

Research Report | XXVIII Annual Session

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# Advisory Panel on the Question of the Bangladeshi- Myanmarese Region

The question of the Bangladeshi-  
Myanmarese Region



**MODEL UNITED NATIONS**  
THE INTERNATIONAL SCHOOL OF THE HAGUE

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<b>Forum:</b>	Advisory Panel on the Question of the Bangladeshi-Myanmarese Region (APQBM)
<b>Issue:</b>	The question of the Bangladeshi-Myanmarese Region
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## Introduction

In recent years tensions in the Bangladeshi-Myanmarese region have attracted the attention of the world, posing the UN with a variety of challenges. This forum will aim to address the issues and propose viable solutions. The Myanmar – Bangladesh region has been inhabited for millennia, linking trade routes between India and China, exposing the region to a variety of cultures. This has led to a multitude of ethnic groups co-inhabiting the region, with Buddhism, originating from India, the predominant religion in Myanmar. Islam became the predominant religion in Bangladesh and is the religion of the Rohingya in Myanmar. Like most regions, there have been political and military disputes throughout the region for as long as there has been civilization.

The question of the Bangladeshi-Myanmarese region is multi-faceted, with many issues to be discussed such as (but not limited to) possible sectarian genocide and persecution; a refugee crisis; human rights violations and border tensions. One of the most recent issues is the current Rohingya crisis in which there has been a mass exodus from Myanmar into neighbouring countries, primarily Bangladesh with an estimated 693,000 refugees (according to UNICEF). Furthermore, there has been significant internal displacement within Myanmar, which is compounded by the Rohingya's lack of status under Myanmarese law. This lack of status has led to declarations that the Myanmarese government is infringing on the Rohingya's human rights, although allegations of human rights violations are disputed by the government. The root of this displacement is in historical sectarian violence and persecution, which has recently flared up forcing the Rohingya to evacuate their villages. The Rohingya crisis is fast evolving into one of the largest refugee crises of our time.



## Definition of Key Terms

### Rohingya

The Rohingya are a minority group of Muslims that live in Myanmar, predominantly in the Rakhine state. They are not recognised as one of the 135 official minorities in Myanmar and thus are unable to obtain full citizenship.

The government, which is predominantly composed of Myanmar's Buddhist population, do not recognise this name or the group as one of the minorities living in the country, referring to them as 'Bengalis'.

The UN Secretary General Ban Ki-Moon referred to the ethnic group as Rohingya (stating "the United Nations uses that word based on the rights of minorities" in November 2014), therefore that is the term that we will use in this document.

The Advisory Commission on the Rakhine state uses neither the term 'Rohingya' or 'Bengalis' instead opting for 'Muslims'.

### Refugee

The official UN definition taken from the UNHCR website is "A refugee is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries"

The Rohingya Muslims who have fled Myanmar are known to be refugees

### Internally displaced person

The official UN definition taken from the UNHCR website is "People forced to flee their homes but never cross an international border. These individuals are known as Internally Displaced Persons, or IDPs. These individuals seek safety anywhere they can find it—in nearby towns, schools, settlements, internal camps, even forests and fields. IDPs, which include people displaced by internal strife and natural disasters, are the largest group that UNHCR assists. Unlike refugees, IDPs are not protected by international law or eligible to receive many types of aid because they are legally under the protection of their own government."

Within Myanmar there are many displaced people, including Rohingya Muslims.

### Stateless person

The official UN definition taken exactly from the UNHCR website is "A stateless person is someone who is not a citizen of any country. Citizenship is the legal bond between a government and an individual, and allows for certain political, economic, social and other rights of the individual, as well as the responsibilities of both government and citizen. A person can become stateless due to a variety of reasons, including sovereign, legal,



technical or administrative decisions or oversights. The Universal Declaration of Human Rights underlines that “Everyone has the right to a nationality.””

The Rohingya Muslims in the area can currently be defined as stateless persons as they have no citizenship in either Myanmar or Bangladesh.

## Asylum seeker

The official UN definition taken from the UNHCR website is “When people flee their own country and seek sanctuary in another country, they apply for asylum – the right to be recognized as a refugee and receive legal protection and material assistance. An asylum seeker must demonstrate that his or her fear of persecution in his or her home country is well-founded.”

The majority of the Rohingya refugees in Bangladesh are seeking asylum within the country.

## Genocide

Organised violent acts which are systematically committed with the deliberate aim of bringing about the destruction of a people group (in whole, or in significant enough part to affect the whole).

As well as acts of actual murder, it can include creating conditions which deprive people of life (e.g. forced excessive work or denying access to essentials such as medical care or water), and prevention of the people group's ability to develop their next generation (e.g. forced sterilisation, removal of children).

Genocide is a crime under international law.

## Ethnic cleansing

The systematic use of violence or coercion to remove a people group from a geographical area.

As well as forcible displacement and deportation, it can include murder, torture, rape, or threats to attack civilian areas, to create a state of terror and compliance in the population which would facilitate their removal or encourage them to move "voluntarily".

Ethnic cleansing is NOT recognised as a specific crime under international law, although the practices involved in ethnic cleansing may be classed as war crimes.

## SPDC

The State Peace and development council – originally named the State Law and Order Restoration Council (renamed in 1997). It is the name of the military junta that took control of Myanmar in 1988. In 1988 they created a Rohingya extermination plan, which laid out a variety of methods to remove the Rohingya from Myanmar society.

## Rakhine state

A state in Myanmar in the west. It has a coastline that is on the Bay of Bengal, it also shares borders with Bangladesh. The area where the majority of Rohingya Muslims inhabit.

## Arakan Rohingya Salvation Army

Formed in 2013, they claim they are fighting for the Rohingya who have been oppressed and denied fundamental rights. The Myanmar authorities recognize the group as a terrorist organisation. The group do not appear to have any connection to international extremist groups. The violence in response to this group has been a contributor to the fleeing of the Rohingya.

## Human Trafficking

The UN definition, taken from the UNODC website is: The movement of persons through force or other means of coercion against their will for a set purpose.

This is an issue within the entire of the Bangladeshi-Myanmarese region.

## General Overview of the region

### Rohingya Muslims

Although Rohingya Muslims have traditionally resided in Myanmar, more and more refugees are entering Bangladesh each day to escape the Rakhine state.

The Rohingya Muslims are a minority group who follow the Sunni practice of Islam. Although the group are scattered across the world, the majority live in the Rakhine state in Myanmar. The group originate from the Arakan kingdom, that was present before the British colonization of India. They differ from much of the Buddhist population in Myanmar in religion and linguistically. Myanmar has long had a discriminatory policy against the Rohingya, denying them citizenship and basic representation in government proceedings.

In August 2017 the Myanmar military acted out against the Muslim population in the Rakhine state after a militant attack. This triggered an 'exodus' of refugees to flee the state to escape the attacks on them which have violated human rights. Currently many Rohingya are living in one of the largest refugee camps in the world, called Kutupalong-Balukhali. The conditions are poor, and there is little aid to the Rohingya. Not only does the attack on the people, force the Rohingya to flee but also the poverty rate of 78% in the Rakhine state. There is speculation that the Myanmar army and security forces have open fired on the fleeing persons and placed land mines.

The difficulty of the situation is that Bangladesh has no way to assist refugees as it is not a part of the 1951 Geneva convention. This means that Rohingya Muslims do not have rights to citizenship in either country. Previously, in Myanmar, the Rohingya had been given a white card which gave them limited rights, for example they were able to vote. This was taken away in 2015 when Buddhist nationalists fought against their right to democracy.

This issue has partially been dealt with by the UN as the humanitarian situation is abhorrent, although there is still a lot of work to be done before the Rohingya are safely returned to Myanmar with the guaranteed rights they so desperately need.

There are also large numbers of internally displaced Rohingya, which is creating a humanitarian crisis. Many of which are situated in IDP (internally displaced persons) camps after the outbreaks of violence in 2012. There has been little to no effort on behalf of the government to relocate the people and here have been difficulties within the Rakhine state as the current permanent inhabitants do not wish for the Muslims to reside there. Living conditions in the camps remain poor and not dissimilar from the refugee camps in Bangladesh. Having been built in 2012 as a temporary solution, the camps are in urgent need of refurbishment, to make it habitable.

## **Human trafficking**

Both states discussed here are a source and a transit route for human trafficking.

Myanmar has issues with human trafficking, many of the people are moved into the neighbouring countries, like Bangladesh. Those effected are largely poverty-stricken individuals who have no economic prospects. Both children and adults are being exploited and often placed in labour intensive roles.

This is also an issue in Bangladesh. Here it is the women and children who at most at risk. The state of poverty that Bangladesh is in make human trafficking very appealing as it is high profit, and has very little repercussions now, so it remains one of the most valuable illegal businesses. There has been some action to deal with said problem.

## **Poverty**

Poverty is prevalent in both Myanmar and Bangladesh due to those in poverty being unable to break out, the unreliability of harvest and the cycle of poverty which continues through the generations.

In Myanmar just over 37% of people live below the poverty line. The first reason being that the poor are unable to leave their low economic standing. This has been caused by loss of

markets in agriculture and mining, which is where people have learned their skills in. Poor labour distribution is also a contributor to the poverty. Those employed work long hours, but there are many people who have no job at all. Finally, most of the population rely up agriculture for income, however, crops can fail. Although in the western world there are technological advances that help farmers overcome these difficulties, in Myanmar farmers cannot afford, nor do they have access to such, materials and products. The migration out of Myanmar has hindered its economic progress as the work force is depleted. The lack of movement of the Muslim population is also known to have inhibited the country's economic progress.

In Bangladesh there are similar agriculture issues with the techniques being less developed than countries that food is being imported from. One of the main issues in the poor areas of Bangladesh is the lack of infrastructure, there are few schools in which people can access an education, leaving them to carry on the last generations impoverished work. Little connection between villages, in the form of roads, leads to lack of internal trade. The economy also used child labour to generate profit, this also creates issues for the next generation. With children being unable to gain an education to get better, well-paying jobs, the poverty cycle remains prevalent in Bangladesh.

### **Monsoon Season**

The annual monsoon season in Bangladesh and Myanmar contributed greatly to the poverty in the states. Every year they will have damaged infrastructure and soil damage. Soil damage and erosion from the heavy rains will run farm and make the ground unworkable for crops. The largest problem with the monsoon and the flooding it brings, is that Bangladesh is too poor to provide any reinforcements against it such as building up river banks. The extreme weather not only breaks down the economy but also has a large effect on the people, with water borne diseases like cholera becoming prevalent. Often aid to those most in need will be cut off due to flooding. Much of Bangladesh becomes unsafe to live in, however the people won't be able to avoid these zones due to the large population in Bangladesh.

### **Border clashes**

On August 26th, 2012: a fight broke out between the Bangladesh Border Guard (BGB) and the insurgents of the Arakan army (AA), specifically of the Kachine state. There was only one injury. The incident happened the day after the BGB took horses from the AA. The BGB sent in reinforcements, ensuring the retreat of the AA. Those who fought from the AA were said to

be separatists who had rebelled against orders to only use violence when necessary. Both sides are unclear about who started the attack.

The AA had wished to calmly discuss the issues but the BGB did not share this opinion. The BGB wanted the insurgents to be caught and punished for their behaviour by the Myanmar army. The BGB ordered a raid against the separatists, who had been considered a threat to security before the incident.

On 9 October 2016, 3 border guards were attacked by a militant group in the Northern Rakhine state.

## Major Parties Involved (Current)

### Myanmarese Government

The Myanmarese government is currently the National League for Democracy (NLD). They do not recognise the Rohingya and have not put an end to the growing humanitarian crisis. Due to this they have been criticised by the international community. There is increasing talk about the possibility that the Rohingya crisis could have led to acts such as ethnic cleansing and genocide taking place, but further investigation will be needed to determine this. The act of genocide is a criminal offence under international law, whereas ethnic cleansing is not. Human Rights Watch and British MP's have supported referring this to the International Criminal Court

### Bangladeshi government

Hundreds of thousands of Rohingya Muslims have fled Myanmar to Bangladesh, putting immense strain on the countries resources, which are already under pressure (it is ranked 148<sup>th</sup> in the world in terms of GDP per capita). There have been historical tensions between Myanmar and Bangladesh due to border disputes, specifically a maritime border dispute. This maritime border dispute was later resolved by an independent international tribunal.

### Rohingya

The Rohingya Muslims have been fleeing from the conflicts arising between them and the Myanmar security forces. Insurgent groups such as the Arakan Army (Kachin state) and the Arakan Rohingya salvation army have led what the Myanmarese government have called terrorist acts. They dispute this. There have been several clashes at police posts, causing numerous fatalities.

The issue of whether the actions by Myanmar security forces are ethnic cleansing or genocide (or just internal disruption) are an often-debated topic amongst officials, with it being a contentious issue between different governments and institutions, which is why we have included the definitions of them to help ascertain what the legal status of the situation is.



### Spread of Rohingya inside and outside Myanmar



### Timeline of Key Events

Timeline of events in reverse chronological order leading up to present day.

Date	Description of Event
8-9 <sup>th</sup> century	Introduction of Islam to Arakan, the Rohingya view themselves of descendants of the Muslim sailors who arrived in this time period.
1057	First time Myanmar was united (the kingdom of Pagan). It was a Buddhist state.
1430	Rakhine Kingdom established
1824-26	First Anglo-Burmese war. This resulted in a victory for the British, leading to British control of the Arakan coastal strip. The treaty of Yandabo was signed.
1852	Second Anglo-Burmese war. Another victory, resulting in the British capture and occupation of lower Burma.
1885	Third Anglo-Burmese war, this time resulting in the conquering of the whole country. The full annexation of the country was declared on January 1, 1886, ceasing the independence of Burma.
1937	Burma is made into its own crown colony. Previously it had been part of British India.

<b>1942</b>	The Japanese attacked Burma. During this conflict Britain promised Muslims in North Arakan their own 'Muslim National Area' but reneged on this promise after the conflict.
<b>1947</b>	A major factor in later Rohingya-Burma relations was the formation of a Rohingya army that approached the leadership of Pakistan (when it had just been created), requesting the incorporation of northern Arakan into East Pakistan (which is now Bangladesh). This was viewed as a threat to Burma's territorial integrity, which resulted in a hostile view towards the Rohingya that has continued to the present day.
<b>1948</b>	Burma becomes independent
<b>1962</b>	The Socialist Programme party is formed, the sole party in the one-party state created after a military coup.
<b>1982</b>	Law on citizenship passed with Rohingya not one of the 135 recognised ethnic groups, leading to the loss of rights and protections. Still the current citizenship laws in Myanmar.
<b>1989</b>	Army changes name from Burma to Myanmar
<b>2010</b>	Election, which the oppositions declares a sham and boycotts
<b>2012</b>	National League for Democracy wins landslide in parliamentary by-elections
<b>2015</b>	NLD manages to form a government, through parliamentary elections
<b>5 September 2016</b>	Set up of the Central Committee for the Implementation of Peace, Stability and Development in Rakhine State and the Advisory Commission on Rakhine State
<b>25 August 2017</b>	The beginning of the Rohingya exodus from the Rakhine state – this was sparked by a Rohingya militant attack on police posts which caused a retaliation by the Myanmar military
<b>August 2017</b>	Final report from the Advisory Commission on the Rakhine state
<b>23 November 2017</b>	Governments of Myanmar and Bangladesh sign an "arrangement on the return of displaced persons from Rakhine"
<b>13 February 2018</b>	New Mon State Party and the Lahu Democratic Union of the Nationwide Ceasefire Agreement



## UN involvement, Relevant Resolutions, Treaties and Events

The UN have been present within Myanmar from the country's independence. The work is mainly humanitarian and ensuring the people have fundamental human rights.

Resolution adopted by the General Assembly on 24 December 2017 - The Situation of Human Rights in Myanmar

The resolution calls for:

- Myanmar to end the military operations which are in breach of the Human rights declaration.
- Asks for Myanmar to prevent any further loss of life, for example; by giving people the needed medical attention.
- The return in internally displaced people, whilst following the associated international regulations.
- The government to increase measures to reduce hate and hate speech that often leads to violence.
- To address the underlying causes for extremism in the Rakhine state.
- To implement recommendations from the Advisory Commission on Rakhine State
- To give Rohingya Muslims full citizenship within Myanmar and to recognize the groups human rights and fundamental freedoms.
- To find a long-lasting solution to the issue

Resolution adopted by the Human Rights on 23 March 2018 – Situation of Human Rights in Myanmar

The resolution calls for:

- The recognition of ethnic groups and religions in Myanmar
- International support for the government, both humanitarian and economical
- The government of Myanmar to address the discrimination at its roots including the 1982 citizenship laws.
- An independent investigation into the allegations and to assert the true facts, unhindered by the Myanmar's government.
- The Government to strengthen its democratic institutions, which includes the military and security forces
- For Myanmar to continue to work towards it's economical and humanitarian goals

Security Council 8133rd meeting discussing The Situation in Myanmar

- Having heard the atrocities of the refugee camp, as reported by Pramila Patten. The Security Council still did not manage to produce an outcome.
- There was a realization that if the Rohingya were to return they would need guaranteed rights to avoid the continuation of the cycle of violence, which has deep roots in the nation's history.

- The Bangladesh delegate clearly outlined how the flow of refugees had not stopped and called upon Myanmar to end its unequitable policies.
- The Myanmar's delegate underlined that the government does not support the abuse of human rights, and would, upon being shown evidence, take legal action against the guilty parties.
- Overall speakers were pleased by the Memorandum of Understanding between Myanmar and Bangladesh, although continued to worry about the lack of action against human rights violators.

Recently the UN started a project to protect the fleeing Rohingya from the imminent monsoon season. Over 150,000 people were placed at risk due to the rainy weather. The project included the dredging of the canal and the building of bridges and drains, in hopes of combating the flooding that is prevalent during the season. This not only brings safety for the refugees but also brings in work for the local population and helps to boost their economy. The project is also helped by the international Organization for migration and the World Food programme.

On Friday 15 March 2018 an appeal for \$951 million to help the refugees, this is to meet the need of those effected. Although the Bangladeshi government has worked hard with compassion and kindness to assist those fleeing and the communities they are now living alongside, more support is needed, with the one refugee camp, which is called Kutupalong-Balukhali, currently being the largest refugee camp in the world. The appeal connects many UN agencies and other international forces. The funding is mainly for food and water, along with other basic needs.

## Previous Attempts to Resolve the Issue

### **New Mon State Party and the Lahu Democratic Union of the Nationwide Ceasefire Agreement**

This was an agreement between some of the ethnic armed groups in Myanmar. It promoted an end to the violence and abuses of human rights laws and other international humanitarian laws. It allows aid to be given immediately and safely to those in need in areas controlled by the groups. However, not all ethnic armed groups have signed and there is little pressure to do so by the government.

### **Poverty**

A global change in banking helped developing nations including Bangladesh and Myanmar. This made the countries' economies developed by NGO's and the private market. This gave very limited result to those in complete poverty, as the NGO's were unable to reach out too many people and were sometimes just as inefficient as the state at providing aid. With this in place it is very difficult to lay any foundations which the economy may build upon, so it continues to be unstable.



## **Human trafficking**

The Human Trafficking Deterrence and Suppression Act was put in place by the Bangladesh government in 2012. However, this has been a great effort to counter the appeal of trafficking, but little has been done to punish the current offenders, especially of labour trafficking.

## **Possible Solutions**

There are a range of different issues in the Bangladesh-Myanmarese region, and to solve them a multi-faceted approach is needed, with international co-operation imperative. The UN can help provide the forum for these discussions, but for long term improvement the parties involved also need to come to an agreement with how to deal with the pressing issues moving forwards.

## **Rohingya Muslims**

Possible solutions to the refugee situation could be linked to the citizenship status of the Rohingya, since this would determine the rights and protections that the group would have. Currently, their lack of full citizenship and recognition bars them from easy access to healthcare, education, travel and employment opportunities.

## **Human Trafficking**

Solutions could include tighter regulations at the borders and a joint effort by the countries in the area to prevent the business of human traffickers and their use of the area as a trade route.

## **Human rights violations**

Observation and oversight by the UN and 3<sup>rd</sup> party organisations would help to monitor the situation regarding human rights in the region. Allowing freer access to journalists would increase the transparency of the issue, facilitating better insight into the actual situations in the region (there have been some issues regarding obtaining reliable information on the state of affairs in the region).

## **Poverty**

The Rakhine region and surrounding areas has great potential with a great geographical location, plentiful raw materials and rich and fertile soil, this allows it to uphold a strong economy once it has been built. Solutions would need to create a long lasting and stable economy.



Allowing the Rohingya greater movement and more rights within the country and recognizing women as part of a productive workforce may combat the issue of a depleted work force due to migration.

The lack of education and infrastructure is creating a cycle of poverty in both countries. A sustainable long-term solution should consider giving those in poverty a chance to change their economic prospects.

## Monsoon Season

Many of the solutions would require vast sums of money, which the region does not currently have at its disposal, therefore any solution should be cost effective.

## Border Clashes

A military response would not necessarily bring the needed or lasting results and could be deemed irresponsible and lacking the sensitivity needed to solve the issue.

The international community need to act with caution and full understanding of the country's situation due to the delicate nature of ethnicity and deep-rooted tradition in the area.

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