BANGLADESH-MYANMAR RELATIONS
AND
THE STATELESS ROHINGYAS

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Introduction

Lately, I have been disturbed by two developments. Firstly, when 'realism' has lost its post-Westphalian glories and is suffering from disrepute, the stateless people continue to be at the mercy of the state. In the case of the Rohingya it is even more pathetic for their refuge across the border brought no change to their sufferings. On the contrary, as camped and non-camped refugees, they ended up becoming victims of yet another state power, this time of Bangladesh. Secondly, when the power of the state has been eroded considerably, particularly in the wake of misgovernance and globalisation, the state is brought in to resolve the issue of statelessness. Indeed, the Rohingya were sent home, amidst criticism of 'involuntary' repatriation, with the hope that the government of Myanmar (GOM), after over half-a-century, would change its position and make them all worthy citizens of Myanmar. What we have is a representation of a dialectic in the constitution of the state, that is, the state as usurper and the state as salvation, without of course realising that the former cancels the latter and vice versa.

It is against this background that I intend to discuss the Bangladesh-Myanmar relations and that again, from
the standpoint of the Rohingyas. Two questions, I believe, are pertinent. One, how do stateless people view the state or states? And two, what impact does the stateless people have on the state-to-state relationship? Few will dispute that the discussion requires a sound understanding of the 'stateless,' which in our case are the Rohingyas.

Who are the Rohingyas?

The term ‘Rohingya’ is not only a construction that is modern but also a reality arising from the organisation and reproduction of the modern national state. I have elsewhere dealt with the origin of the term, including its relationship with other terms, like the Arakanese and Rakhine, and I have no intention to repeat that issue here. Instead, I would like to come straight to the current reproduction of statelessness of the Rohingyas, a factor that is defining their status as well as their state of alienation from the rest of the society. The plight of such people is not too difficult to comprehend.

With the possible exception of the pre-military days of early 1960s, the GOM at every stage of governance and national development has systematically denied providing the Rohingyas - some one or two million people in the northern state of Arakan or Rakhine near the Myanmar-Bangladesh border - some kind of recognition, including the right to acquire citizenship. It may be mentioned that at one point of post-independence history the Rohingyas claim of separate ethnic identity was recognised by the

democratic government of Premier U Nu (1948-1958). But subsequent governments denied this and the issue was completely stalled following the military take-over of the country in 1962. The currently practised Citizenship Law of Myanmar, which incidentally was promulgated in 1982, bears testimony to all this. A quick look at some of the things arising from the provisions of the said Law will suffice here.

The entire population of Myanmar is practically colour-coded! Actually, following the launching of the 'Operation Nagamin' (Dragon King) in 1977, which continued for over a decade, almost the whole of Myanmar's population was registered and provided with identity cards. These cards are all colour-coded, mainly for the easy identification of the citizenship status of the bearer. Those residing lawfully in Myanmar can now be divided into four colours:

- **Pink**, those who are full citizens;
- **Blue**, those who are associate citizens;
- **Green**, those who are naturalised citizens; and lastly,
- **White** (not surprisingly) for the foreigners!

The Rohingyas were quickly told that they do not fall under any of these four colours and that no such cards would be issued to them. Instead, a year after the Operation Nagamin began a huge number of Rohingyas, totalling around 250,000, was forcibly pushed into Bangladesh. But this was only the first major push in recent times. Except 10,000 or so 'residual refugees,' all returned to Myanmar under international supervision by

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2. A radio programme in 'Rohingya language' was also conducted during this period, but after the 1962 military coup it was stopped. This information is based on the author's discussion with some 'researchers' in Yangon.
the end of 1979. But then, some 12 years later in 1991, another big push took place. Of course, minor pushes went on intermittently, at times with little knowledge of the authorities in Yangon and Dhaka. Indeed, with all such pushes, conflict in the Arakan region and also beyond acquired a new dimension, helping in turn to reproduce the dismal state of life and living of the stateless Rohingyas and a level of tension between Bangladesh and Myanmar. This bring us to the question earlier raised, how do the stateless Rohingyas view the state, particularly Myanmar and Bangladesh?

The State and the Stateless

No love relationship can exist between the stateless Rohingyas and the state of Myanmar. Domination, exploitation, persecution, deportation, forced labour and the like are some of the terms that have come to mark the relationship. Put differently, the relationship between the two represents coercion than consent, with the state of Myanmar defining and designing the level of coercion or inversely consent. I will highlight three issues to make this clear.

Firstly, restrictions on movement. As stateless, the Rohingyas are barred from moving from one place to another. In fact, legally they can never travel to Yangon or any other big cities and join the labour market there. This is a classical case of subjugation, bordering on slavery, where the state actively participates in keeping the status of the underprivileged unchanged or static! Voluntary mobility ensures empowerment but this is something the state of Myanmar is reluctant to provide the Rohingyas, keeping them otherwise disempowered and in a state of protracted disillusionment.
Secondly, restrictions on education. Again, as stateless, the Rohingyas are barred from higher education, including medical sciences and engineering. It is not surprising that the Rohingyas in large number remain ill educated, with the abler lot taking up the profession of small business and petty trading for reproducing their livelihoods. The community, therefore, suffers from a systematic brain drain, with many migrating to the neighbouring countries or even the Middle East. A combination of the above two restrictions is bound to limit creative inputs on the part of the Rohingyas to redress their plight.

Finally, forced labour. This is something that makes the Rohingyas flee the Arakan whenever opportunity comes, and this is particularly prevalent in the dry season when the Myanmar military makes use of forced labour to build houses, parks, roads and highways, and even gas pipeline. In the wake of international pressure and supervision by the United Nations High Commissioner for Refugees (UNHCR), there has been some developments towards the reduction of forced labour-hours, which used to be around 10-12 hours per day. But interestingly, the military has only reduced the practice of forced labour vertically but expanded it horizontally. That is, whereas previously fewer Rohingyas were brought into the fold of forced labour with longer hours, now the hours have been reduced, albeit with more Rohingyas working as forced labour. In terms of hours, therefore, nothing has changed.

More issues could be brought in to describe the plight of the Rohingyas, but the above should suffice to make us understand that the stateless Rohingyas expect very little from the state of Myanmar. Under these circumstances it

is quite natural for them to look for extra-territorial or international support to redress their plight. Crossing the border and taking refuge in Bangladesh was not something that was unexpected. But did such crossing into Bangladesh change their views on the state? I doubt very much. Let me cite my reasons.

I have already referred to the issue of 'involuntary' repatriation of the Rohingyas, although there were allegations of 'forcible' repatriation as well. Even the UNHCR at one point of time had complained that such 'forcible' repatriation were initiated and directed by the government of Bangladesh (GOB). However, crude and inhuman this may be, the Rohingyas and this time as refugees, suffered no less from the Bangladesh state even when it was providing them refuge. Although welcomed by the local population in the beginning, the Rohingya refugees were quickly brought under governmental control and policy measures, mainly with the intention of policing them. For reasons of brevity, one could divide such policing into three. We are, of course, concentrating on the remaining 21,117 refugees.

Firstly, the policy of encampment. Officially, there is a total restriction on movement of the camp refugees. No refugee can go out of the camp without the prior approval of camp officials, which is seldom entertained in writing. Anyone caught red-handed out-visiting the camp illegally or more particularly without the unspoken 'unofficial blessing' faces harsh treatment, including beating from the police. As KH of Kutu Palong camp (one of the many refugees that we interviewed) stated quite frankly:

"I never go out of the camp without telling the officials or the police. If the police find out that someone has done so, they beat the person quite a lot. And I dread those beating by the police!"
Secondly, the policy of unburdening responsibility. Bangladesh would be interested to see the continued presence of the UNHCR and the refugees, not for any humanitarian reason but simply for the sake of making profit from their presence. In this context, US Committee for Refugees noted:

"Despite Dhaka's claim that caring for the Rohingya is an economic burden, Bangladesh has borne little of the cost of caring for the refugees. With the exception of $2.5 million that Bangladesh spent on relief prior to the UNHCR involvement, UNHCR, donor governments, and NGOs have paid for almost all of the relief operation. If anything, the UNHCR relief operation has led to a net financial gain for the Bangladesh government and its citizens, as it has increased employment."

But then, corruption adds to the profit momentum, contributing thereby to the birth of a series of power blocs (or interest lobbies), not necessarily at the high policy level but more importantly at the middle and lower functionary levels, well disposed to the continued presence of the UNHCR and the refugees. And the middle and the lower functionaries of both governmental and non-governmental organisations are powerful enough to create conditions for putting a halt to unprofitable changes and reproducing the post-refugee status quo.

Finally, the policy of repatriation. Despite the unwillingness on the part of the majority of the refugees to return home for reasons of insecurity or lack of

improvement in the situation in Myanmar, the UNHCR, with the direct consent of the government of Bangladesh, repatriated all but some 21,000 refugees by April 1997.\(^5\) Since then, however, repatriation has been put on hold following the failure of the government of Myanmar to clear the re-entry of 13,582 refugees out of the remaining total of 21,117 (July 1997 UNHCR figure). Only 7,535 got permission but those refused re-entry blocked their repatriation. Government of Bangladesh quickly declared that no refugees would be allowed to settle in Bangladesh permanently and this position has been renewed time and again, and is still the current policy of the government.\(^6\)

Put differently, 21,117 camp refugees are reproducing a life and a future of neither here nor there! Statelessness has otherwise come to define the Bangladesh-Myanmar relations, indeed, in ways that is ominous for both.

**The Stateless and the Post-state Relationship**

With little love for Myanmar and alienated from Bangladesh, the stateless Rohingyas are bound to become more desperate and militant to safeguard their interests. The militancy of the Rohingya Solidarity Organization (RSO) and/or the Arakan Rohingya Islamic Front is well known. Previously, their activities were restricted to Myanmar but with series of pushes and no respite by way of seeking refuge in Bangladesh, it is quite likely that they would expand their operations well beyond the Arakan region and into Bangladesh. In fact, much of the militancy in refugee camps has been blamed on them. More recently, the RSO has also been blamed for keeping close

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5. The total number of refugees repatriated by April 1997 stood at 229,084.
relationship with the Taliban and Al-Qaeda networks. This has become of serious concern regionally as well as internationally in the light of terrorist attack on the United States on September 11, 2001. But that is not all.

It is alleged that even within Bangladesh, forces sympathetic to the Rohingya cause would not oppose the militancy of the latter, on the contrary could come forward with arms and materials to help them fight against the security forces of both Myanmar and Bangladesh. The list of prospective (militant) supporters mainly includes the so-called Islamic political groups, namely the Rabita Al Alam Islami, the Jaamat-e-Islam, supporters of the Afghan-based Hizbe-Islami of Gulbuddin Hekmatyar, and the like. In the wake of such support for militancy, it is not difficult to see that the state-to-state relationship has entered into a new dimension, not all of which is restricted to the state itself. Two outcomes are particularly worrisome in this connection.

One is the proliferation of small arms and added to this, the possible use of the so-called exotic weapons, namely chemical and biological weapons. Just to provide one example, when the Mong Tai Army of Golden Triangle drug lord Khun Sa surrendered to the Yangon authorities it handed over assault rifles, machine guns, rocket launchers, and even SA-7 surface-to-air missiles. More worrisome is the fact that despite repeated denials by the GOM, accusations of chemical and biological weapon use by the Myanmar military against 'ethnic' insurgents have surfaced from time to time. There is no guarantee that

such weapons, small or exotic, would not be used to promote or contain militancy in the Bangladesh-Myanmar border. And how will the entrapped 'ethnic' groups and in the case of Myanmar an entrapped state fund such weapons? In large measure the second outcome is the answer.

Myanmar has already earned a reputation of being a 'narco-state.' In this connection, *Asiaweek* once commented:

"Many of the shadowy figures long associated with the drug trade have insinuated themselves into the political and business fabric of the nation. Heroin production is close to an all-time high, while narco-profits flood the economy. Given the power and connections these people wield, Myanmar seems well on its way to becoming a narco-state — a country where officialdom, if not directly involved in trafficking, is certainly providing drug lords tacit sanction."\(^*\)

Equally explicit has been the statement made by the former US Secretary of State, Madeleine Albright: "Burma is also the only member of ASEAN where the Government protects and profits from the drug trade. Burma's top traffickers have become leading investors in its economy and the leading lights in its new political order."\(^{11}\) If this is the scenario, there is bound to be a sharp increase in illicit drug trafficking, particularly to neighbouring countries and beyond, with frustrated groups acting as 'intermediaries' or traffickers in this highly profitable business. There are already reports that drug addiction

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has increased sharply in the Myanmar-Bangladesh border region, predictably in collusion with the Rohingyas. Indeed, nothing can be more ominous than the growth of a nexus between arms, drugs and frustrated groups. What is there to look for in the Bangladesh-Myanmar relations then?

**Conclusion**

Let me limit myself to three areas:

One, there is an urgent need to reinvent nationality laws, indeed, to the point of providing work permits and even dual citizenship to those in the border region. This will effectively take care of the stateless Rohingyas.

Two, reinventing or reusing the border region and that again, to the point of welcoming bi-national or joint border development scheme, preferably in the hands of private entrepreneurs and non-governmental agencies.

And finally, initiating dialogues between the civil groups, indeed, with the intention of establishing common educational facilities with two or more languages, particularly in the border region.

Any concrete step in any one of the above would go a long way in restructuring Bangladesh-Myanmar relations and will surely be a cause for celebration on the part of the stateless Rohingyas.

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