

Joint Submission to the  
UN Special Rapporteur on  
the human rights of migrants

# Bangladesh

Council of Minorities  
Free Rohingya Coalition  
Institute on Statelessness and Inclusion

23 January 2023



# SUBMISSION IN ADVANCE OF THE SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS OF MIGRANTS VISIT TO BANGLADESH

## Introduction

1. Council of Minorities, Free Rohingya Coalition, and the Institute on Statelessness and Inclusion (ISI) make this joint submission to Special Rapporteur on the Human Rights of Migrants in advance of the visit to Bangladesh. This submission focuses on the human rights of the camp-based Urdu speaking community in Bangladesh and the human rights of Rohingyas in the camps of Bangladesh and on the move from Bangladesh.
2. Council of Minorities is a Bangladesh-based Human Rights organization with a special focus on establishment of minorities and indigenous rights. In this submission Council of Minorities focuses on the human rights of the camp-based Urdu speaking community in Bangladesh.
3. Free Rohingya Coalition is a global network of Rohingya activists and friends of Rohingyas who share common concerns about Myanmar's ongoing genocide and the need for Rohingya survivors to play an active role in seeking a viable future for their group.
4. The Institute on Statelessness and Inclusion (ISI) is the first and only human rights NGO dedicated to working on statelessness at the global level. In this submission ISI focuses on the human rights of Rohingyas in Bangladesh and taking onward journeys from Bangladesh. This submission has been drafted with the support of an expert country researcher on the human rights of Rohingyas, Kathy Win.

## The Human Rights of the Camp-based Urdu speaking community

### Summary of Key issues

1. Despite a 2008 High Court judgement that confirmed the Urdu-speaking community as Bangladeshi, basic rights to non-discrimination, documentation, employment, an adequate standard of living, adequate housing and security of land, and health remain elusive for hundreds of thousands of Urdu-speakers in Bangladesh. As a linguistic minority, few options exist for the community to fully enjoy and perpetuate its culture or the Urdu language, and constitutional provisions have restricted the ability of minority groups and indigenous peoples in Bangladesh to get full recognition of their identity. A current draft Citizenship Bill (2016) also increases the risk that Urdu-speakers could again become stateless through arbitrary measures. Below we explain in more detail the current situation of implementation of these rights for Urdu-speakers and offer recommendations to the Bangladesh government for better alignment with international human rights standards.
2. This policy brief is based on community advocacy meeting and community dialogue in Mirpur, Adamjee, Saidpur, Khulna and Chittogram jointly organized by Al-Falah

Bangladesh and Council of Minorities and also to understand Bihari's beliefs, challenges, and needs, International Republican Institute IRI partnered with a local research firm to organize eight focus group discussions (FGDs) spread across the major Bihari population centers: Chattogram (two FGDs), Dhaka (three FGDs: Mirpur, Adamjee, and Mohamadpur), Khulna (one FGD) and in Saidpur (two FGDs). Each FGD had between 9 and 12 participants, were mixed gender, and included different age groups. In total, 82 individuals participated in the study (41 men and 41 women). The FGDs were conducted in January and February 2020. As common with qualitative research, the findings from these FGDs are not necessarily representative of all Bihari's opinions.

## **Background**

3. Approximately three hundred thousand Urdu-speaking Biharis, a linguistic minority, are living in 116 inhuman camps in Bangladesh. In Bangladesh they are identified in the local society by different nomenclatures, such as non-Bengalis, Biharis and Urdu-speaking. In 2008 the honorable High Court of Bangladesh confirmed their citizenship and gave their name as Urdu Speaking Bangladeshi. The history of the Urdu-speaking Bangladeshi community goes back to the partition of the Indian sub-continent.
4. In 1947 the sub-continent experienced two historical events: the creation of India and Pakistan and the mass migration of Hindus, Muslims and Sikh communities. When India was divided the creation of Pakistan forced many Indian Muslims to migrate from their original homeland to East and West Pakistan. Most of immigrants from the Indian States of Bihar, Uttar Pradesh and West Bengal came to East Pakistan (which is now Bangladesh). The majority of them were Urdu-speaking. They were called as "Mohajirs" meaning refugee, and later they became known as Biharis and Stranded Pakistani in Bangladesh.
5. In December 1971, Bengalis in East Pakistan won independence after fighting the nine-month war of liberation with the Pakistan Army. During the war a section of the Urdu-speaking Bihari community opposed the creation of Bangladesh. For that, after the emergence of Bangladesh in 16 December 1971, the Biharis became victims of political violence. About one hundred thousand Biharis were killed by Bengali freedom fighters. They lost their properties, services, jobs, and became homeless and stateless.
6. Over the past five decades, the Government of Bangladesh has made some effort to improve the rights and welfare of Biharis. In 2008, Bangladesh's Supreme Court recognized Bihari's right to citizenship in Bangladesh and called for their inclusion on voter rolls. However, the living conditions in Bihari camps remain poor. The Bangladesh Government has long promised to "rehabilitate" Biharis—to provide them housing outside the camps that is integrated into the Bangladeshi community. This has not occurred. Socially and politically, Biharis-Urdu Speaking is marginalized community. Urdu Speaking camp dwellers are Bangladeshi citizens, However, they are not treated as a linguistic minority in Bangladesh. 49 years after the independence of Bangladesh the camp dwellers have now stayed over five decades in these settlements, which is a classic example of a subhuman lifestyle.

## Discrimination and Social stigma

7. *We were born in Bangladesh. In schools and colleges, people don't like us. Why? We are humans before Biharis. I'm a Bangladeshi just like you.* (Mohammadpur, Male, 18)
8. In the daily life, Biharis face social alienation because of their ancestry, including mockery, harassment, and discrimination. Because of this, many Biharis try to hide their identity by speaking only Bangla in public, but their national identification cards list their camp address. While marriage between Bengalis and Biharis is increasingly common, many Bengalis refuse to marry their children to Biharis. Employers often decline to hire Biharis, particularly for government jobs, or demand larger bribes for positions than is typical.<sup>1</sup> A difficult job market often forces Bihari parents to remove their children from school so they can earn income.
9. Public and private institutions are often inaccessible or discriminatory. Some camp residents have access to adequate healthcare, whereas in other areas government-run hospitals are far away and private clinics are too expensive. State ministries often refuse to provide passports to Biharis in violation of Bangladeshi law or demand large bribes. While some participants said the police provide protection in the camps, others said police officers ignore their problems or unfairly blame Biharis for crimes.

## Allegiance

10. *I was born in this country and I am a citizen. I love this country dearly. Maybe those from our previous generations didn't understand this, but we do. If we were in Bangladesh back then, then we too would have fought for this country in the war. We too respect those who sacrificed their lives for this country. We love the language martyrs as well... As I was born in this country, I love this land. I have become a citizen, so I want my rights.* (Chittagong, Male, 37)

## Camp Life

11. The living conditions in the camps are poor. Housing is cramped and dilapidated. Whole families, often with 6 or more members, live together in a single room, with little space for sleeping, studying, or cooking. Fire is a constant hazard *"we share beds with 2 or 3 other people at night and then use the floor"* also there are too few toilets, which are often dirty or broken. Camp dwellers reported that in many camps fewer than 10 public toilets service hundreds of residents *"The condition of the toilets is so bad that you wouldn't want to use it if you looked inside...We use the toilet with our eyes closed.* In some areas, drinking water is unclean *"when we open the water tap, it looks like blood is coming out the water is so dirty"* (Mohammadpur, Male, 37). Camp roads are narrow, crumbling, and flood easily.

## Camp Eviction

12. The camp dwellers are very anxious about the threat of camp eviction. They continue to feel insecurity about their land and housing situation, despite the efforts of camp leaders to try to negotiate with the government to stop evictions. In 1993, the National Housing Society sold the land of the Bihari camps in Mirpur, Dhaka, as plots

to people in the nearby area. There are thirty nine camps populated by seventy thousand people in Mirpur. The National Housing Society is now planning to demolish all structures in the camps. Not being able to stop the demolition order, the community leaders petitioned to the Supreme Court in 2001 to stop the demolition of their houses and other properties; the court issued an injunction order to the National Housing Society in the same year.

13. Similar trends are also noticeable in other places inhabited by this community. During the 2001 to 2012 period, nine petitions were filed on behalf of Biharis in different camps (Mirpur, Syedpur, Geneva, Mymensingh Patgudam, Adamjee Nagar, and seventy other camps) asking the court to stop any eviction in the camps before rehabilitation is done. After a long period of hearings, a bench of the High Court Division of Bangladesh Supreme Court issued a judgment on 29 March 2016 withdrawing all injunctions and stay orders and instructing the concerned government authority to take steps for the rehabilitation of those who live in the camps and have a national identity card. Despite this High Court verdict, on May 2017 Dhaka North City Corporation evicted Kashmiri Mohallah Camp in Section-11 Mirpur and in August 2017 they evicted two more camps in Pallabi, Mirpur. Now the camp residents are living under the open sky.

#### **Risk of Statelessness**

14. In February 2016 the Cabinet approved the Draft Citizenship Law 2016 and we understand that the matter is under the consideration of the Parliament. The draft law contains provisions that are of grave concern which may lead to a situation where the Urdu-speaking community or other current Bangladeshi citizens could become stateless. Section 3 of the draft citizenship bill says: “Prominence of the Act. Notwithstanding anything contained in any other Act, Legal Instrument, Judgment Decree etc., the provisions of this Act shall prevail”. The concern is that this section may be able to override the 2008 judgment that confirmed the citizenship of the Urdu-speaking community. This provision is also contradictory to Article 102 of the constitution of Bangladesh. Other provisions of the draft bill, including those that would strip nationality from a Bangladeshi based on any action his/her parent or grandparent may have taken as “enemies of the state” also risk introducing arbitrary application of the law and unchecked discretion of officials involved in nationality-related matters.

#### **Conclusion**

15. Nearly 50 years since Bangladesh’s independence, the Biharis are now recognized as citizens but remain stranded in neglected encampments with few economic opportunities to improve their status. Many young Biharis have embraced Bangladesh as the only home they know and desire integration in Bangladeshi society. They seek jobs, education, safe living conditions, and the same rights and protections that other Bangladeshi citizens are afforded. International and domestic NGOs should continue to support the Bihari community as they pursue social, political, and economic advancement as full citizens of Bangladesh.
16. A tolerant attitude is one of the most important elements to reduce the discrimination against the Bihari community. We propose that the government of Bangladesh establish a rehabilitation trust fund to mobilize funding from international

organizations, bilateral donors and other national and international donor agencies in order to ensure a safe and secure future for generations of Urdu-speakers in Bangladesh. Let's remove the racism; xenophobia and intolerant attitude which will be help full to make our country one of the most vibrant multi-lingual and multi-cultural country in the world.

**17. We would like the Special Rapporteur to consider making the below suggested recommendations to the Government of Bangladesh:**

- Revise the draft Citizenship Bill 2016 to protect the nationality rights of all Bangladeshis and prevent the risk of statelessness in Bangladesh
- Ensure all the judgments of the Supreme Court are honored and implemented by the Government without delay.
- Issue an official order to guide the issuance of passports, birth certificates, and other documentation to the Bihari camp dwellers on an equal basis with other Bangladeshis and without any hassle of investigation officials
- Government should develop a master plan for standard housing, water and sanitation system in the Camp.
- Government should ensure access to primary health care and reproductive health particularly for the females of the community;
- Government should remove the obstacle on the employment opportunity of the youths of the Bihari's and should generate employment opportunity for them.
- Government should take some necessary action to rehabilitate the Bihari camp people with dignity.
- The government of Bangladesh should stop evictions of Bihari Camps.
- Provide the quota on education and public service to the Bihari/Urdu-speaking linguistic minority

## The Human Rights of Rohingya Refugees

### Introduction

18. This section of the submission focuses on the SR's requests for information regarding the cross-border movement of Rohingya refugees, including those depart for Southeast Asia over land and by boat; and the lack of legal access to the labour market for Rohingya refugees in Bangladesh.
19. [ISI's Rohingya programme](#) aims to promote greater understanding of the linkages between statelessness and persecution of the Rohingya; and how their precarious legal status intersects with the denial of access to protection and basic human rights. As part of this initiative, we conduct research projects in Bangladesh, Myanmar and India focusing on the [insecurities and \(im\)mobilities](#) experienced by Rohingyas – in particular Rohingya women at risk on the move. Our submission draws predominantly on the findings from that research including first-hand accounts from Rohingyas in Bangladesh and Myanmar.

20. Free Rohingya Coalition has been supporting members of the Rohingya community who have left from Bangladesh and been arrested on route through Myanmar. They are willing to provide further information to the SR on cross-border movements.

### **Background**

21. Rohingya communities have been arbitrarily deprived of their nationality and persecuted in Myanmar, while also being denied adequate protection as refugees, migrant workers and stateless people in other countries like Bangladesh. At the centre of their insecurities and vulnerabilities, is a lack of legal status.
22. In Bangladesh, approximately one million Rohingya now live in the world's largest refugee camp in the Cox's Bazar area. The majority arrived following the genocidal violence in Myanmar in 2017. Others have lived as both registered and unregistered refugees in Bangladesh since the 1990s or before. Many were born into intergenerational statelessness and refugee life unable to return to Myanmar.
23. The security situation in Myanmar has deteriorated since the military coup of February 2021. Resultant conflict broke out in Rohingya homelands in Rakhine State between Myanmar's armed forces and the Arakan Army, an ethnic Rakhine armed group. Armed Rohingya groups also operate across the Myanmar/Bangladesh including a group called ARSA, which asserts influence and has been involved in violence and shootings in the refugee camps of Bangladesh as well as in Myanmar. In Rakhine state Myanmar, severe restrictions of movement and across all aspects of life for Rohingyas and other Muslims remain in place. There are severe limitations on access to livelihoods, education, vocational training and healthcare.<sup>2</sup>

### **Access to durable solutions and the labour market in Bangladesh**

24. Bangladesh is not a signatory to the 1951 Refugee Convention or the 1954 Statelessness Convention and considers Rohingyas to be irregular migrants. Nonetheless, Rohingyas have some access to international humanitarian assistance and through the UNHCR and other agencies. Under the joint UNHCR/Government of Bangladesh registration process, they are registered not as refugees, but as "Forcibly Displaced Myanmar Nationals". As such, they are able to access some protections, but their status is precarious. There are no durable solutions to the protracted refugee situation. The human rights situation in Myanmar is not currently conducive to safe and voluntary repatriations. There is no legal framework in Bangladesh that enables them to regularise their legal status or work in the formal sector. There are no pathways to Bangladeshi citizenship. Options for resettlement to third safe countries remain extremely limited.
25. Refugees have very limited access to formal schooling or training opportunities. Such opportunities would boost future access to the labour market in Myanmar or elsewhere. Refugees are barred from enrolling in Bangladeshi schools. Schools in the

---

<sup>2</sup> See Dangerous Journeys through Myanmar: Insecurities and Immobilities for Rohingya Women in Post-coup Myanmar, ISI, 2022, [https://files.institutesi.org/Rohingya\\_Women\\_in\\_Post-Coup\\_Myanmar.pdf](https://files.institutesi.org/Rohingya_Women_in_Post-Coup_Myanmar.pdf)

camps are not allowed to offer Bengali language instruction and refugees cannot obtain qualifications that enable them to move on to further education, training or vocations. Access to education for girls is further limited due to social norms and parental concerns over the safety and security of girls at and on the way to school, particularly after they have reached puberty.<sup>3</sup>

26. Movement out of, and between, the different camps in Bangladesh is restricted for refugees. These movement restrictions have been more strictly enforced in the past three years. This has further limited access to work in the informal economies outside the camps. Inside the camps, there are very limited opportunities for refugees to work mostly in voluntary capacities on stipends, doing community work for NGOs. Funding shortfalls for NGOs working in the camps have reduced humanitarian activities and further limited these roles for Rohingyas within the camps.<sup>4</sup> Rohingyas have been barred from running small shops and stalls in the refugee camp markets to earn small incomes and sustain an informal economy within the camps. Thousands of Rohingya shops were dismantled by the camp authorities in 2022.<sup>5</sup> This further limits economic opportunities.
27. Women, in particular, have limited access to work outside their shelters, although some continue to work voluntarily for women's groups or to support victims of gender-based violence. Members of armed groups/gangs that operate in the refugee camps impose restrictions on women working outside the home or in the public sphere through intimidation and harassment. Women who participated in our forthcoming research,<sup>6</sup> reported feeling unsafe at work, travelling to work and in their household shelters. Restrictions on access to the public sphere limits their access to income earning opportunities in the informal camp economies. This reduces their economic and social status within households. This low status can influence household and individual decision-making processes, leading women and girls to undertake unsafe journeys by sea and land for marriage or income earning opportunities elsewhere in Bangladesh or in other countries such as Malaysia or India.<sup>7</sup>

---

<sup>3</sup> Bangladesh shuts largest private school in Rohingya camps, March 2022, <https://www.france24.com/en/live-news/20220328-bangladeshshuts-largest-private-school-in-rohingya-camps>, [accessed 20/09/2022] CARE, Mobilising against child marriage in Rohingya communities, July 2022, <https://reliefweb.int/report/bangladesh/mobilising-against-childmarriage-rohingya-communities>, [accessed 20/09/2022]

<sup>4</sup> The Asia Foundation and BRAC University, 'Navigating at the Margins: Family, Mobility and Livelihoods Amongst Rohingya Refugees in Bangladesh' (2020) available at: [https://asiafoundation.org/wp-content/uploads/2020/09/Navigating-the-Margins\\_Family-Mobility-and-Livelihoods-Amongst-Rohingya-inBangladesh.pdf](https://asiafoundation.org/wp-content/uploads/2020/09/Navigating-the-Margins_Family-Mobility-and-Livelihoods-Amongst-Rohingya-inBangladesh.pdf) [accessed 20/09/2022]

<sup>5</sup> Thousands of Rohingya shops Demolished, Jan 2022, The Guardian. <https://www.theguardian.com/world/2022/jan/05/thousands-of-rohingya-shops-demolished-in-bangladesh-leaving-refugees-desperate>

<sup>6</sup> Dangerous Journey's out of Bangladesh: Insecurities and Immobilities for Rohingya refugee women. ISI, forthcoming 2023.

<sup>7</sup> Dangerous Journeys through Myanmar: Insecurities and Immobilities for Rohingya Women in Post-coup Myanmar, ISI, [https://files.institutesi.org/Rohingya\\_Women\\_in\\_Post-Coup\\_Myanmar.pdf](https://files.institutesi.org/Rohingya_Women_in_Post-Coup_Myanmar.pdf) The Asia Foundation and BRAC University, 'Navigating at the Margins: Family, Mobility and Livelihoods Amongst Rohingya Refugees in Bangladesh' (2020) available at: <https://asiafoundation.org/wp->



## Cross-border movement of Rohingya refugees

28. The lack of security and protection, viable livelihood opportunities and a sense of hopelessness for the future, drives onward migration for Rohingya men, women and children. Without access to documentation, there are no legal routes to cross borders either by sea or land. There are also few options for secure, safe and decent work in Bangladesh or beyond. As a result, refugees are unable to choose safe or regular migration options to travel and always rely on networks of brokers to leave the country or camps, leaving individuals and families vulnerable to exploitation on route and at the destination.
29. Many Rohingyas leave the camps for Southeast Asia in search of increased security and ways to financially support themselves and their loved ones. The desired destination is often, but not always, Malaysia. Currently two main routes are used by smuggling/trafficking networks – by boat across the Andaman Sea, and by land across Myanmar to Thailand and then onwards. Both routes are extremely risky. Families of the travellers in Bangladesh and Myanmar often face rising debts, extortion, and threats from brokers. On route many are subject to torture and other forms of physical and sexual violence, death and injury, arbitrary detention and sometimes forced labour.

## Sea Routes and Search and Rescue

30. Those that travel by sea often find themselves on unsafe, over-crowded or ill-equipped vessels. As a result, they can face food and water shortages, ill-health, injury and death. There are also frequent reports of torture, sexual violence and arbitrary detention by agents and brokers on route. Sometimes the smugglers/traffickers demand extra payments, detaining passengers on the boats and preventing them from disembarking without payment. In December 2023, many Rohingyas lost their lives on these routes.<sup>8</sup>

---

content/uploads/2020/09/Navigating-the-Margins\_Family-Mobility-and-Livelihoods-Amongst-Rohingya-inBangladesh.pdf [accessed 20/09/2022]

<sup>8</sup> For December 2023 news on Rohingya boat crossings, see the following media links:

<https://www.aljazeera.com/news/2022/12/19/sri-lanka-navy-rescues-over-100-rohingya-adrift-in-rough-seas>

<https://www.voanews.com/a/weak-rohingya-land-on-indonesian-beach-after-weeks-at-sea/6891508.html>

<https://www.voanews.com/a/more-rohingya-refugees-reach-indonesia-after-weeks-at-sea/6892912.html>

<https://www.facebook.com/mohrmyanmar/posts/pfbid0DWSatU2itfnKBa8SV1QAxFN79QRGUPqLq7F3UEoDeES6Yrv73VLYEDFflkFm6aKZl>

<https://www.unhcr.org/news/briefing/2023/1/63c66c3c4/unhcr-seeks-comprehensive-regional-response-address-rise-deadly-south-east.html> ; <https://news.un.org/en/story/2023/01/1132517> ;

<https://www.aljazeera.com/news/2022/12/20/rohingya-boat-remains-adrift-for-three-weeks-without-water-food> ; <https://www.reuters.com/world/asia-pacific/least-20-reported-dead-rohingya-boats-land-indonesia-2022-12-27/> ; <https://www.hrw.org/news/2023/01/17/bangladesh-rampant-police-abuse-rohingya-refugees>

<https://www.theguardian.com/global-development/2023/jan/18/rohingya-fleeing-bangladesh-boat-soars-human-smugglers> ; <https://www.ohchr.org/en/press-releases/2022/12/coordinated-regional-action-urged-stop-rohingya-deaths-sea-un-expert> ;

<https://twitter.com/HRWMyanmar/status/1600563329977696278>

31. When boats are intercepted by State authorities on route and at destination, often passengers are not allowed to disembark. Often after arrival in Malaysia, Thailand, Indonesia and elsewhere, passengers can be subject to arrest and immigration detention without access to asylum procedures. Rohingyas' statelessness compounds the risks of both indefinite detention and *refoulement* to Myanmar.<sup>9</sup>

### **Routes through Myanmar and refoulement to Myanmar**

32. Rohingya refugees who leave from Bangladesh, after being intercepted at sea by State authorities are often returned to Rakhine State, Myanmar. In December 2022,<sup>10</sup> Rohingya traveling via the sea routes from Bangladesh were also arrested by the Myanmar navy near the Bangladesh border or within Rakhine state. They experience continued persecution on return.<sup>11</sup>
33. Additionally, brokers also use routes from Bangladesh overland through Myanmar to Malaysia or elsewhere in Southeast Asia. Many Rohingya have been intercepted by State authorities travelling through Myanmar and arrested. Some have been returned to Rakhine State without any access to anti-trafficking or reintegration services. More frequently since the military coup of 2022, Rohingyas who have been arrested on route through Myanmar have been detained and charged. They have little access to legal assistance and often lack the funds to pay bribes to secure their release. Others report torture, abuse and rape by security forces. Rohingya human rights groups have documented incidents of killings of groups of Rohingyas following arrest.<sup>12</sup>
34. Tens of thousands of Rohingyas have been arrested by the Myanmar police and military for traveling without permission either between the townships of Rakhine State or on their way to Yangon, Irrawaddy or Mon state and Kayin state. They were sentenced to two to five years for immigration violations. During the trials many Rohingyas face language barriers, lack of the access to legal assistance and extremely limited access to psychosocial support after release. Some children have also been detained with their parents. Unaccompanied children under 16 have also

---

<https://freedomcollaborative.org/mapping-rohingya-movement>

<sup>9</sup> ISI, 2020 Human Rights And Covid-19: What Now For The Rohingya?

[https://files.institutesi.org/ROHINGYA\\_Together\\_We\\_Can.pdf](https://files.institutesi.org/ROHINGYA_Together_We_Can.pdf)

<sup>10</sup> Vietnam vessel saves 154 Rohingya, Reuters, Dec 2022 <https://www.reuters.com/world/asia-pacific/vietnam-vessel-saves-154-rohingya-sinking-boat-transfers-myanmar-navy-2022-12-09/> This group was transferred to Myanmar authorities.

<sup>11</sup> Dangerous Journeys through Myanmar: Insecurities and Immobilities for Rohingya Women in Post-coup Myanmar, ISI, [https://files.institutesi.org/Rohingya\\_Women\\_in\\_Post-Coup\\_Myanmar.pdf](https://files.institutesi.org/Rohingya_Women_in_Post-Coup_Myanmar.pdf)

<sup>12</sup> On 5 December, around 13 Rohingya men and boys were reportedly [found](#) dumped by a roadside in Hlegu Township, Yangon. The SAC did not allow them to be buried in accordance with Islamic principles and cremated them without informing Muslim community and family. Residents from Yangon and Rohingya activists thought those 13 Rohingya were killed by the MaBaTha groups and SAC forces as the bodies were injured and full with blood. In addition, on 9 December, SAC police [arrested](#) 12 suspected members of a human trafficking gang linked to the deaths of the 13 Rohingya, and seized five vehicles and an oil tanker which were used in the trafficking. But the Rohingya community from Rakhine state believed that those 12 suspects were guides and hosts of the trafficking gangs, not the one who perpetrated the case.

been sentenced and some have been sent to youth detention facilities, including Hnget Awe San Youth Detention Center in the Yangon region.<sup>13</sup>

35. Incidents of rape, sexual violence and torture on route by brokers, members of ethnic armed organisations and security forces are prevalent. Many are injured, suffer from ill-health and loss of life. Most of our research participants in Bangladesh and Myanmar reported that even when people are aware of these risks, they still travel, such is the humanitarian and economic situation or many Rohingya families in both Bangladesh and in Myanmar.<sup>14</sup>

### **Recommended areas of investigation**

36. Until Rohingyas refugees have access to legal protections and durable solutions, they will continue to undertake unsafe and irregular journeys beyond Bangladesh. Rohingyas are suffering the impact of intergenerational statelessness in Bangladesh and beyond. We recommend that the SR consider the following areas when assessing the situation for Rohingya in Bangladesh:

- Access to legal status and legal protections for refugees
- Access to income earning opportunities, including in local, informal and refugee economies
- Access to formal education and training for refugees to secure their futures
- Access to safe and regular migration routes for Rohingyas including family reunion and resettlement
- Increased focus on durable solutions shared by Bangladesh and other States
- Security and safety in the refugee camps including tackling impunity in refugee camps

For more information on ISI's work on this subject, please contact:

Natalie Brinham: [Natalie.brinham@institutesi.org](mailto:Natalie.brinham@institutesi.org)

For more information on the current situation for Rohingyas on the move, please contact Free Rohingya Coalition:

Nay San Lwin: [nslwin@rohingyablogger.com](mailto:nslwin@rohingyablogger.com) +4917662139138

---

<sup>13</sup> Dangerous Journeys through Myanmar: Insecurities and Immobilities for Rohingya Women in Post-coup Myanmar, ISI, [https://files.institutesi.org/Rohingya\\_Women\\_in\\_Post-Coup\\_Myanmar.pdf](https://files.institutesi.org/Rohingya_Women_in_Post-Coup_Myanmar.pdf)

<sup>14</sup> *ibid*