THE ROHINGYA CRISIS
(A&P 2019, p. 274–76, 29)

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This section is an update to content in the 2018 report of the International Affairs Committee. That report contained both a detailed historical background to the present situation of the Rohingya people and an account of the 2017 events in Myanmar that led to the current humanitarian crisis (A&P 2018, p. 281–83).

The Rohingya people are a minority ethnic group who have lived for centuries in the western coastal region of Myanmar; their northern border is adjacent to the neighbouring state of Bangladesh. The Rohingya are Muslims in a country that is overwhelmingly Buddhist. Along with their faith, their physical appearance and language are more similar to that of their Bangladesh neighbours than to that of the Myanmar majority population. As a result of these differences, for decades the Rohingya have been the victims of discrimination on the part of the Myanmar government and military.

A BRIEF TIMELINE OF EVENTS

In 1977, a military campaign to force the Rohingya out of Myanmar drove almost 200,000 Rohingya to flee across the border to seek refuge in Bangladesh (Human Rights Watch, 2000). Following this, in 1982 the Rohingya were arbitrarily deprived of their Myanmar citizenship, on the spurious grounds that they were illegal immigrants who had come to Myanmar from Bangladesh during the British colonial period (Abdelkader, 2017). Tensions continued to build and in 2012 another military action resulted in the mass expulsion of almost 90,000 Rohingya, who again sought refuge in Bangladesh (The Star, 2012).

The latest expulsion of Rohingya from Myanmar began in August 2017. Like the earlier expulsions, it saw the systematic and widespread burning of Rohingya villages; and the torturing, raping and killing of defenseless Rohingya by members of the Myanmar military forces (Human Rights Watch, 2017). As a direct result of this latest campaign of violence, more than 670,000 Rohingya fled to Bangladesh, to reside under deplorable conditions in hastily established camps.

RESPONSE IN BANGLADESH

Bangladesh is one of the poorest countries in the world and has not extended an enthusiastic welcome to the successive waves of Rohingya who, over the last 40 years, have sought protection within its borders. Although previous waves of refugees were granted refugee status by the Government of Bangladesh, those who have arrived since August 2017 have not been. Rather, the Government of Bangladesh prefers to call them “forcibly displaced Myanmar nationals” to avoid the legal implications of the responsibilities it would have towards them under international law if it were to recognize officially their status as refugees (Human Rights Watch, 2018; Islam, 2018). One result of this policy is that the building of fixed structures or anything else that might imply permanency, is not allowed in the camps where these displaced Rohingya currently live.

The Government of Bangladesh would prefer to see the Rohingya repatriated to Myanmar as quickly as possible. Efforts through the end of 2018 have focused on voluntary repatriation. However, a planned attempt at voluntary repatriation by the Governments of Bangladesh and Myanmar, scheduled to begin on November 15, 2018, failed when Rohingya in the camps refused to board the Myanmar military buses until they had received guarantees of citizenship and security from the Government of Myanmar (The Economist, 2018). This has led to fears of future attempts at forced repatriation.

INTERNATIONAL RESPONSE

The response of the international community to the Rohingya crisis has been both too little and too late. In September 2017, the Government of Canada appointed Bob Rae as a Special Envoy to Myanmar to investigate and report on the situation of the Rohingya. His April 2018 report, “Tell Them We’re Human: What Canada and the World Can Do about the Rohingya Crisis”, documented atrocities committed against the Rohingya by the Myanmar military and security forces (Rae, 2018). The report resulted in the imposition of sanctions by the Government of Canada against seven mid-level Myanmar military leaders directly involved in these atrocities. These sanctions included freezing any assets they had in Canada and prohibiting Canadian companies from doing business with them.

Then in September 2018, the UN released the Report of the Independent International Fact-Finding Mission on Myanmar (Human Rights Council, 2018), which concluded that the Myanmar military was guilty of genocide against its Muslim minority and that President Aung San Suu Kyi had failed in her duty to protect them. The
Government of Canada responded by voting unanimously to recognize officially the actions of the Myanmar military against the Rohingya as genocide and by also passing unanimously a resolution to strip Myanmar’s President, Aung San Suu Kyi, of her honorary Canadian citizenship. These responses of the Canadian government, while not unimportant, are largely symbolic and do not materially alter the situation of Rohingya on the ground living in camps in Bangladesh. More immediately helpful is Canada’s pledge of $300,000,000 in financial support for the Rohingya in Bangladesh, although it should be noted that this is only half of the $600,000,000 ($150 million annually for four years) recommended by Special Envoy Bob Rae in his April 2018 report (Rae, 2018).

It should also be noted that, although the Government of Canada has voted to declare officially the actions of the Myanmar military against the Rohingya as genocide, it has not taken the further step of invoking Article VIII of the UN Convention on the Prevention and Punishment of the Crime of Genocide. Article VIII of the Convention reads, “Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III” (UN, 1948). The crime of genocide is defined, as follows, in Article II of the Convention as: “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a) Killing members of the group; b) Causing serious bodily or mental harm to members of the group; c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) imposing measures intended to prevent births within the group; e) Forcibly transferring children of the group to another group” (UN, 1948).

The Report of the Independent International Fact-Finding Mission on Myanmar did contain a strong recommendation that several senior Myanmar military leaders should be prosecuted for alleged war crimes, crimes against humanity and genocide (Rae, 2018). Myanmar is not a signatory member of the International Criminal Court (ICC), which means that the court has no jurisdiction over the alleged crimes that have occurred within Myanmar. Bangladesh, however, is a signatory. In December 2018, alleging that some of the alleged crimes occurred on the territory of Bangladesh, ICC judges passed a landmark ruling that the ICC did have authority to investigate these alleged crimes, despite Myanmar not being a member state (ICC, 2018). The Chief Prosecutor of the ICC has been given authority to carry out a preliminary investigation, to establish whether or not there is enough evidence to merit a full investigation. The outcome of this initiative remains to be seen. Meanwhile, more than a year and a half since the current crisis began, no Myanmar military or government officials have been held accountable for the crimes and atrocities committed against the Rohingya; and the victims of these crimes and atrocities continue to languish in squalid camps in Bangladesh, with no foreseeable hope of a better future.

Recommendation No. 1 (adopted, p. 29)
That the Moderator write to the Prime Minister of Canada to:
1. commend the Government of Canada for placing sanctions on seven Myanmar military officials, for its pledge of $300,000,000 in aid for Rohingya refugees and for becoming the first country in the world to declare the actions of the Myanmar military against the Rohingya as an act of genocide;
2. ask the Government of Canada to consider increasing the amount of aid for Rohingya refugees to the full $600 million as recommended by Special Envoy Bob Rae in his final report;
3. ask the Government of Canada to consider invoking Article VIII of the UN Convention on the Prevention and Punishment of Genocide against the Government of Myanmar; and
4. ask the Government of Canada to work closely with the UN to provide the necessities of life for the Rohingya refugees and for the Bangladeshi people most affected by their presence.

Recommendation No. 2 (adopted, p. 29)
That the Moderator write to the Government of Bangladesh expressing gratitude, support and prayers and thanking them for sharing their resources with Rohingya refugees.

Recommendation No. 3 (adopted, p. 29)
That congregations and their members be encouraged to support generously the efforts of PWS&D to minister to the ongoing needs of Rohingya refugees.