

Rohingya Refugee Influx in Bangladesh and Repatriation Process: Addressing the Possible Challenges



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ABSTRACT: Bangladesh is eminent in a very difficult situation regarding the Rohingya refugee crisis and their repatriation, and it practices balanced diplomacy, while her neighboring countries remain silent on the Rohingya problem. Bangladesh, as a host country for 1.1 million Rohingya refugees, faces environmental deterioration in terms of shelter, sanitation, and water management, among other things, due to the destruction of forest and hills. It must repatriate the Rohingya to their motherland in order to do this. This research looks at common long-term responses to the refugee crisis in Bangladesh, as well as the attitudes and behaviors of displaced Rohingyas. It claims that finding long-term solutions for Rohingya refugees through repatriation, integration, or resettlement in their home, host, and third countries is nearly impossible, but there are geographical as well as global challenges. In this case, there is a chance of repatriation in the immediate future, but it would be a small population relative to the total number of refugees. Since Bangladesh and Myanmar have been working together in a joint working group (JWG) since January 2018 to find solutions to the Rohingya crisis and repatriation, this process is still ongoing. This research aims to depict the potential challenges of repatriation of Rohingya refugee from Bangladesh.

KEYWORDS: Challenges, National Policy, Rohingya, Rohingya Influx, Repatriation, Voluntary Repatriation, and Local Integration.

1. INTRODUCTION

The Rohingyas are an ethnic, linguistic, and Muslim community in Myanmar's northern Rakhine state (Azad & Jasmin, 2013) who are not recognized as "citizens" of the country (Ullah, 2011). They were classified as illegal Bangladeshi immigrants by the Myanmar government, who were denied citizenship and basic human rights. The Rohingya people, on the other hand, claim to be natives of NRS (formerly known as Arakan State) and can trace their roots back over a thousand years. They sought refuge in various countries, including Bangladesh, after being persecuted by government forces and an extreme portion of the majority Buddhist population. They came to Bangladesh in several influxes in 1978, 1992, 2012, 2016 and 2017 (Ahmed, 2010). The Department of Immigration and Passport (DIP) in Bangladesh has now registered 10,38,000 Rohingyas who have fled Myanmar to escape persecution that began on August 25, 2017 (Report, 2018). Since 2005, the UNHCR has halted the repatriation process, admitting that it is not a feasible option for Rohingya refugees (Mazumder, 2020). Bangladesh, with its dense population and limited resources, is not in a position to enable local integration (Jilani, 1999). After a limited number of refugees were resettled in some third countries, the resettlement process was also halted in 2010. The Bangladeshi government put a stop to it, claiming that it will serve as a full factor (Jilani, 1999). However, following the influx, Bangladesh and Myanmar signed a bilateral agreement for voluntary repatriation. Furthermore, Bangladesh and Myanmar have clashed over the Rohingya community's legitimate citizenship. Dhaka needs a fast repatriation to avoid taxing its capital and hurting the economy (Kapur, 2018). On the 15th of January 2018, a bilateral agreement was signed to repatriate hundreds of thousands of refugees to the western state of Rakhine over a two-year period (Chakma, 2019). The agreement on voluntary repatriation was first signed in November 2017. (AP, 2018). In December 2017, 858,590 Rohingyas were living in Bangladeshi refugee camps (Group, 2017). The deal, however, is only valid for those who fled Rakhine during the two periods of violence in 2016 and 2017 (Kapur, 2018). Furthermore, these are problematic in the first place because of the early repatriation. The new contract is based on a repatriation agreement that was signed in 1992/93. If both the country of origin and the refugees are not ready for voluntary return, premature repatriation occurs. As a result, they are driven out of their home country by intimidation, attacks, and expulsion rather than being drawn in by peace and protection. Furthermore, premature repatriation often results in militarized repatriation, with refugees returning to an unstable and conflicted homeland (Stein, 1997). The Bangladesh government, as well as many international communities, are working hard to address the issue and return the Rohingya to their homeland. However, this issue has now framed a new dimension of global politics on this issue, as it is no longer just a regional issue between Bangladesh and Myanmar (Murayama, 2006). The topic of non-refoulement, as well as the issue of repatriation, is still up for debate. The word repatriation will be used in this context in both

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a normative and descriptive sense. For example, the term non-refoulement in international legal protection of refugees can be defined as: refugees should not be returned to countries where lives and freedoms may be threatened because of their race, religion, nationality, membership of the particular social group or political opinion (UNHCR, 2005b). The emphasis of this research will be on Bangladesh's stance on the Rohingyas' care outside of their refugee status. Since Bangladesh is not a signatory state to the 1951 Convention Relating to the Status of Refugees, also known as the 1951 Refugee Convention or the Geneva Convention of 28 July 1951, it is incongruent for Bangladesh to apply the 1951 Refugee Convention's concept of the Rohingyas and their rights, as well as the 1967 Protocol Relating to the Status of Refugees. In support of the inconsistency, Bangladesh referred to the displaced Rohingya refugees as Myanmar's forcibly displaced persons, despite the Myanmar government's request that they not be referred to as Rohingyas. The study would disentangle the legal rights of Rohingyas beyond the 1951 refugee convention, as established by the complementary protection law, since they were not granted refugee status as defined by international refugee law. Certain normative views, in general, have unquestionably gained the status of customary international law.

2. METHODOLOGY OF THE STUDY

The research subject and goals necessitate a thorough examination of international refugee law regimes. In this case, an empirical approach was taken. The study uses data from both primary and secondary sources. The primary source of information is relevant international hard and soft rules (*Lex lata* and *Lex ferenda*). Prior related academic works, such as books, papers in prestigious journals, and web resources, make up secondary evidence. Interviews of the refugee representatives, officials of the various ministries, the UNHCR at Dhaka and field levels in Cox's Bazar and Maungdaw and NGOs involved in relief and repatriation would provide important insights. Newspaper reports, journal articles and in-house research reports of aid agencies constitute important secondary source of information for the study.

3. IMPORTANCE OF THE STUDY

In short, the aim of this research is to define, explain, and examine Bangladeshi policy approaches to refugee repatriation, as well as actual politics on the ground. Since there is a theoretical controversy about premature repatriation, this analysis will focus on repatriation as a viable solution to the underlying issue. It will also cover wider issues and bilateral ties with Bangladesh, with a focus on the topic of joint verification in the repatriation process. Previous research and discussion of Bangladesh's position and state capacity in relation to the plight of Rohingya refugees in terms of non-refoulement, repatriation (in the context of bilateral agreements with Myanmar in 2017), and the potentially crucial importance of their citizenship rights are thus basic points of departure for the formulation of a policy.

4. OBJECTIVE OF THE STUDY

General objective of this study is addressing the Rohingya refugee influx in Bangladesh and specific objectives are;

- a) To analyze a historical background of the Rohingya Crisis;
- b) To address the potential challenges of the repatriation process of Rohingya refugee.

5. WHO ARE THE ROHINGYAS?

The Rohingya people are a stateless Indo-Aryan ethnic group who live in Myanmar's Rakhine State. Abul Kasem (2019), a Rohingya historian and activist in Bangladesh, describes that the word "Rohingya" is derived from "Rohan", "Roham" or "Rosham," which were all old names for the ancient Arakan Kingdom's capital, Mrauk-U, which is now Mrohaung. He describes how those names evolved into "Roshangee" and then "Rohingya." The term "Rohingya" refers to the Muslim Arakanese people. In the city of Akayab (Sittwe), there is still a Muslim village known as Rohingya para (Charney, 2005). Rakhine State was previously known as Rohang, from which the word Rohingya was derived. The word "Rohingya" has become politically charged in recent years. In Myanmar, two powerful groups have emerged: pro-Rohingya and anti-Rohingya. The pro bloc believes that the Rohingyas arrived in Burma in the ninth century and have since mixed with Bengalis, Persians, Moghuls, Turks, and Pathans, in keeping with Arakan State's traditionally pluralistic population (Human Rights Watch, 1996). According to the above, the Rohingyas are a new creation made up primarily of illegal Chittagonian Bengalis who arrived as a result of British colonial rule (Human Rights Watch, 1996). The word Rohingya, on the other hand, has lost favor since the late 1960s, owing to the government's use of the term "Bengali," which means immigrant status. The Rohingyas, who are Muslims and ethnically distinct from the rest of Myanmar's ethnic groups, are not regarded as Myanmar's people. They are referred to as 'resident foreigners.' The Rohingyas are not recognized as one of Myanmar's 135 official ethnic groups (Human Rights Watch, 1996). They have been referred to as "Bengalis" by both the outgoing and incumbent governments (Wright & et al, 2017). Citizenship in Burma was divided into three groups in 1982 by the Burma Citizenship Law (Burma Citizenship Law, 1982): citizens, associate citizens, and naturalized citizens. The three color-coded citizenship scrutiny cards (pink, blue, and green, respectively) are used to determine citizenship status (Ullah, 2014). President U Htin Kyaw referred to the group as "esteemed ethnic brothers and sisters living in

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Rakhine State" during his speech at the 43rd Anniversary Rakhine State Day. Once an author depicted the identification process of Rohingya in the following way:

"The Rohingya apparently look like local Bangladeshi people". Though the Rohingya can speak the local dialect, they cannot speak Bengali. Moreover, most of them have very poor clothes and lack confidence in a new country. If caught, usually they are forced to leave the vehicle and walk back to the camp. I noticed that many men and women in shaggy clothes and mostly bare feet are standing, sitting on land, or walking beside the highway. They are mainly newcomers who have no food and shelter and are unable to earn a livelihood, as they are barred from moving to Cox's Bazar where work and possibly help is available" (Azad, 2018).

In AFK Jilani's *The Rohingyas of Arakan: Their Quest for Justice* (Jilani, 1999), which was published in 1999, the typical discourse of their history written in English can be found. This book contains five main discourses that should be noted: (1) Before 788 A.D., Islam had entered Arakan. The Rohingyas seem to have settled there since then. The Rohingyas are not descendants of British colonists. According to tradition, Arakan was originally a land where Muslims were the majority. The Rohingya language was the original lingua franca in Arakan, spoken by both the Rohingyas and the Buddhist Arakanese. (2) The Kingdom of Arakan (the Mrauk-U dynasty, 1430-1785) was primarily a Muslim dynasty with Buddhist influences. (3) The Buddhist Arakanese were originally known as Maghs. Because they had disgraced their name by committing piracy and dacoity against Hindus and Muslims for more than two centuries, they began calling themselves Rakhines in order to avoid their infamous past. (4) Although the British promised to create a Rohingya state in Arakan, this did not happen. (5) Buddhist Arakanese MPs in the post-independence parliamentary era (1948-62) were always hostile to the Rohingyas, labeling them as Chittagonians and never treating them as fellow human beings. Buddhist Arakanese historians and activists have strongly criticized this Rohingya-centric historical discourse (Nemoto, 2005).

6. ROHINGYA REFUGEE INFLUX IN BANGLADESH

6.1: 1942 Influx

Communal riots in Rakhine state between Rakhine and Rohingya villagers resulted in an estimated 22,000 Rohingyas crossing into what was then pre-partition India, Bengal. These riots erupted in response to the Japanese army's advance on Burma in 1942, which resulted in the evacuation of the British from Rakhine and the creation of a power vacuum. The Japanese army's advance also caused Muslims in Burma to flee.

6.2: 1978 Influx

More than 200,000 people were deported from their homes in Rakhine State by the Burmese military between 1977 and May 1978 to Cox's Bazar. These evictions were carried out when the public was being registered and foreigners screened for a national census. During this time they fled to Bangladesh allegedly widespread human rights violations against the Rohingya population. The people of Rohingya who fled to Bangladesh settled in 13 camps established at the Cox's Bazar border with United Nations support and in Bandarban, one additional camp in the Chittagong Hill Tracts. In July 1978, only a few months after their arrival, negotiations between Bangladesh's Government and the then Junta Government in Myanmar led to the launching of repatriation programs. While few refugees wanted to return in the early stages of repatriation, they increased in proportion to the decline in camp conditions in Bangladesh and limited food rations. There are reports that the situation in the settlements motivated Rohingya's return: by March 1979, around 107,300 of the population were returning to Myanmar. 180,000 people came back between 1978 and 1979.

6.3: 1991-92 Influx

The increase of the military presence of Myanmar in the state of Rakhine in 1990 led to the exodus to Bangladesh of an estimated 250,000 Rohingya. After the political turmoil surrounding the failed democratic elections of 1990, Burma's military presence in the northern states of Rakhine was increased because of the growing military capacity of Islamist Rakhine state insurgent groups. The military expansion is accompanied by reports that the Rohingya population is forced to work, forced relocations and violations of human rights. In 19 camps in Cox's Bazar 250,000 Rohingyas were received. The objective remained limited integration with the host population and ensured that returns were not settled for a long time in camps. Return started in April 1992. The Government of Bangladesh and UNHCR signed a Memorandum of Understanding (MoU) in May 1993 (Kiragu & et al, 2011) to facilitate the repatriation of the animals. More than 230,000 Rohingya came back to Myanmar from 1993–1997.

6.4: 1997 Smaller Influxes

Thousands of Rohingya people arrived in Cox's Bazar in 1997 at high food prices, and forced labor on the Rohingya population was intensified in December 1996 and in the first half of 1997 by Burmese security forces. The majority of the arrivals in Bangladesh settled rather than in camps, probably because of civil unrest and movement restrictions to enter and leave the camps during a repatriation process that became violent in 1997. This made counting new arrivals difficult as the Rohingya population mixed with local communities. Repatriation exercises briefly resumed in 1998, with only around 800 Rohingya repatriated from the camps between November 1998 and October 1999.

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6.5: 2016 and Onwards Influxes

In October 2016, more than 87,000 of the Rohingya people crossed into Bangladesh with the resurgence of insurgent activity on the border and consequent military operations. In Ukhaia Upazila, Bangladesh, most of the newcomers settled. Formative shift settlement for the new Balukhali. The government of Myanmar has led to security violent attacks by insurgents against police stations in Myanmar in August 2017. From 25 August 2017, violence led to mass movements across the border. More than 600,000 Rohingyas arrived in Cox's Bazar between 25 August and early December. On 23 November 2017, the Government of Bangladesh and the Government of Myanmar agreed on repatriation. The agreement is based on the previous 1993 agreement. Rohingya persons must voluntarily want to return and provide proof of residence in Myanmar, that the GoM may decide not to accept any person's return and, until it can be accommodated in model villages built near their former homes, the returnees will reside in temporary camps in Myanmar, Rakhine State. Repatriation only allows those who entered Bangladesh after October 2016. Initially signed on 6 June 2018, and previously expanded in May 2019, this framework on cooperation between the United Nations and the Government of Myanmar. However, the Government of Myanmar has not initiated the repatriation process and has asked the UN to prolong cooperation. As a result, the Ministry of Labor, Immigration and Population of Myanmar and the representatives of its UN bodies exchanged documents, and decided to extend them in June 2021.

7. CONCEPT OF VOLUNTARY REPATRIATION

The solution of repatriation is subject to a number of variables. Under Article 1C (5)-(6) of the Refugee Convention, refugee status is lost once the refugee can no longer claim surrogate international protection, "because the circumstances in connection with which he has been recognized as a refugee have ceased to exist (Barutciski, 1998). Because refugee protection is conceived as protection for the duration of risk (Robert Schuman Centre, 1997), states' parties need not honor refugees' rights once the underlying cause of flight has been extinguished (Steiner, 2009). The host government is normally entitled, in such circumstances, to require the former refugee to exit their territory (Sharpe, 2013) and return their country of origin. He or she is subject to removal, as long as that can be done without breaching relevant standards under International Human Rights law, without in the same position as any other non-citizens. Because, by definition, repatriation of the former refugee cannot involve a risk of refoulment (Riyanto, 2009) and it has been established that there is no longer any objective risk of persecution in the country of origin (Hathaway, 2005). The UNHCR routinely speaks instead of the solution of "volunteer repatriation" instead of supporting a clear understanding of regulatory solutions for volunteer re-establishment and repatriation following a fundamental change in circumstances. For example the Agency's Executive Committee has "noted that, while the traditional long-term solutions for voluntary refugee repatriation, local reintegration and relocation are voluntary repatriation, they are the preferred option if possible" (UNHCR, 2000). This trio of solutions - which does not contain any mention of solutions for voluntary restoration or repatriation as such - is repeated as a mantra in all standard setting agencies (UNHCR, 1980). Despite its frequency, 'voluntary repatriation' in fact is not a binding convention but rather a concept derived from the text of the UNHCR Statute (UNHCR, 1950). It is reasonable to limit the mandate of the agency to voluntary repatriations. In the face of a difficult emergency routinely facing up to the UNHCR, any other position could potentially compromise the credibility of an international organization expressly tasked to promote protection (Saad c. Secretary of State to the Home Department, 2001). Due to the failure to distinguish reliably between refugees and others (Hathaway, 2005). However, the concept of voluntary repatriation, as useful as "voluntary repatriation" as the structure for regulating UNHCR agency activity, is not, in itself, legally relevant to the treaty-based protection obligation binding governments. Although voluntary returning may be enough to ensure that the state has not infringed the duty of non-refoulment in accordance with Article 33 of the Refugee Convention, refugee status shall not be ceded unless either voluntary resettlement occurs (not just returns) or repatriation occurs (whether voluntary or not). Indeed, the uneasy relationship between "voluntary repatriation" and the real solutions open to party states has recently been tacitly acknowledged by UNHCR: While the 1951 Convention and its 1967 Protocol do not deal with voluntary repatriation, the cessation clauses of the Convention have some relevance to voluntary repatriation, albeit indirectly. Article 1(C)(4) of the 1951 Convention stipulates that refugee status ceases if refugees voluntarily re-establish themselves in the country of origin. Furthermore, successful completion of voluntary repatriation programs often indicates that circumstances which caused flight no longer exist. This is relevant for the purposes of declaring general cessation, as foreseen in Article 1(C)(5). Voluntary repatriation is therefore a process which, ultimately, leads to cessation of refugee status, be it on an individual basis or on a more general level. Putting to one side the mistaken view that cessation under the Convention may simply be declared for all members of a given refugee population (Hathaway, 2005), this analysis makes clear that, while voluntary repatriation has relevance to the question of cessation of status, it is in no sense a substitute for satisfaction of the true legal requirements set by the Convention. In practice, however, the near-complete silence of UNHCR on the normative framework for anything other than "voluntary repatriation" has proved to be the source of tremendous conceptual incoherence in the refugee regime. Simply put, repatriation as a solution is simply never discussed by UNHCR; it always refers to its agency-based standard, "voluntary repatriation." Indeed, the legality of mandated repatriation is barely acknowledged. Ironically, even as the agency has elaborated the requirements for cessation of refugee status due to a fundamental change of circumstances, it has not gone on to make the obvious linkage between satisfaction of the test for

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cessation of status under Article 1C(5)-(6) and the right of party states to require repatriation of former refugees to their country of origin (Fitzpatrick, 1998), much less has UNHCR engaged in the critical complementary analysis of the legal constraints which define the conditions under which lawful, mandated repatriation may take place. In the result, states seeking to exercise their right to require former refugees to repatriate are left in a conceptual void. While the Convention clearly contemplates a right to bring refugee status to an end, with or without the assent of the persons concerned, that solution is not recognized as such by the agency appointed to oversee implementation of the Convention (Turk, 2001), and all relevant standards consistently speak not to repatriation justified by a fundamental change of circumstances, but only to "voluntary repatriation." How exactly are states to proceed? The purpose of this article is squarely to confront this dilemma. For the reasons set out above, states have the right to enforce the repatriation of former refugees once a fundamental change of circumstances is in place. That process need not be voluntary (Trachtenberg, 1980). Indeed, as Barutciski has rightly observed, "The promotion of involuntary repatriation if and when refugee protection ceases to be necessary is a pragmatic approach that represents an acceptable compromise between legitimate State concerns and the protection needs of refugees." If states are to be persuaded not to pander to the often powerful political, economic, and social imperatives bluntly to force refugees to leave their territory—a particularly acute risk when large groups arrive during times of armed conflict—then more than ritualistic invocation of the duty of non-refoulement is called for. There must instead be real clarity about the legal standard which governs mandated repatriation. It may be that UNHCR's decision to speak only about "voluntary repatriation" is based on a well-meaning hope that its silence on mandated repatriation will induce states to avoid that solution. But the analysis below suggests that the failure to elaborate the circumstances under which refugees may be required to go home has had the opposite consequence, including the forcible return of persons who remain entitled to refugee status. Of perhaps greatest concern, recent moves to require states to take their cue from UNHCR on the timing of repatriation and even on the propriety of cessation of refugee status are likely simply to add to the conceptual confusion which already exists.

8. CONSTRAINTS IN THE PROCESS OF LAWFUL REPATRIATION

Because the Convention does not address this topic specifically, a number of guidelines for States have been developed by the Agency. The Executive Committee of the UNHCR expressed its opinion in the early wording that "repatriation should take place under absolute conditions of safety. The need to do so "absolute safety" however, was not included in recent agency standards that instead have set themselves the bifurcated obligation to carry out repatriation with security and dignity (Pallis, 2004). In particular, the first part of this concept of security is that it requires repatriation to be carried out in order to avoid "harassment, arbitrary detention or physical threats during or after a return". In recent years, UNHCR also noted that security requires an examination of "the protection against armed attacks and mine-free routes during the return process (Nobel, 1982). The second branch of the UNHCR standard, which requires a "Dignified Return" is frankly recognized as "less self-evident as security". UNHCR defines the term "return with dignity" by demanding that refugees should not be manipulated; that they should return unconditionally; that they should be not arbitrarily separated from family members; that their national authorities should respect them, fully accept them and restore their rights. In particular, in the light of the requirement of Articles 7(1) and 9(1) of the Civil and Political Covenant, the duty to carry out repatriation in security may be declared to be a matter of legal obligation, which requires states to avoid 'torture or inhuman or degrading treatment or penalty' and to affirmatively provide for 'personal security' In the jurisprudence of the Commission, a State party is liable for the logical actions of its agents, even if these actions occur outside the State's borders, including those involved in the process of repatriation (Hathaway, 2005).

9. CHALLENGES OF ROHINGYA REFUGEE REPATRIATION FROM BANGLADESH

Armed conflict often leads to the extensive exodus of refugees into neighboring states, both politically and economically fragile. There can be extreme burdens on asylum countries (Harbom & Wallenstein, 2005). Refugees are usually regarded as a temporary phenomenon in the international context. It is usually hoped that refugees will return to their own country after the situation becomes normal. Global trends, however, are negative. For more than a million refugees, Bangladesh is not a Germany that is long able to refugee. Nevertheless it can take this enormous task forward in order to tell the world that Bangladeshi people can discharge humanitarian accountability with courage and dignity because of the national consensus and the good will of the people of Bangladesh and of the Government. The national pride of Bangladesh should in this respect be relentless. Division and partisan politics should also create any barriers to our home refugee duties. However, economic reality cannot be overlooked (Khan, 2017). But, following the 2017 exodus, when Bangladesh didn't give Rohingya a refugee status, the Rohingya crisis brought new interest in international refugee treatment. In 1992 refugee status was granted to the same Rohingyas groups. So how does the government of Bangladesh address Rohingyas' legal protection in non-refoulement following the 2017 exodus? Traditionally, Bangladesh has always pursued its policy and strategy in dealing with the Rohingya crisis by pursuing a bilateral repatriation agreement in Myanmar. However, the repatriation process will become more complex after August 2017 because of the following challenges;

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9.1: Geopolitical Challenges

Capitalism is a system that focuses on a country's economic development. The focus of this policy is that the economy depends on all problems in the world. This is no exception in the Rakhine state. Many global interests exist in the state of Rakhine. A large number of countries like China, Russia and India have a strong economic interest in Myanmar.

9.1.1: China's Interest

China invested USD 15 billion in the petroleum and mineral industries in Rakhine State between 1988-14. The KyaukPhyu Special Economic Zone lies only 200 km west of the state of Rakhine, the worst of the recent fight between the military of Myanmar and the so-called insurgents. The area covered more than 1,700 hectares, and in 2013 was created as a joint initiative between the Governments of Myanmar and China to provide an infrastructure and industrial base that serves both countries and the broader channels of trade (Dhakatribune, 2018). There are many projects in the Rakhine states especially Belt and Road" international trade and infrastructure plan, Deep-water Port, The long Myanmar-China Oil and Gas Pipeline Projects. In The long Myanmar-Chins Oil and Gas Pipeline Projects, China invested \$ 250 crore and expect to invest \$ 180000 in future. Myanmar Government is highly impressed to establish an economic zone in Moundaw that's situated in Rakhine state. The Government of the Rakhine State and Kanyin Chung Economic Development Company have already signed a MoU for establishing the MaungDaw (Kanyin Chung), Economic Zone. The Maungdaw project originally began in October 2015 under U Thein Sein's presidency, with K600 million from the Union government and K400 million from a consortium of private businesses (Mmtimes, 2018). This zone is located by a river in Northern Rakhine State and it has enough depth for the Marine vessel. It has needed 100 acres of land in Kanyin Chaung for constructing this economic zone. So, Government shows high interest to complete the Procedure of constructing economic zone. This area is basically a Rohingya Muslim based area. This economic zone will add a new dimension to the economy of Myanmar. For that, the military government of Myanmar may force the civilian people to leave this area to establishing this economic one. CITIC's consortia (including China Harbor Engineering Company Ltd., China Merchants Holdings, TEDA Investment Holding, and Yunnan Construction Engineering Group) will lead projects to build the port as well as an industrial area at the Kyaukpyu Special Economic Zone in western Myanmar's Rakhine State, which borders Bangladesh to the north and the Bay of Bengal to the west (Diplomat, 2018). This deep sea port is very important for both China and Bangladesh because China will establish their monitoring on the Maritime scale in the Indian Ocean, Chittagong in Bangladesh, Gwadar in Pakistan, and Colombo in Sri Lanka. Security is a vital factor for establishing this zone. Myanmar government highly concern about the security special concern on the Rohingya Community and rebellion. For the interest of economy both Myanmar and China, the military government of Myanmar anyhow wants to establish this zone as early as possible and that of pressuring the people of the Rakhine state to stop all kinds of conflicts and disorder.

9.1.2: Indian Interest

India runs many projects such as the Kaladan Multimodal Project, two water electricity centres in Rakhine State and four high-road projects between India and Myanmar and Thailand etc. The Sittwe Port, in the state of Rakhine in Myanmar, will be linked with Micoram through the Kaladan Multimodal project. Total project expenditure is 484 million dollars. On the Indigenous side, work is underway to reach the international border in Zorinpui, 90 km from the Aizawl-Saiha National Highway. In addition the 4-lane project is being implemented to ensure the fastest movement of products by 4-lane routes from the border between Myanmar and Aizawl (Hindubusinessline, 2018).

9.1.3: Russian Interest

One of the world's mighty states is Russia. Helicopters, gunships and mig-29 airships are in Myanmar's purchase relationship from Russia. Bilateral trade amounted to 130.5 million dollars in 2015. This was small in comparison to China's \$10 billion trading. The trade is expected to rise in Myanmar and Russia in 2017 to \$500 million (Mmtimes, 2018). Russia and Myanmar recently implemented a broad plan for bilateral military cooperation on 20 January 2018, which was discussed in advance of 2016 (Tass, 2018). Russia has linked usually on army based and academic based relation relations with Myanmar. From 1993-2013, almost 4,705 students got the opportunity to study in Russia on the Nuclear study. Now, they are silent on the issue of the Rohingya crisis issue because they build up a new relationship with Myanmar as like as China.

9.2: Negative Global Response to the Repatriation Process

9.2.1: China

Chinese Ambassador to Dhaka Zhang Zuo said on 8 July 2018, "On different occasions, we urged Myanmar to repatriate Rohingya early both bilaterally and multilaterally. We also urged them to achieve some visible result as quickly as possible (Star, 2018)" The issue is a topic between the two countries of Myanmar and Bangladesh and it is hoped that the issues will be resolved by discussions at the UN Summit on 28 September 2018. Now the repatriation of Rohingya into Myanmar and continued diplomacy with both countries are not strong in China.

In addition, Chinese Prime Minister Li Keqiang assured his counterpart in Bangladesh that China would encourage Myanmar in bilateral discussion to resolve the Rohingya crisis. It should be said in July that China has been demanding a bilateral solution to this problem since the beginning of the crisis. Bangladesh has made all efforts to repatriate the Rohingyas, as suggested in

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bilateral arrangements. But Myanmar deliberately built a scene of fear by persecuting Rakhaine minorities to send a message across the border to Rohingyas that it is not safe to go back (Sun, 2019).

9.2.2: India

India is the most important country in the regional context when it comes to the Rohingya process of repatriation. But, for the Rohingya repatriation, India has not taken any visible steps. The relations between India and both Bangladesh and Myanmar are economic and political. In order to establish a regional influence in the sub-continent and in Asia India retains a strong relationship with Myanmar. There are many combined projects in Myanmar and India that are Kaladan multimodal, Indian-Myanmar and Thailand four lane highway projects, etc. The Government of India issued a statement on 09 September 2017 focusing on the upheaval over the Rohingya crisis and influx. The position in support of Bangladesh has not been clear yet by India but the refugee camp sending relève and numerous other Rohingya departments. Representatives from 40 countries including the USA, China, the United States and 64 diplomats visited the Cox's Bazar border region on 13 September 2017 to monitor Rohingya's vulnerabilities. India delivered a declaration on the solution of the Rohingya refugee crisis in Delhi on 6 October 2017 following the end of the Indian-EU summit. The following day, the Bangladeshi Foreign Minister visited India and discussed the global and regional power's concern about China's position. Ram Madhav, BJP's (Indian ruling Party) Secretary-General visited Dhaka on 9 October 2017 and offered hope of supporting India in the Rohingya affair. In her meeting with the Burmese leaders and officials, the Minister of Indian Foreign Affairs, Mr. Sushma Swaraj, stressed the need to ensure safe, quick and durable returns of persons who have been displaced to the State of Rakhine (Dailystar 2018). On 17 September 2018, Harsh Vardhan Shringla, Indian High Commissioner for Bangladesh, mentioned humanitarian aid to support Bangladesh in the context of the Rohingya crisis. India is very careful about the issue of the Rohingya Repatriation. Now, because of their regional politics, economic and neighborhood relations, they practice balanced diplomacy with Bangladesh and Myanmar.

9.2.3: Thailand

At the beginning of the violence in September 2017, the Foreign Ministry of Thailand issued a declaration claiming: "The Government of the Royal Thai has always been important for the care and protection of displaced persons of Myanmar in accordance with the humanitarian principle." However, their actions did not conform to this declaration. Despite alleged human rights violations by Myanmar military forces, the Buddhist majority nation presented an award in February 2018 to the Myanmar Army Chief General Min Aung Hlaing (Reuters, 2018).

9.2.4: Sri Lanka

Prime Minister Sri Lanka refused, despite calls by the Sri Lankan Muslim minority for action, to take rohingya (Balachandran, 2017). The Government in Sri Lanka is concerned that Rohingya can lead to violence and "disturb social harmony" if asylum is allowed and considers the refugee crisis to be a "organized immigration racket."

9.2.5: Japan

Japan has consistently supported Myanmar's government, but also expressed support for the Rohingya. On 20 January 2018, Japan's foreign minister, Taro Kono, declared in a joint news conference with Aung San Suu Kyi that 'Japan wants to actively support Myanmar's efforts' and to ensure the Rohingya 'safe and voluntary repatriation and repatriation' (Japan Times Online, 2018). Japan achieved a record-breaking investment in Myanmar in 2017, providing \$1.47 trillion to support projects for property, electricity and road construction and even to destroy China, the rival region (Welle, 2018). In early 2018, Japan granted Myanmar \$3 million to support the repatriation of the Rohingya, promising additional investment (Kennedy, 2016). Japan aims to smooth the Chinese influence over the region, similar to India. The question is how both justice for the events and justice for Rohingya (Bourmont, 2016) are to be obtained."

9.2.6: Russia

Russia and Myanmar tried to build a strong bond between the social and economic sectors during the past year. The Russian-Myanmar Inter-Governmental Trade Committee was established in 2014 under the co-chair of Russian Economic Development Minister Mr. Alexey Ulyukhaev, and the Union National Planning and Economic Development Minister Dr. Kan Zaw, during their first session in Naypyitaw in August. Bilateral humanitarian ties, including education and healthcare, are actively developing. Thousands of students from Myanmar have graduated from leading Russian universities (Myanmar, 2018). Russia has taken a stand on Myanmar as China since the beginning of the Influx. Still, Russia raises its voice in favor of Myanmar at the UN Security Council on 13 October 2017, legalizing government and military activity in Myanmar. On 2 April 2018, Minister of Foreign Affairs of the Russian Federation Sergey Lavrov commended Bangladesh on the Rohingya issues and hoped not only to take up the Rohingya refugee situation but also to take part in a meeting between Bangladesh's Foreign Ministers and Russia. Russia has yet to take adequate or remarkable steps to address the repatriation in Myanmar of the Rohingya. Russia maintained its position in internal affairs "against excessive intervention" and blocked UN Security Council statements condemning Myanmar (Shin, 2017). In 2018, its position and its veto on the UN Security Council have prevented the Security Council from taking action to refer Burma to the International Criminal Court (Human Rights Watch, 2018) and Myanmar submitted its first report before the ICJ on actions taken to prevent Rohingya Muslims, the alleged genocide of the United Nations ([Straitstimes](#), 2020). Notable was the case brought in the Muslim African State of Gambia and the hearing in December, which brought the case and the contents of

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Myanmar's report, Nobel Peace laureate Aung San Suu Kyi, to the Gambia. However, pressure groups from Rohingya said that since the ICJ decision of January 2020, Myanmar has "done no meaningful steps" to improve the situation in Rakhine. In a unanimous ruling earlier this year, the ICJ rejected Ms Suu Kyi's arguments that it could have exaggerated the scale of crimes against Rohingya and that it was an internal affair. Russia also agreed to sell Myanmar new fighter jets early in 2018, despite U.S. led requests to suspend arms sales to Myanmar during the ongoing crisis (Reuters, 2018).

9.2.7: United Nations (UN)

The Permanent Representative of Bangladesh Ambassador Masud Bin Momen has highlighted the UN's systematic failure to prevent atrocities in Rakhine state of Myanmar (UNB, 2019). On the other hand, on 25 August, 2017, the world has seen again the stateless and plight situation. Before one day ago, in 24 August, the UN released the final report of the independent advisory board to focus the situation. In a press release in New York, UN Spokesman Stephane Dujarric argument on the report, "the importance of its mandate to analyze the situation of all communities in Rakhine state and draft recommendations toward conflict prevention, reconciliation, institution building and long-term development, as well as humanitarian services" (News.un.org, 2018). In 6 October, 2017, UN aid official declared officially this crisis as "the world's fastest growing refugee crisis" and "Level 3 emergency. On 20 October 2017, the United Nations Children Fund (UNICEF) highly concerned about the rights of children and urgent services of their vulnerable situation. They alleged to end the atrocities committed against the Rohingya and long term solution of the Rohingya Crisis by implementing the recommendations of the Advisory Commission on Rakhine State. On 7 November 2017, the president of the Security Council, Sebastiano Cardinal emphasized on the government obligation of Myanmar, rule of law, to respect human rights including women and children, vulnerable group and not to discriminate with the basis of ethnicity, religion, even citizenship statues. UNSC president welcomed the Myanmar Government's decision to establish a "Union of Mechanism" and emphasize on the full implementation of the recommendations by the Advisory Commission on Rakhine State. In a press conference on 20 December 2017, UN Special Rapporteur Yanghee Lee, the United Nations expert on Human rights expressed her visit the Myanmar but Myanmar government denied the access. Her argument was, "The Government has repeatedly denied violations of human rights are occurring throughout Myanmar, particularly in Rakhine state. They have said that they have nothing to hide, but their lack of cooperation with my mandate and the fact-finding mission suggests otherwise (News.un.org, 2018)". In a press conference in Seoul on 1 February 2018, the UN Special Rapporteur on the human rights situation in Myanmar, Ms. Yanghee Lee concerned and alleged against the Military and security forces on the basis reports of attacks against civilian, home, places of worship and villages; sexual violence; arbitrary arrests; and torture and enforced disappearance. In 13 February 2018, UN Assistant Secretary-General for Political Affairs Miroslav Jenca briefed ambassadors in the Security Council. He emphasized on the importance and implementation of the Advisory commissions suggestions and recommendation for the improvement of the situation of the Rakhine state and the Rohingya. In 8 March 2018, Andrew Gilmour, the UN Assistant Secretary-General for Human Rights, said at the end of a four-day visit to Bangladesh, "The ethnic cleansing of Rohingya from Myanmar continues. I don't think we can draw any other conclusion from what I have seen and heard in Cox's Bazar". He also said, "The nature of the violence has changed from the frenzied blood-letting and mass rape of last year to a lower intensity campaign of terror and forced starvation that seems to be designed to drive the remaining Rohingya from their homes". In a news brief in 13 March 2018, UN alleged the possible "crime of genocide" in Rakhine state. In 09 April 2018 Ursula Mueller, the UN Deputy Emergency Relief Coordinator of UN emphasized on the religious and citizenship statues of Myanmar and the implementation of recommendations of the Advisory Commission on Rakhine state for resolving the Rohingya crisis. In 13 April 2018, UN High Commissioner for Human Rights Filippo Grandi and Bangladesh Foreign Secretary Mohammad Shahidul Haque signed a memorandum of Understanding (MoU) or a cooperation agreement on the volunteer repatriation of Rohingya in Myanmar on the safe and dignity in their own house in Myanmar. In 27 June, 2018, UN Special Rapporteur Yanghee Lee, the United Nations expert on Human rights focused the accountability for crime of Myanmar. She said, "I strongly recommend the persons allegedly responsible for the violations of international human rights law and international humanitarian law be investigated and prosecuted by the ICC or a credible mechanism,". In 1 July 2018, in Dhaka, UN General Secretary thanked Bangladesh for the shelter of Rohingya in the camp and applauded Bangladesh for giving a safe haven to homeless and violated Rohingya refugees. In 2 July 2018, Antonio Guterres, United Nations Secretary-General visited the Rohingya Camp and appealed, "My appeal to the international community is to step up to the plate and to substantially increase the financial support to all those working in Bangladesh to protect and assist the Rohingya refugees". In 4 July 2018, Zeid Ra'ad Al Hussein, High Commissioner, United Nations Human Rights, urged the UN Security Council to refer the Member State to the International Criminal Court (ICC) immediately to look at the crisis of Rohingya. He also repeated a call for access to northern Rakhine and doing the step to repatriate the Rohingya as soon as possible. In 27 September 2018, in the news brief of UN focused that Human Rights Council would launch judicial mechanism into Myanmar abuses against Rohingya. UN is trying to resolve the Rohingya crisis and the repatriation process of the Rohingya in Myanmar and after getting Myanmar's First Report to the International Court of Justice, David Scheffer, US ambassador-at-large for war crimes, said before Myanmar filed the report that it was "an important milestone" (Aljazeera, 2020).

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9.2.8: The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC)

The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is a regional organization and it has seven members including Bangladesh and Myanmar. In the Rohingya Crisis issue, BIMSTEC has not given a strong argument in the repatriation process due to regional politics and non-cooperation of member state (Financial express, 2020). On 30-31 August 2018, the last BIMSTEC summit in Kathmandu, it has discussed the problem of the Rohingya. In that summit, the secretary general of BIMSTEC emphasized the “diplomatic Maturity” between Bangladesh and Myanmar to resolve the Rohingya crisis. It was unfortunate that there was no agenda in that summit to discuss the repatriation process of the Rohingya but discussed on the institutional reform, poverty alleviation, transport and communications, trade and investment, counter terrorism, climate change, energy, technology, agriculture, fisheries, public health, people-to-people contact, cultural cooperation, and tourism.

9.2.9: South Asian Association for Regional Co-operation (SAARC)

On 8 December 1985, The South Asian Association for Regional Cooperation (SAARC) was established with the signing of the SAARC Charter in Dhaka. Bangladesh is one of the founder members of this association. One of the objectives of the SAARC is to promote the welfare of the peoples of South Asia and to improve their quality of life. But, In the matter of Rohingya Crisis, SAARC Secretariat yet not gives any brief about the strategy of the member states to repatriate the Rohingya in Myanmar. To combat the Rohingya crisis SAARC may introduce burden sharing policy between member states of the association to minimize the responsibility of hosting country.

CONCLUSION

Bangladesh cannot accommodate the refugees for too long without substantial damages to its own economy. Historically it is an absurd argument that Rohingyas are not indigenous people in Arakan and they were brought by the British as the Chinese were brought to Malaysia. All credible documents would tell us that Rohingyas were local people and live there for many centuries. The British colonial administration only exploited them for the benefits of London. The UNHCR or any other international agencies could do little to mitigate the situation; they proved themselves helpless in the face of determination of making all Muslims of Myanmar either internally uprooted or refugees in real international terms. The challenge is for concerned stakeholders to convince Myanmar to play an active role to stop the forced migration, ensure the security and rights of the Rohingyas and, ultimately, to recognize them as citizens of Myanmar. Although it is but one part of a much larger global dilemma, the Rohingya crisis and its impact on Bangladesh has become one of the most serious humanitarian crises in the world. Moreover, it was evident that Dhaka alone could not or would not be able to handle such a refugee exodus to its territories. Myanmar was determine to escalate the situation and making the refugee crisis more complicated for Dhaka, which cannot handle such a regional and international issue unilaterally. The ongoing crisis of Rohingya refugees created by Myanmar is not only a heavy economic burden for Bangladesh; it is also a big embarrassment for nation and government. Realizing those complexities of an international and regional crisis, Bangladesh has attempted to address the issue in the spirit of SAARC and ASEAN. That could save Dhaka from a regional political vacuum and make the ideas of SAARC louder and effective. The proposed regional mechanism to make the South Asian region less prone to violent armed conflicts the role of SAARC and Bangladesh make a huge difference, if the political good will of neighboring countries could be prevailed. Success toward the creation of an effective regional political and diplomatic arrangement to look after the conflicting issues has hardly been achieved as accepted by Dhaka. Rivalry between India and Pakistan has pushed the SAARC in limbo, while Dhaka did not learn much how to capitalize this historical and religious conflict between two arch rivals in the region. Only the international and regional cooperation may resolve the Rohingya crisis between Bangladesh and Myanmar.

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