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Radhika Coomaraswamy on ‘Myanmar: The Rohingya Refugee Crisis, Roots of the Conflict and Possibilities for the Future

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Three key takeaways from the lecture delivered by Dr. Radhika Coomaraswamy on ‘Myanmar: The Rohingya Refugee Crisis, Roots of the Conflict and Possibilities for the Future’:

- 1. The situation in Myanmar will only improve if the military devolves power and works with the civilian government; there are military officials who are eager to see Myanmar become an effective democracy.**
 - 2. The prosecution of crimes against the Rohingya will depend on political and judicial will at the national and international level.**
 - 3. Myanmar and other Asian states with minorities must transform from majoritarian democracies that reject universal values and minorities, to inclusive democracies that value diversity and tolerance.**
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Introduction

- Dr. Radhika Coomaraswamy, a member of the independent three-person United Nations (UN) Fact-Finding Mission on Myanmar, delivered a lecture at the Lakshman Kadirgamar Institute (LKI) on 3 May 2018 on ‘The Rohingya Refugee Crisis, The Roots of Conflict and Future Possibilities.’
- The lecture was followed by a question and answer session, moderated by Dr. Dinusha Panditaratne, LKI’s Executive Director.
- The lecture drew a diverse group of over 150 participants, including officers of the Ministry of Foreign Affairs, policymakers, religious leaders, scholars from universities and think tanks, as well as representatives of Sri Lanka’s armed forces, private sector, civil society, and media.

Takeaways from Dr. Radhika Coomaraswamy’s Lecture

The Peopling of Myanmar

- Despite Myanmar’s porous borders and inward migrations, the ideology of the state is based on the Bamar or Burman people (the Burmese). People who do not subscribe to this ideology—irrelevant of their ethnicity—are looked upon as ‘outsiders.’
- While there is consensus among historians on the ethnic diversity of Myanmar and the government officially recognises 135 ethnic groups, the Rohingya are not among the minorities officially recognised by Myanmar.
- Successive Myanmar governments have referred to the Rohingya as ‘Bengali.’ The Rohingya have faced restrictions on their freedom of movement, access to state hospitals, state education, and civil service jobs.

- The 1982 Citizenship Law in effect denied citizenship to the Rohingya and they became known as stateless ‘Bengali Muslims.’ The Rohingya seek to be officially recognised by the state.
- In other Asian states, like India and Sri Lanka, different communities found expression through institutions like the Parliament. By contrast, that opportunity did not exist in Myanmar.

Influencing Factors

- Several factors have influenced ethnic issues in Myanmar, including the Rohingya crisis. These include, but are not limited to, the following.

Colonialism

- Social developments during Myanmar’s colonisation by the British, including migration and the importation of labour from India, created new forms of social intolerance.
- Colonialism also prevented the natural movement of people through Myanmar’s porous borders, and imposed boundaries. The boundaries were solidified in post-independence Myanmar, which raised the question of the origin of different ethnic groups—including the Rohingya.

Nationalist Movements for Independence

- Myanmar used military power to gain independence rather than non-violence. The Tatmadaw, Myanmar’s military, originated through its fight against colonisation. This resulted in post-independence politics in Myanmar differing from those in South Asian neighbours.

General Aung San

- General Aung San secured Myanmar’s independence in 1947. After independence, General Aung San called the Panglong Conference where the new government negotiated with ethnic minorities, including the Rohingya, to create the ‘Union of Burma.’ In 1947, however, General Aung San was assassinated and the state was deprived of a unifying leader.

The Tatmadaw

- In 1958, many regions began seeking independence from the state. In response, U Nu, the head of state, requested the military to stabilise the situation. Since then, the Tatmadaw considers national unity as their main responsibility and believes that less military control will undermine this objective.

- There is no tradition in the Tatmadaw of submitting to democratically elected political leaders. The military is the only effective institution in Myanmar today and they are suspicious of ethnic minorities and political dissidents that could threaten stability. However, recent military leaders in Myanmar, like General Thien Sien, have taken steps to implement democratic reforms.

Buddhist Radicalisation

- Some laws in Myanmar reflect a deep fear among Buddhists of Muslims. These include the Religious Conversion Law that requires a special process for Buddhists seeking to convert to another religion.
- There are parallels between the extremist views of organisations like the Association for the Protection of Race and Religion (Ma Bha Tha) in Myanmar and radical Buddhist organisations in neighboring states. The intolerance propagated by groups like the Ma Bha Tha in Myanmar is an obstacle to a long-term solution on the Rohingya issue.
- However, as in other states, Buddhist organisations are not monolithic in Myanmar. The ‘Saffron Revolution’ in Myanmar, which paved the way for democracy, was led by Buddhist monks.

Aung San Suu Kyi

- Some view General Aung San’s daughter, Aung San Suu Kyi, as Myanmar’s only hope for democracy. When Aung San Suu Kyi’s National League for Democracy party assumed power in 2015, she negotiated ceasefires and began a peace process to meet political demands via a new constitution. However, this process has stalled.
- Although ethnic minorities campaigned for Aung San Suu Kyi, she appears to share some hardline views relating to the Rohingya. She refuses to refer to them as ‘Rohingya’ and has shown a lack of empathy about their situation.

Democracy

- Democracy in Myanmar has largely meant ‘majority rule’, without minority representation. The rise of democracy has negatively affected the Rohingya population’s standard of living. The government attempted to meet the grievances of the Buddhist majority of Rakhine state at the expense of the state’s Rohingya Muslim minority.

Rakhine State and the Rohingya

- The Rohingya believe they are the descendents of Arab traders who married local women in Rakhine state. Historical evidence also supports this claim. However, a majority of people in Myanmar, including the ethnic Rakhine (the majority Buddhist

people of Rakhine state) believe that the Rohingya came as indentured labour during British colonisation, and refuse to believe that they lived there before British rule.

Events of 25 August 2017

- Violence between the majority Buddhist population and the Rohingya Muslim minority of Rakhine state led to the emergence of the Arakan Rohingya Salvation Army (ARSA). In October 2016, ARSA attacked Burmese border posts and in response, the Myanmar military started ‘clearance operations’ in Rakhine state; some reports suggest that they also armed Buddhist civilians of the Rakhine state.
- On 25 August 2017, when ARSA struck again, the Myanmar military was already in ‘clearance operation mode’ and was supported by the Buddhist civilians of Rakhine state. This resulted in nearly 700,000 Rohingya fleeing to Cox’s Bazar in Bangladesh.

Narratives of 25 August 2017

- There are different narratives related to the events of 25 August 2017 and the violence against the Rohingya.

The Myanmar Government

- The Myanmar government states that the ARSA is responsible for the current plight of the Rohingya and labels them a terrorist organisation. It has stated that the military is responsible for very few incidents of violence against the Rohingya. The government insists that the burning of villages and mass exodus was forced by the ARSA and that the ARSA attacked Buddhists and Hindus in the region.

Rohingya Leaders

- Rohingya leaders in Cox’s Bazar claim that the violence resulted from the military’s ‘clearance operations.’ They believe that the military’s purpose was to kill and drive out the Rohingya, and that this was supported by some local ethnic Rakhine leaders and youth (among the Buddhist majority population of Rakhine state). They have alleged that villages were burnt and that there was murder, rape, torture and forced deportation.

Human Rights and Civil Society Groups

- Human rights groups working in Cox’s Bazar corroborate the narrative of Rohingya leaders. They accept that the ARSA carried out attacks but emphasise that the military’s response to those attacks was far more severe. Some civil society groups have called the violence genocide.

The United Nations

- The UN Secretary-General and UN High Commissioner for Refugees have called the violence ‘ethnic cleansing.’ The UN High Commissioner for Human Rights has stated that genocide should not be ruled out and has requested an accountability mechanism.

International Relations and Myanmar

- Myanmar has a strong ally in China, and India is unlikely to vote against Myanmar in international fora, although it sometimes abstains. India and China have strategic and economic interests in Myanmar because of Myanmar’s location.
- The Association of Southeast Asian Nations (ASEAN) supports Myanmar in some instances but has spoken out on its action publicly and privately. In December 2017, the Organisation of Islamic Cooperation brought a resolution against Myanmar at the UN General Assembly, which was passed.
- In December 2017, the UN Human Rights Council adopted a resolution on the human rights situation of Rohingya Muslims and other minorities in Myanmar. Many states with Muslim majorities have established aid agencies in Cox’s Bazar (especially those of Turkey and Qatar). Notably, Pakistan, which has a history of voting against country-specific resolutions voted against Myanmar.

UN Fact-Finding Mission on Myanmar

- In March 2017, the UN Human Rights Council established a three-person UN fact-finding mission on Myanmar. The mission began its work in August 2017, when the situation in Myanmar escalated. Its mandate is to gather facts and evidence related to the alleged human rights violations in Myanmar. It has visited neighboring countries, including Thailand, Malaysia and Bangladesh.
- The mission has gathered testimonies of eyewitnesses and victims of human rights violations, and has interacted with Myanmar officials, diplomatic communities, journalists, civil society, and other specialists living in or monitoring Myanmar and the Rakhine state. The mission has also gathered videos, photographs and satellite imagery, which needs to be verified.
- Several questions must be answered to carry forward the evidence gathered by the mission. Prosecutions will depend on political and judicial will at the national and international level.

Future Possibilities

The Rohingya in Cox’s Bazar

- Myanmar’s strategy may include a repatriation agreement with Bangladesh. However, people may be deterred from returning to Myanmar due to the sheer scale of the violence, civilian support for the violence, and the inability to identify villages and

homes because of the destruction. A repatriation agreement with citizenship guarantees may encourage people to return.

- Those who remain may be resettled by the government of Bangladesh and states that have supported the Rohingya may agree to take a quota. If the Rohingya in Cox's Bazar are not resettled, there will be a permanent refugee population like in Gaza and Lebanon.
- Depriving the Rohingya in Cox's Bazar of a 'state' and access to education and employment could lead to disaffection and radicalisation; the ARSA could morph into a group that goes beyond Myanmar's borders.

Myanmar

- The military must be more willing to cooperate for significant change to take place in Myanmar, given that (1) the military remains popular, and (2) any uprising against it will lead to violence.
- To make Myanmar an effective democracy, Myanmar needs military reformers who are willing to transfer more power to the civilian government. Myanmar and other Asian states must transform from majoritarian democracies to inclusive democracies that value diversity and tolerance.

Points from the Question and Answer Session

- Key paradoxes of the Rohingya issue in Myanmar include: the tension between democracy and pluralism; the limits of traditional means to secure a democracy (in particular, a constitution); and the self-harm of states that fought for liberation from colonial powers.
- Although China is a strong ally of Myanmar, Naypyidaw is likely to pursue a diversity of partners in its foreign policy.
- It appears that ARSA is currently not receiving large amounts of international funding but this could change. The concern is ARSA's increasing number of foot soldiers.
- The UN General Assembly may adopt a resolution to establish an international, impartial and independent mechanism to support the investigation and prosecution of people responsible for crimes under international law committed in Myanmar. Such a mechanism was established to address crimes in Syria.

Suggested Further Reading

Hundlani, D. (2018). *The Rohingya Crisis and Implications for Sri Lanka*. Lakshman Kadirgamar Institute. <http://www.lki.lk/publication/the-rohingya-crisis-and-implications-for-sri-lanka/>.

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Savic, B. (2017). *China Flexes Its Diplomatic Muscle on the Rohingya Refugee Crisis*. South China Morning Post. <http://www.scmp.com/comment/insight-opinion/article/2121415/china-flexes-its-diplomatic-muscle-rohingya-crisis-cashing>.

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