rohingyas to Burma/Myanmar. Indeed, UNHCR has also been actively engaged in organising the repatriation of refugees. However, Burma/Myanmar has no interest in receiving the returnees and hence the current *impasse*, as before. In this regard, one hand gives, while the other hand takes back.

In terms of geography, in the case of Rohingyas arriving at Bangladesh, we are dealing with borderland politics *par excellence*. Arakan province is a long stretch of land along Myanmar's coastline in the Bay of Bengal. The northern tip of the region adjoins Bangladesh and there is 176 miles of common border between the two countries. The Naf River separates the two countries as a natural borderline. The Arakan Yoma mountain range also separates the region from the mainland Myanmar. Back in the days of colonial history, the incorporation of Arakan with Burma brought the Burmese in direct contact with British India. The natural resources of Burma then led the British to wage the Second Anglo-Burmese War, which ended in 1853 and ensured British occupation over entire lower Burma, later known as the rice bowl of the British India. In short, the Rohingyas historically lived in a region, which has long been subjected to warfare due to the natural resources

it harboured. In this regard, the current crisis should be considered as the latest episode of the clash over authority in that border region dating back almost 150 years, the Rohingya people being caught in between once more.

In terms of challenges faced by and responsibilities to be shouldered by the hosting states in a refugee crisis, Bangladesh is already coping with pressing needs of its own and the Rohingya refugees numbering close to 1 million people are adding massive pressure to services in existing refugee camps and makeshift settlements, as well as local economies. Meanwhile, Rohingya refugees arriving in Bangladesh report fleeing appalling violations of human rights and other abuses in Burma/Myanmar, including mass rape and other forms of communal punishment and brutality. In addition to registering new arrivals and provision of comprehensive services at the border to curtail chaos, the Government of Bangladesh is asked to work closely with the United Nations and other international humanitarian organisations to coordinate the overall humanitarian response in order to ensure that Rohingya refugees are protected in line with international standards of such rescue operations, and to provide desperately needed support for food, shelter, health care and water. In other words, Bangladesh is declared the willing agent of international humanitarian network for dispensing good will and minimal aid to ensure survival of the chronically dispossessed Rohingya. As befitting this scenario, most of the newly arrived Rohingya refugees have moved into makeshift settlements without adequate access to shelter, food, clean water, or latrines. Two of the main pre-existing settlements in Kutupalong and Balukhali thus effectively merged into one densely populated mega-settlement of nearly 500,000 people, making it one of the largest refugee concentrations in the world. This situation no doubt calls for envisioning longer-term solutions to their inhabitation in Bangladesh. Furthermore, surveys conducted by Doctors without Borders/Médecins Sans Frontières (MSF) in refugee settlement camps in Bangladesh estimate that at least 9,000 Rohingyas died in Burma/Myanmar, in Rakhine State, between 25 August and 24 September in 2017. Accordingly, approximately 71.7 per cent of the reported deaths were caused by state-sponsored or state-condoned violence, as a result of which at least 6,700 Rohingyas are estimated to have been killed during their escape, including at least 730 children below the age of 5 years.¹² Given this rather bewildering tally of violent deaths, the dominant humanitarian rhetoric dictates that it is of utmost importance that the Bangladeshi state fulfils its role as a safe haven for the Rohingya refugees until a peace agreement and guarantees for their safe return to Burma/Myanmar could be secured.

It is true that the latest wave of Rohingya refugees from the Arakan state of Myanmar found their ways to Bangladesh yet again to escape state-sponsored persecution. However, to understand the dynamics and severity of reported humiliation and violations of the Rohingya population, and to examine their further marginalisation in their destination points, we must resort to a larger frame of analysis than the one provided either by humanitarian disasters literature or by forced migration studies. Both qualitative and quantitative analyses reinforce that the level of abuse and persecution perpetrated upon Rohingyas constitutes a repeat offense. Not

only were they forced out by state-sponsored persecution, they are then forced to be repatriated due to the fact that Bangladesh, or indeed other neighbouring South Asian states cannot afford to host them.¹³ Many argue that the genesis of the crisis lies in the denial of Burma/Myanmar of their legal status and thus, granting citizenship to Rohingyas would offer the ultimate solution. However, as I attempted to demonstrate in this article, apart from or in addition to such legal remedies, several aspects of this ongoing crisis require further analysis of post-independence statehood in South Asia.

No doubt, the Rohingya's identity as a minority does lead to their persecution. Yet, not all minorities in Burma/Myanmar are slotted for the same kind and severity of treatment as Rohingyas. Furthermore, their minority identity has been (re)constructed over time and as they were forced to move from place to place as a result of forced migration and mass expulsion. In the context of the development of Burmese nationalism, politicisation of identity for Burmese majority favouring strict ethnic divisions as opposed to a civic citizenship model has been a key factor that led to the taking away of the citizenship of Rohingyas. These circumstances gave rise to a type of citizenship regime in Burma/Myanmar that fails not only to include the religious minority within its ambit, but also shuns away from the institution of any kind of administrative and constitutional law framework that would allow minorities to have access to the resources and benefit from the profit that is accrued from them in an equitable way.

Conclusion

Contrary to the general reaction to Burma/Myanmar's politics in the wake of the Rohingya crisis, as I argued above, internal and external displacement of populations in the country is not a new phenomenon. Displacement is caused by numerous factors, much of which is related to misguided and wrongfully administered social and economic development initiatives. Efforts to consolidate the state by assimilating populations in government-controlled areas while brokering cease-fires with non-state actors led to the emergence of areas in which internally displaced persons (IDPs) continually face social turmoil within a general climate of impunity. Similarly, humanitarian access to IDP populations remains extremely problematic, which then leads to the transformation of IDP movements into regional refugee crises. International attention has exclusively focused population movements along its borders seeking to contain displacement. Rohingyas' most recent crossing into neighbouring Bangladesh *en masse* has put unbalanced pressure on the country's scarce resources. Thus, with a twist, while most studies in the field of forced migration strive to explain why and how insecurity produces refugees, the opposite process—how refugees could inadvertently contribute to conflicts and insecurity in their host country—is also worthy of consideration. The Rohingya crisis has been a bone of contention for the bilateral relations between Myanmar and Bangladesh since the late 1970s. The Rohingya problem is composed of various episodes of past and present human rights violations in Burma/Myanmar. In this respect, it is essential to

analyse the current crisis in a historical and regional context rather than as a single catastrophic episode effecting two neighbouring countries alone.

The rise and fall of ethno-religious conflicts in South Asia are inextricably linked with the chronic crises of the legitimacy of the states in the region, Burma/Myanmar being one such key example. Regarding the Rohingya refugee crisis, the role of religion and religious difference in the conflict has been given marked attention by the media, academics and policy makers. This is very much in line with the special emphasis put on religion in the examination of other long-term ethno-religious conflicts, including the civil wars in Sri Lanka, Afghanistan, the former Yugoslavia and the Sudan as well as inconclusive peace processes in Cyprus, Israel and Northern Ireland. One explanation for this preferential treatment of religion in the analysis of ethno-religious conflicts is that the framework provided by the modernisation/secularisation school of thought, arguing that the processes of economic and political modernisation would have caused the demise of primordial factors such as ethnicity and religion and when the state and the economy are weak and progress is absent, they come back.

Suffice to state that processes of capitalist modernisation have actually increased the salience of ethnic and religious identities in the struggles for social justice, autonomy, access to resources and the general discontent against the late-capitalist state, whether in the core or in the periphery, in the West or in the Global South. Thus, as the Rohingya example amply demonstrates, any perceived 'direct' relationship between religion and conflict is somewhat illusory. Rather, religion or ethno-religious identity acts as a front for other, much deeper social forces and variables, which in this case, fall under the purview of the political economy of the post-independence states in the Global South. Furthermore, while religious motivations do play a major ideological and discursive role in the majority of ethno-religious conflicts in South Asia, their importance is determined by other reasons.

Accordingly, in this short study, I avoided the assessment of the causal effects of Rohingya ethno-religious identity vis-à-vis state-sponsored violence they have been subjected to for several decades. Rather, my focus was on how religious discrimination, and grievances based on such discrimination such as removal of citizenship, cloak the level of protest in which ethno-religious minorities engage due to reasons related to access to resources and political inequalities, as well as the degree of oppression and violence purported or condoned by their home state. In my opinion, at least in the case of the Rohingyas, religious discrimination is *not* the main cause of their plight. Instead, it became a motive that added ethical and normative mantle to already existing lines of discontent and exclusion in Burma/Myanmar. Unfortunately, it also colours our understanding of their exodus/expulsion and our search for remedial answers to such an extent that we isolate the Rohingya from the very state and the region within which they became a minority.

The Rohingyas have been called 'the world's most persecuted minority' due to their continual and repeated subjection to pervasive human rights violations, including minority rights violations, ethnic cleansing,

statelessness and crimes against humanity. While preventative action to assist the Rohingyas comes with an array of challenges, the normative foundations of neither forced migration studies nor international law pertaining to statelessness allow us to be equipped with the means or the vision to address these adequately. On the other hand, a critical examination of internal displacement, statelessness and mass exodus, and, ‘unbundling’ of protection needs to reveal underlying structural inequalities could provide us a toolkit for developing responses apart from humanitarian aid or emergency measures for survival of the dispossessed Rohingya populations. Therefore, it is imperative that scholars, advocates and practitioners alike consider the practical value of taking a step back to see the larger picture, as well as re-examine glaring and yet overlooked aspects of widespread and varied human rights abuse related to state-criminality. Thwarting mass atrocities and preventing future violence may not be directly in our hands. However, that should not hinder further consideration of ongoing structural violence that is endemic to new regimes of accumulation and usurpation that are establishing themselves firmly in the context of South Asia, while masking their bloodied parade of expropriation of lives and livelihoods as ethno-religious conflict.

Notes and References

¹ The country’s name remains a contentious issue. The ruling military junta changed its name from Burma to Myanmar in 1989, a year after thousands were killed in the suppression of a popular uprising. Burma’s democracy movement prefers the form ‘Burma’ since they do not accept the legitimacy of the unelected military regime to change the official name of the country. Internationally, both names are recognised. See “Should it be Burma or Myanmar”, *BBC*, 26 September 2007. Available at <http://news.bbc.co.uk/2/hi/7013943.stm>, accessed on 21 April 2018. Throughout this text, I use the Burma/Myanmar format.

² Between August 2017 and January 2018, Bangladesh officially received 656,000 Rohingya refugees, and this number continues to increase daily. Before this latest crisis began, the country was already hosting a population of well over 200,000 Rohingyas who escaped Burma/Myanmar. See United Nations Office for the Coordination of Humanitarian Affairs report on Rohingya Crisis. Available at <https://www.unocha.org/rohingya-refugee-crisis>, accessed on 21 April 2018.

³ For an up-to-date situation report produced by the International Organization for Migration, see <https://reliefweb.int/report/bangladesh/isrg-situation-update-rohingya-refugee-crisis-cox-s-bazar-29-oct-2017>, accessed on 21 April, 2018.

⁴ On 4 January 1948 Burma ended 60 years of colonial rule when it officially declared independence from Britain. Already back in pre-independence days, the country was troubled by conflicts between Burma’s rival ethnic groups, though independence provided a unifying force for the nationalist movement. See Myint Zan, “Judicial Independence in Burma: Constitutional History, Actual Practice and Future Prospects”, 4 *S. Cross U. L. Rev.* 17 (2000).

⁵ See Steven Lanjouw et al., “Internal Displacement in Burma”, *Disasters* 24, no. 3 (2000): 228. For a current estimate of the IDPs in Burma/Myanmar, see the Report by Internal Displacement Monitoring Center, “Overview Myanmar 2014”, Internal Displacement Monitoring Center, 2014. Available at <http://www.internal-displacement.org/south-and-south-east-asia/myanmar/2014/>, accessed on 21 April

2018; and, New Ni Win Kyaw and Ni Ni Win, “Challenges of Reintegration for Returnees in Myanmar”, in *Refugee and Return Displacement among the Thai-Myanmar Border*, Springer, 2016, pp. 37-48.

⁶ On the Burmese post-colonial state, see Martin Smith, *Burma—Insurgency and the Politics of Ethnicity*, London and Atlantic Highlands, NJ.: Zed Books, 1991.

⁷ See Xavier Devictor and Quy-Tuan Do, “How Many Years Have Refugees Been in Exile?” *Population and Development Review* 43 (2017): 355.

⁸ Consociationalism denotes proportional parliamentary representation based on the demographic fault-lines in an ethno-religiously divided country. Historical examples of this model of democratic governance are Belgium, Lebanon and Cyprus.

⁹ See A. Azad and F. Jasmin, “Durable solutions to the protracted refugee situation: the case of the Rohingya in Bangladesh”, *Journal of Indian Research* 1, no.4 (2013): 25; and, E. Abdelkader, “Myanmar’s democracy struggle: The impact of communal violence upon Rohingya women and youth” *Pacific Rim Law & Policy Journal* 23 (2014): 511.

¹⁰ *Non-refoulement* is the foundational principle of international refugee law that refers to the obligation of states and other legal parties not to force refugees or asylum seekers to return to a country in which they are liable to be subjected to persecution. However, in practice, it is also one of the most commonly resorted strategies states faced with influx of refugees resort to. This often takes the form of bi-lateral agreements and the dealings between Burma/Myanmar and Bangladesh constitute a case in point.

¹¹ See the International Organization of Migration report on Global Trends outlining the evolution of these figures, in particular Chapter 2. Available at https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf, accessed on 21 April 2018.

¹² See the MSF’s Rohingya report available at https://www.doctorswithoutborders.ca/issues/rohingya-refugee-crisis-bangladesh-fleeing-violence-myanmar?utm_source=google&utm_medium=cpc&utm_campaign=fundraising&utm_term=grants&utm_content=textad&gclid=EAIaIQobChMIp_zwzqHW2AIVnbXACh2VNQY1EAAAYAAAEgL7AfD_BwE, accessed on 21 April 2018.

¹³ See the literature on Rohingyas dating back to 1980s, see, for example, E. K. Maudood, “The Rohingya refugees in Bangladesh: Historical perspectives and consequences”, in *Refugees: A Third World Dilemma*, edited by John Rogge, Rowman and Littlefield, 1987; C. Lambrecht, *Return of the Rohingya Refugees to Burma: Voluntary Repatriation or Refoulement*, Washington, DC: US Committee for Refugees, 1995; International Federation of Human Rights Leagues, *Burma: Repression, Discrimination and Ethnic Cleansing in Arakan*, 2000; Médecins Sans Frontières-Holland, “10 years for the Rohingya refugees in Bangladesh: Past, present and future”, 2002; I. Ahmed, *The Rohingyas: From Stateless to Refugee*, Dhaka: University of Dhaka, 2009; Akh Ahsan Ullah, “Rohingya refugees to Bangladesh: historical exclusions and contemporary marginalization”, *Journal of Immigrant and Refugee Studies* 9, no. 2 (2011): 139.