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AIDA SIMONIA. THE FIFTH ANNIVERSARY OF THE MASS EXODUS OF THE ROHINGYA FROM MYANMAR

Keywords: *Burma / Myanmar; Bangladesh; Rohingya refugees; state Rakhine (Arakan); Arakan Rohingya Salvation Army; Arakan Army; The International Court of Justice of the United Nations.*

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Abstract. The article provides a retrospective analysis of the emergence of the Rohingya crisis in Myanmar. The historical part describes the history of the appearance of this people on the territory of

colonial Burma and their afterlife in a young independent state, where they were legally deprived of the right to citizenship. The author pays special attention to radicalization of a certain part of this people, which led to the mass exodus of the Rohingya from Myanmar in August 2017, and the initiation of genocide proceedings against Myanmar in the UN International Court of Justice. The author concludes that even five years later, the Rohingya crisis is a problem that no one can solve. The situation is also complicated due to the political crisis in Myanmar itself as a result of the military coup in February 2021, so the repatriation of refugees is postponed for an indeterminate future.

This anniversary is not worth celebrating, especially since mention of the distressful situation of Rohingya refugees in Bangladesh is missing from global headlines. Obviously, the problem of Rohingya, remaining today one of the largest humanitarian crises, has become less interesting for the world community and critics of the Myanmar government, and the fate of refugees will now depend on the actions of the UN specialized agencies, the international organizations Doctors Without Borders and the Red Cross and, to some extent, from neighboring states – India and China. However, by August 25, – date, which is now noted as significant in the tragedy of this people, Western politicians made some statements and several articles appeared in the press. But these statements and publications are nothing new, and most importantly, there is no prospect of resolving the Rohingya crisis.

Who the Rohingya are. In Rakhine State (Arakan), located in southwestern Myanmar and bordering Bangladesh, until recently two major ethnic communities coexisted – Rakhine Buddhists or Arakans (Burmese sub-ethnos), and Rohingya Muslims (Bengali sub-ethnos), who made up 28,5% of that state's population. Rohingya are ethnic Bengalis from Chittagon District, Sunni Muslims by confession speaking the Chittagon dialect of the Bengali language¹.

The official position of the Myanmar government is that Rohingya Muslims are from Bengal, massively penetrated the territory of Buddhist Burma during the British rule and received economic support from the British colonialists, ruling in Arakan from 1825 to 1948. The mass migration of Bengalis to Burma for more than a hundred years is the result of colonial policy, including the import of cheap labor. After the collapse of the colonial system at the junction of the two states – Burma and East Pakistan (future Bangladesh), which were previously part of British India, a people formed who classify themselves as a special nationality of the Rohingya. According to publications by Burmese researchers, before the country gained independence, the word “Rohingya” was not in the lexicon of Arakan residents. It is not mentioned either by British officials who conducted a census on this territory and scrupulously specified all small national groups, or by scientists of that time, or by other written sources. It is believed that self-designation the Rohingya appeared in 1951 specifically for Bengali immigrants².

The Burmese authorities have always considered this people to be representatives of Bengalis living in their country. During the general census conducted in 1941 after Burma’s secession from British India, future Rohingya and their descendants were named as “Bengalis”.

The first fifteen years of Burma’s independence under the U Nu government, when a difficult political situation occurred in the country – the separatist rebel movement of ethnic minorities forming part of the Burmese Union, armed opposition to the clandestine Communist Party of Burma and Kuomintang aggression, the situation in Arakan was relatively calm. Against the background of general chaos that predominated in the country, the Bengalis of Arakan received minority status and even representation in the Burmese parliament. At the same time, during the same period, Muslim migration from East Pakistan continued to the territory of Arakan, according to Burmese nationalists, migration was massive and illegal. This provoked a

difficult socio-economic situation in the region and a clear demographic fault. At the same time, separatist sentiments arose among some Rohingya: ideas were put forward for the annexing of this region to Pakistan, or the creation of a Muslim state independent of Burma – Arakandesh. In the early 1950s, the Bengalis of Arakan attempted an armed revolt, demanding the creation of an autonomous entity inside Burma, and mass repression began in return. Such sentiments among radical Rohingya are popular now – and this is the main problem. Only people who know the country and its history well understand this. “Claims of the Rohingya of ethnic identity recognition and the continuing military coup of the Arakan Rohingya Salvation Army (ARSA) should consider as a separatism problem what can't be understood in the West in any way”, – the former ambassador of the USA in Myanmar (2012–2016) Derek Mitchell said in an interview to the newspaper Atlantic³.

The reason for the prolonged tension between the two peoples, according to the Arakans (Rakhine), lies in the fact that “the Rohingya are constantly expanding their place of living and gradually displacing the Arakans from their ancestral lands⁴.” Arakans also believe that they face Islamization due to the incredibly large growth of the Rohingya population, due to the high birth rate.

Status of Rohingya in Burma / Myanmar. Persecution of Rohingya at the state level began in 1962 after a military coup in Burma by General Ne Win. With the coming to power of the Revolutionary Council, the Rohingya lost their political and constitutional status. Being the head of state, Ne Win began to pursue a policy of Burmization of the country and the economy, forcing the remaining Indians (about 160 thousand), as well as Chinese and other foreigners, to leave the country in 1963–1966.

The Bengalis’ rejection of citizenship was then legally supported. According to the Special Immigration Act of 1974, aimed at reducing immigration from India, China and Bangladesh. Rohingya representatives were denied passports or

national registration certificates, at best they could obtain a foreigner's immigration card. The 1982 Citizenship Act of the Socialist Republic of Burma Union the Rohingya practically lost their status of an indigenous ethnic group. During the general census, completed in 1983, the Rohingya nation was no longer included in the lists of ethnic minorities, and thus, by removing 135 ethnic groups living in the country from the list, it was declared stateless.

It should be noted that in addition to the Rohingya, the so-called "Burmese Muslims" live in Myanmar. This confessional group in Burma formed during the colonial period, when Burma was part of India, from the marriages of Muslim Indians to Burmese women. Although the Muslim Indians, who married the Burmese, practically merged with the Burmese population, they brought their religion – their families began to practice Islam. During the 1941 census, they were listed as "Burmese Muslims"⁵ for the first time in the history of the country, as opposed to the Rohingya, who were named "Bengalis", i.e. the non-indigenous population of Burma. Despite occasional conflicts between Buddhists and "Burmese Muslims", the latter are full citizens of the country. Burmese Muslims live in different parts of the country. Rakhine (Arakan) state also has "its own Muslims". Arakans (Rakhine) call "their" Muslims according to the ethnicity of the – Kamans and Myeidu.

Radicalization of Rohingya and aggravation of crisis. The so-called Rohingya problem escalated in June 2012 – shortly after the transfer of power to the military administration in Myanmar to the quasi-civilian government of President Thein Sein. As it often happens in world history, any domestic conflict, or purely criminal, between representatives of different faiths immediately takes on a religious connotation. The world press began to write about the sectarian strife in Myanmar and Buddhist chauvinism, genocide and fascism, that the Buddhist majority persecutes and destroys the Muslim minority. The Burmese side – both the

government and the opposition – preferred the term “communal violence”.

The catastrophic situation with refugees in Bangladesh has developed as a result of a military provocation in the state of Rakhine in Myanmar. The armed attack by militants against police checkpoints on October 9, 2016 from the border with Bangladesh was the beginning of a series of armed clashes in the north of the state, which continued for a year. On August 25, 2017, militants from the Arakan Rohingya Salvation Army (ASRA)⁶, consisting of representatives of this people, carried out another armed attack on strongholds of the Myanmar police and checkpoints in the border zone. Their goal was to net the village of Maundo. In response, Myanmar security forces launched a campaign of massive “clearances” from militants in eastern Rakhine state. Redeeming from the military, more than 700 thousand Rohingya living in this area fled to Bangladesh⁷.

The exodus of Bengalis from Myanmar calling themselves Rohingya in the autumn of 2017 is recognized as the largest resettlement of peoples in Southeast Asia after the crisis in Indochina in the 1970s. The Rohingya have been seeking refuge in Bangladesh for the past five decades, creating the world’s largest refugee settlement, Kutupalong, near the town of Cox’s Bazar. Currently, about 1 million Rohingya are in camps in Bangladesh, while another 600,000 remain in the territory of Rakhine State in Myanmar⁸.

For the most part, the Rohingya are non-combatants who want a quiet life. But most of them are illiterate – cannot read or write, that is why they are so easily manipulated. Those who speak on their behalf today are either emigrants who have their own bone to pick with the Burmese authorities or Bengalis who fled to Rakhine state territory during numerous bloody events in Bangladesh itself. They are more educated than the Rohingya living in Rakhine state, among them there are former political activists and religious figures, but they are legally unable to obtain Myanmar citizenship. Therefore, they are so intolerant of

those Rohingya who are ready to cooperate with the Myanmar authorities, to be called “Bengalis” and to obtain citizenship. The bulk of the Rohingya for radicals is just a way to blackmail Burmese authorities to achieve their own goals. The most extremist part of them created the Arakan Rohingya Salvation Army.

Repatriation problem. In November 2017, three months after the start of the exodus of the Bengali population from Myanmar, a decision was made to return the refugees. Both parties – Bangladesh and Myanmar have reached an agreement on a repatriation plan involving UN staff. According to the adopted document, only those refugees who left the country after armed clashes in Rakhine State in October 2016 and in August 2017 can return to Myanmar. Refugees must return to Myanmar of their own free will, must be residents of Myanmar, and both parents of a child born in Bangladesh must be residents of Myanmar. The start of the refugee return process was scheduled for December 2017. But the process of returning people then did not begin. The agreement aggravated the question: whether mass repatriation of refugees permissible if the main problem is not solved – the possibility of social and political integration of repatriates into Myanmar society.

The accumulation of more than 1 million refugees from Myanmar in Bangladesh has become a huge burden for the poorest overpopulated country, its environmental safety. The Government of Bangladesh seeks to solve the refugee problem in various ways: by attempting repatriation, improving camps and ensuring acceptable conditions for large families to live there, and even arranging an uninhabited “floating” island in the Bay of Bengal for living⁹. For all these operations, the Bangladeshi government attracts international organizations and economic assistance from particular countries.

After the coup in Myanmar in February 2021, the situation in the country deteriorated. The military is unable to control the country, especially Rakhine State, which is currently ruled by the

Buddhist Arakan Army (not to be confused with the Arakan Rohingya Salvation Army!), which has long fought for the autonomy of this region. Repatriation of the Rohingya therefore depends on the goodwill of the Arakan Army to the same extent as the military junta. The Rohingya are calling on the international community to help them return to Myanmar and obtain citizenship rights. Celebrating World Refugee Day on June 20, 2022, they held a peaceful protest under the motto “Return Home.”

Initiation of genocide proceedings in the International Court of Justice. At the suggestion of former UN High Commissioner for Human Rights Zeid Raad al-Hussein, who in September 2017 called the events in Rakhine “a classic example of ethnic cleansing,” Myanmar was accused of committing genocide against the Muslim population. At the end of 2019, the African state of Gambia, with a population of 2.1 million, filed a lawsuit against Myanmar at the UN International Court of Justice in The Hague, accusing the country of genocide against the Rohingya. In December 2019, hearings on the genocide case began, the country was personally represented in the International Court of Justice by the State Adviser and Minister of Foreign Affairs of Myanmar, Ms. Aung San Suu Kyi.

The Rohingya genocide case in the International Court of Justice in The Hague was complicated by a military coup in Myanmar on February 1, 2021, Aung San Suu Kyi and her civilian government were ousted, sparking mass protests and bloody military repression. The Nobel Peace Prize laureate, who was criticized by human rights organizations for her participation in the Hague process, where she defended her country, is now under arrest and is being tried by the junta that carried out the military coup.

The now ruling military administration of Myanmar tried to get withdrawal of charges, but at a regular meeting of the International Court of Justice in February 2022, the Gambia insisted on the legality of its accusations, submitted to the highest UN court, about the genocide of Myanmar’s Rohingya Muslims¹⁰.

The UN International Court of Justice in The Hague found out on July 22, 2022 that a landmark case accusing military-run Myanmar of Rohingya genocide could proceed. The International Court of Justice has dismissed all Myanmar's objections in the case filed by The Gambia in 2019.

The decision gives access to full-scale court hearings on allegations of repression of Rohingya in Myanmar in 2017. The president of the UN International Court of Justice, Joan Donoghue, said: the tribunal “believes it has jurisdiction... for proceedings in the application submitted by the Republic of the Gambia and the application is acceptable.” All of Myanmar’s arguments have been rejected, but full-scale hearings and final rendering of decision may require years¹¹.

A problem that no one can solve. In August 2022, the special envoy of the UN Secretary General Noelin Heiser was able to visit Myanmar, for the first time in eight months after taking office; in addition to the main issues related to the political crisis in Myanmar, she also touched on the topic of the refugee problem. She stated that Myanmar assumed responsibility for creating favorable environment for the voluntary, safe, dignified and secure coming of refugees, and ensuring that the rights and well-being of the Rohingya became an integral part of a future peaceful and prosperous Myanmar¹². Earlier, speaking at a meeting of the UN General Assembly, N. Heiser noted that the multidimensional crises in Myanmar “have deepened and expanded significantly,” paid special attention to the problem of refugees in Bangladesh, highlighting the terrifying dangerous conditions of existence in the camps, especially for women and children. The UN special envoy said that she supported the recommendations of the Rakhine State Advisory Commission, which aims to improve conditions in Rakhine State, their recommendations regarding changes both at the “vertical” level – involving actual authorities, champions of democracy and the separatist ethnic militia known both as the Arakan Army and on the “horizontal” level such as grassroots initiatives promoting

inclusivity, peaceful coexistence and equality of humans. Ultimately, she said, solving these fundamental problems is Myanmar's "responsibility."¹³

A week later, N. Heiser visited Rohingya refugee camps in Cox's Bazar. She took a look at UNHCR's ongoing activities, heard complaints and opinions from Rohingya women, youth representatives and religious figures. Ms Heiser also met senior government officials dealing with refugee issues, including Commissioner for Refugees and their repatriation Shah Rezwan Hayat. The visit was celebrated ahead of the fifth anniversary of the Rohingya exodus from Myanmar¹⁴.

Relinquishing duties as the UN High Commissioner for Human Rights, Michelle Bachelet visited Bangladesh for a four-day visit. Her trip, at the invitation of the Bangladesh government, was also timed to coincide with the sad anniversary. After visiting refugee camps in Cox's Bazar, the high commissioner said that even after five years there was still a lot of work to be done to create suitable conditions for the repatriation of refugees. She also expressed concerns about increased rhetoric against Rohingya in Bangladesh, stereotyping and making this people a "scapegoat" as a source of crime. She asked Bangladeshi authorities to draw members of the Rohingya community into social and economic employment to distract them from criminal activity¹⁵.

But all the efforts of international organizations have not yet brought any solution to the Rohingya problem for one simple reason - no one needs them. The problem of Rohingya refugees - this is a huge human tragedy. Bangladesh and Myanmar do not recognize them as their citizens. In the slums of Karachi and other cities of Pakistan, there are about 500 thousand Rohingya who are also not citizens of that country. The Muslim community's condemnation of the actions of Myanmar's government security forces and filing a suit in the International Court of Justice in The Hague looks perversely. This is the instrumentalization of people's suffering for religious purposes. The Rakhine conflict was never a confrontation between Islam

and Buddhism. This is an economic and political confrontation that lasts in this region for many decades. Due to the Islamization of the Rakhine conflict with at the behest of religious activists, the already plight of the Rohingya was further aggravated. International humanitarian organizations have been helping this people in Myanmar for many years, and continue to do so now to refugees in camps in Bangladesh, on a permanent basis and on a much larger scale than loudly criticizing politicians from particular countries. Notably, none of the Islamic critics of Myanmar's government offer refugees their territory.

While legal charges are being brought against Myanmar's military at the International Court of Justice for the events of 2017, the political contribution of international actors to the Rohingya repatriation process remains disappointingly unsatisfactory. Resolving Myanmar's internal political crisis and the issue of Rohingya repatriation is likely to be durational and complex. Therefore, today the main task of the world community – is to create conditions in Bangladesh for a decent life for refugees awaiting their fate.

Notes

1. One of the first publications on the Rohingya problem, see: Simonia A.A. Who are the Rohingya? // *Asia and Africa today*, 2009. № 11. P. 27–31.
2. For details see: Simonia A.A. On the question of ethno-confessional relations in Burmese society. *Religion and society in the East*. No. II (2018). M., IOS RAS, 2018. P. 136–167.
3. *Krishnadev Calamur*. The Misunderstood Roots of Burma's Rohingya Crisis. *The Atlantic*, 25.09.2017. URL: <https://www.theatlantic.com/international/archive/2017/09/rohingyas-burma/540513/> (accessed: 27.09.2017).
4. *Mizzima News* (Delhi), 11.09.2012.
5. *Thompson V., Adloff R.* Minority problems in Southeast Asia. Stanford, California, 1955. P. 70.
6. The “Arakan Rohingya Salvation Army” (ARSA), which was originally called “Haraka al-Yakin” (“Faith Movement”), was formed in the early 2000s to “fight for the liberation of the persecuted” Muslim minority. The group gained fame after periodically attacking police and military officers in

Rakhine State from October 2016 to August 2017, which provoked a tough response from Myanmar security forces and a wave of Rohingya refugees primarily in Bangladesh. These developments also spurred a sharp increase in the influx of young Rohingya Muslims into the ranks of the ASRA. Since the first attack, ASRA has strengthened its position in the northern part of Rakhine, receiving support (according to the testimony of the International Crisis Group – International Crisis Group) from Afghanistan and Pakistan.

7. See details: Simonia A.A. Myanmar: the origins of the Rakhine State crisis and the radicalization of the Rohingya problem // Asia and Africa today. 2018. № 1. P. 26–33; Simonia A.A. Mass exodus of Rohingya Bengalis from Myanmar: Who is to blame and what to do? // Southeast Asia: Current development issues. 2017. No. 36. P. 124–139.
8. These numbers are approximate.
9. See: Simonia A.A. Bangladesh is trying to solve the problem of Rohingya refugees by resettlement on the island // Southeast Asia: Current development problems. 2019, № 2 (43), P. 132–141. URL: <https://sea.ivran.ru/articles?artid=13870>
10. For details on the Hague Process, see: Simonia A.A. Hague Process: Aung San Suu Kyi denies genocide in Myanmar // Southeast Asia: Current Development Issues, 2020, No. 1 (46), P. 115–126. URL: <https://sea.ivran.ru/articles?artid=16003>. (accessed: 30.08.2022).
11. According to AFP, July 22, 2022. URL: <https://www.irrawaddy.com/news/burma/myanmars-rohingya-genocide-case-can-proceed-top-un-court-rules.html> (accessed 29.08.2022).
12. Note to Correspondents: Statement by the Secretary-General's Special Envoy on Myanmar, Noeleen Heyzer. Nay Pyi Taw 17 August 2022. United Nations. General Secretary. URL: <https://www.un.org/sg/en/content/sg/note-correspondents/2022-08-17/note-correspondents-statement-the-secretary-general%E2%80%99s-special-envoy-myanmar-noeleen-heyzer> (accessed: 29.08.2022).
13. Myanmar's multidimensional crises have 'deepened and expanded dramatically'. URL: <https://news.un.org/en/story/2022/06/1120292>. (accessed: 29.08.2022).
14. UN special envoy on Myanmar visits Cox's Bazar Rohingya camps. Dhaka Tribune. 23.08.2022. URL: <https://www.dhakatribune.com/nation/2022/08/23/un-special-envoy-for-myanmar-visits-rohingya-camps-in-coxs-bazar> (accessed: 29.08.2022).
15. Rohingya repatriation. Tribune Report. August 17, 2022. URL: <https://www.dhakatribune.com/bangladesh/2022/08/17/rohingyas-must-return-to-myanmar-pm-hasina-tells-un-rights-chief> (accessed: 30.08.2022).