

Investigating Host Countries' Refugee-Related Policies and Its Effect on Lived Experiences of Rohingya Refugees

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Abstract - Rohingya refugees are one of the most discriminated against and vulnerable populations in the world. As a consequence of being persecuted in their homeland by the Myanmar government, many Rohingya have fled their homes to seek refuge in neighboring countries. However, the acceptance of Rohingya refugees has varied in different locations, resulting in the subpar treatment of the refugees. This paper explores how the host state government's policy and stance on migrants and migrant protection within a country influences the level of violence faced by Rohingya refugees residing in their country. The host states chosen for the study include Bangladesh, Malaysia, and India. The two main types of violence Rohingya refugees face residing in the host states include: (1) state-inflicted violence such as through detention centers and police harassment; and (2) policies, or the lack thereof, that facilitate the occurrence of violence such as human trafficking and inhumane living conditions. The paper exposes how the international community and host countries' soft stance towards supporting Rohingya refugees and lack of harsh condemnation towards Myanmar has shaped the violent experiences of Rohingya refugees.

Keywords - Rohingya Refugees, Host Countries, Violence, Refugee Policies

Introduction

The Rohingya are described as one of the most discriminated against people in the world.¹ Stateless and persecuted in their homeland, Rohingya people flee to neighboring countries to seek refuge. This paper explores how the host state government's policy and stance on migrants and migrant protection within a country influences the level of violence faced by Rohingya refugees residing in their country.

¹ BBC. "Myanmar Rohingya: What you need to know about the crisis." *BBC*, January 23, 2020. <https://www.bbc.com/news/world-asia-41566561>.

The literature describes two main types of violence, which include: (1) state-inflicted violence such as through detention centers and police harassment; and (2) policies or the lack thereof of policies that facilitate the occurrence of violence such as human trafficking and inhumane living conditions.

Methodology

Definitions and Focus

For the purpose of this paper, I will only be discussing the violence faced by Rohingya refugees already residing in the country.

This area of study of literature interacts in important ways with two other major issues pertaining to the Rohingya refugee experience: maritime movements and/or refugees in transit, and local-refugee violence. These two critical elements will provide more context to define the lived experiences of refugees, but are beyond the scope discussed in the paper. In this literature review, I will examine the role of national policy on Rohingya refugees' experience.

Approach

In this literature review, I have used a combination of research from scholarly sources, international and domestic non-governmental organization (NGO) reports and local news reports. Due to the ongoing nature of the crisis and the difficulty for researchers to get access to refugees, I have used non-scholarly sources to supplement the understanding of refugees' lived experiences. Additionally, the scholarly literature investigating how host countries' policies have affected Rohingya refugees have been quite scattered. Because of this, I have pulled information from various academic fields, ranging from psychology (studies on PTSD, emotional distress) to law (analysis of refugee conventions, legal cases) for different types of evidence.

History and Context

The Rohingya are a Muslim ethnic minority group that have historically lived in the land that is now the Rakhine State in Myanmar. As of 2017, the Rohingya make up roughly 2% of the country's population.²

² Phillips, Nicole and Sonam Sheth. "The Most Persecuted Minority in the World': Here's What You Need to Know about the Rohingya Crisis." *Business Insider*, September 20, 2017. <https://www.businessinsider.com/rohingya-crisis-conflict-explained-myanmar-what-you-need-to-know-20>

Throughout history, Muslim and Buddhist communities have coexisted in the Rakhine State, which was known as the Arakan state. However, within the last two centuries, the Arakan state was occupied by the Burmese in 1784 and then by the British from 1824 to 1948.³ During World War II, the Japanese invaded British-controlled Burma, with the Arakan State becoming the site of where conflict occurred. The invasion triggered and deepened tensions between the Buddhist and Muslim Arakans, with the Buddhist siding with the Japanese and Muslim siding with the British. The violent conflict resulted in mass death and displacement of Rohingya Muslims.⁴ These occupations planted the seed that grew into gradual marginalization and persecution of the Arakan Muslim community.

When Burma became independent in 1948, the Parliament passed a Union Citizenship Act, which would guarantee that the Rohingya population would be able to participate in politics and be considered citizens. However, after the Burmese military coup in 1962, this agreement was disregarded when military dictator General Ne Win would establish a one-party rule and take a hard-line stance against the Rohingya.⁵ In 1974, the Parliament would pass the Emergency Immigration Act, resulted in the confiscation of Rohingyas' national registration cards.⁶ In 1978, the military government launched Operation King Dragon, where the military was deployed to register and verify the status of citizens and people they viewed as "foreigners".⁷ The Rohingya community were violently attacked during this operation, as soldiers assaulted and destroyed Rohingya's property.⁸ This resulted in the first wave of Rohingya refugees fleeing into Bangladesh.

In 1982, the Parliament passed the Burma Citizenship Act of 1982, which did not include the Rohingya in one of its official national races of Burma, disqualifying

³ United States Holocaust Memorial Museum. "Burma's Path To Genocide." *United States Holocaust Memorial Museum*. <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-2/driving-out-foreigners>; Sarmin, Arifa. "Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides." *Intellectual Discourse* 28, no. 2 (2020): 679. <https://journals.iium.edu.my/intdiscourse/index.php/id/article/download/1665/947>; Ahmed, Kaamil. "Malaysia cites Covid-19 for rounding up hundreds of migrants." *The Guardian*, May 2, 2020. <https://www.theguardian.com/global-development/2020/may/02/malaysia-cites-covid-19-for-rounding-up-hundreds-of-migrants>

⁴ Sarmin, Arifa. "Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides." (2020), 680.

⁵ Ibid.

⁶ United States Holocaust Memorial Museum. "Burma's Path To Genocide."

⁷ Akbar, Ahmed. "The Rohingya: Myanmar's outcasts." *Al Jazeera*, January 30, 2012.

<https://www.aljazeera.com/opinions/2012/1/30/the-rohingya-myanmars-outcasts>; Sarmin, Arifa. "Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides." (2020), 680.

⁸ United States Holocaust Memorial Museum. "Burma's Path To Genocide."

Rohingya from citizenship.⁹ From then on, the Rohingya population would be considered resident foreigners and were not welcomed in their own homeland. In the next few decades, the Myanmar government would continue to enact policies and launch operations against Rohingya communities and deny them citizenship. In 1991, the military launched the “Clean and Beautiful Nation” operation, where soldiers executed and assaulted the Rohingya population, resulting in internal displacement and Rohingya refugees fleeing out of the country again.¹⁰ Operation “Clean and Beautiful Nation” resulted in approximately 300,000 Rohingya crossing over to Bangladesh.¹¹ From 2011 to 2017, similar occurrences of violence intermittently took place in the forms of killing, arson, rape, torture and mass property.¹²

In 2017, a small group of Rohingya men that called themselves the Arakan Rohingya Salvation Army attacked and killed several Myanmar police officers. In response to the attack, the Myanmar military launched an operation against the Rohingya community again, displacing around 100,000 Rohingya people.¹³ According to Human Rights Watch, the Myanmar military committed arson attacks against 62 Rohingya villages, with the damage being 948 buildings destroyed and more than 9,000 Rohingya estimated to be killed.¹⁴

Since 2017, the international community has recognized the violence against the Rohingya and condemned the actions taken by the Myanmar government against the Rohingya population. The United Nations Human Rights Council concludes that the events in Rakhine state is genocide and crimes against humanity in its fact-finding

⁹ Burmese Rohingya Organisation UK. “Myanmar’s 1982 Citizenship Law and Rohingya.” December, 2014. <https://burmacampaign.org.uk/media/Myanmar%E2%80%99s-1982-Citizenship-Law-and-Rohingya.pdf>.

¹⁰ Akbar, Ahmed. “The Rohingya: Myanmar’s outcasts.” *Al Jazeera*, January 30, 2012; Sarmin, Arifa. “Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides.” (2020), 681.

¹¹ Sarmin, Arifa. “Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides.” (2020), 681.

¹² Habib, Md Reza. “The “stateless” Rohingya in Bangladesh: Crisis Management and Policy Responses.” *Asian Politics & Policy*, 13 (4) (2021): 581-582. <https://doi-org.proxy.library.upenn.edu/10.1111/aspp.12611>; Sarmin, Arifa. “Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides.” (2020), 681.

¹³ Habib, Md Reza. “The “stateless” Rohingya in Bangladesh: Crisis Management and Policy Responses.” (2021), 584; Sarmin, Arifa. “Ongoing Persecution of the Rohingya: A History of Periodic Ethnic Cleansings and Genocides.” (2020), 689.

¹⁴ Human Rights Watch. “Burma Military Touches Homes Near Border.” *Human Rights Watch*, September 15, 2017. <https://www.hrw.org/news/2017/09/15/burma-military-torches-homes-near-border>

mission.¹⁵ Gambia brought the case to the International Court of Justice on the grounds that Myanmar violated its obligations under the Genocide Convention.¹⁶

However, international condemnation has resulted in little progress in the fight for the rights of Rohingya refugees to be repatriated and protected as citizens of Myanmar. The question of whether the Rohingya have a valid political identity in Myanmar has deep seated history of interethnic conflict and is not easily resolvable in the near future.

Where have Rohingya refugees gone?

The Rohingya ethnic group has had a long history of fleeing the Rakhine State (formerly Arakan State) to nearby countries. As of 2021, the UNHCR reports that there are 980,000 refugees and asylum seekers in neighboring countries.¹⁷ Based on information from the UNHCR Fact Finding Mission of 2019, approximately 600,000 Rohingya remain in the Rakhine State.¹⁸ At the end of 2020, approximately 370,000 Rohingya were considered internally displaced, with an additional 189,000 being newly displaced since February 2021.¹⁹

In 2016 and 2017, more than 700,000 Rohingya fled to Bangladesh, joining approximately 200,000 Rohingya who had fled Myanmar in previous years. This totals the number of Rohingya refugees residing in Bangladesh over 900,000 living in camps

¹⁵ Human Rights Council. "Detailed Findings of the Independent International Fact-Finding Mission on Myanmar." *United Nations Human Rights Office of the High Commissioner*. 75. September 16, 2019. https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/20190916/A_HRC_42_CRP.5.pdf.

¹⁶ Becker, Michael A. "The Plight of the Rohingya: Genocide Allegations and Provisional Measures in *The Gambia v Myanmar* at the International Court of Justice." *Melbourne Journal of International Law* 21 (2020), no. 2. <http://dx.doi.org/10.2139/ssrn.3688935>; Human Rights Council. "Detailed Findings of the Independent International Fact-Finding Mission on Myanmar." (2019), 75.

¹⁷ Human Rights Watch. "India: Halt All Forced Returns to Myanmar." *Human Rights Watch*, March 10, 2021. <https://www.hrw.org/news/2021/03/10/india-halt-all-forced-returns-myanmar>

¹⁸ Human Rights Council. "Detailed Findings of the Independent International Fact-Finding Mission on Myanmar." (2019), 6.

¹⁹ Human Rights Watch. "India: Halt All Forced Returns to Myanmar." (2021).

in Cox's Bazar district of Bangladesh.²⁰ Other sources report up to 1.2 million Rohingya refugees being hosted in.²¹

Rohingya refugees have also gone to other neighboring countries in South and Southeast Asia, settling in countries such as Malaysia, India, Thailand, Indonesia, Pakistan, Australia and New.²²

Case Studies

In the next section, I will be covering the literature on Rohingya refugees residing in Bangladesh, Malaysia and India.

Bangladesh

Since the first modern wave of Rohingya displacement in 1978, most Rohingya refugees have fled to Bangladesh due to its geographical proximity to the Rakhine State region and ease of crossing the border.²³ Therefore, the literature in Bangladesh is most comprehensive compared to other countries. In this section, I will first explain Bangladesh's stance and overarching policy approach on Rohingya refugees, followed by showing how Bangladesh's legal and policy stance trickled down into practice which resulted in violence against Rohingya refugees.

²⁰ Inter Sector Coordination Group (ISCG). "Situation Report: Rohingya Refugee Crisis. Cox's Bazar" ISCG: 2. February 25, 2018. https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/180225_weeklyiscg_sitrep_final_2.pdf; ISCG. "Humanitarian Response Plan [September 2017 - February 2018] Final Report." *Inter Sector Coordination Group Bangladesh*: 6. May 1, 2018. <https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/bangladesh-humanitarian-response-plan-final-report-may-2018.pdf>.

²¹ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." *Asian Journal of Comparative Politics* 5 (2020), no. 2: 108. <https://doi.org/10.1177/2057891119865021>; Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." *Policy Studies* 40 (2019), no. 3-4: 308. <https://doi.org/10.1080/01442872.2018.1557623>.

²² Sarmin, Arifa. "Ongoing Persecution of the Rohingyas: A History of Periodic Ethnic Cleansings and Genocides." (2020), 692.

²³ Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 305; Papisilekas, Ioannis, Maria Fatas Ortego, and Kate Hughes. "Rohingya Repatriation Survey." *XChange Foundation*: 4. March, 2019. <http://xchange.org/wp-content/uploads/Repatriation-Survey-04.pdf>

Bangladesh's Policy Approach and Stance on Rohingya Refugees

The stance and policy that the Government of Bangladesh (GOB) has taken to receive the Rohingya population has been mixed. While the GOB allows for Rohingya to seek refuge in their country, they have never recognized them as refugees and actively promotes repatriation regardless of if it is safe for Rohingya to return to their homeland. The reason for the GOB's mixed reception of Rohingya refugees is rooted in its own history. Bangladesh empathizes with Rohingya refugees, as they shared a similar history of violent conflict, with many of its people seeking refuge in India in their War of Independence in 1971.²⁴ However, Bangladesh is a country affected by poverty and lack of basic services.²⁵ The burden of hosting a massive influx of refugees is detrimental to its development, economy, and social order.²⁶ Bangladesh also lacks the policy capacity to manage a large influx of refugees.²⁷

The literature cites a couple of policies to highlight this mixed attitude.

First, most of the literature highlights that Bangladesh is not a signatory to the 1951 Refugee Convention and any of its related protocols.²⁸ The GOB also does not have a law differentiating between asylum seekers and refugees. This is an important distinction as asylum seekers are defined as individuals that seek international protection but their claim has not been decided, while refugees are given full legal

²⁴ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 104.

²⁵ Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 307.

²⁶ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 106; Milton, Abul H., Mijanur Rahman, Sumaira Hussain, Charulata Jindal, Sushmita Choudhury, Shahnaz Akter, Shahana Ferdousi, Tafzila A. Mouly, John Hall, and Jimmy T. Efrid. "Trapped in Statelessness: Rohingya Refugees in Bangladesh." *International Journal of Environmental Research and Public Health* 14 (2017), no. 8: 942.

<https://doi.org/10.3390/ijerph14080942>

²⁷ Milton, Abul H., Mijanur Rahman, Sumaira Hussain, Charulata Jindal, Sushmita Choudhury, Shahnaz Akter, Shahana Ferdousi, Tafzila A. Mouly, John Hall, and Jimmy T. Efrid. "Trapped in Statelessness: Rohingya Refugees in Bangladesh." (2017), 942.

²⁸ Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." *Human Rights Watch*: 41, August, 2018.

https://reliefweb.int/sites/reliefweb.int/files/resources/bangladesh0818_web2.pdf; Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." *Journal of Asian Security and International Affairs* 7 (2020) (2): 206. <https://doi-org.proxy.library.upenn.edu/10.1177%2F2347797020938983>; Habib, Md Reza. "The "stateless" Rohingya in Bangladesh: Crisis Management and Policy Responses." (2021), 584; Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 305.

status and protection similar to citizens within Bangladesh.²⁹ Because of the GOB's refusal to register more than 200,000 refugees that have lived in Cox's Bazar prior to the 2016 wave, Rohingya refugees in the region lived without rights to a "secondary education, livelihoods, marriage, and freedom of movement."³⁰ The UNHCR estimates that they were only able to access 10 percent of the Rohingya refugees in Bangladesh who were housed in the official camps, as they were barred from aiding unregistered refugees who were treated as illegal immigrants.³¹ The lack of refugee status also exposed Rohingya to being treated as illegal entrants, subjecting them to risk of detention and deportation.³²

Second, Bangladesh's humanitarian response towards the Rohingya has always operated with the assumption of repatriation in the near future.³³ Therefore, the GOB favored planning for temporary humanitarian assistance, refusing to acknowledge that this is a long-term issue.³⁴ As a consequence of this frame of mind, they fail to consider a sustainable integration plan for the Rohingya and the effects hosting refugees in the long term may have on local communities.³⁵

Scholars and human rights organizations agree that forced and premature repatriation of Rohingya refugees subjects Rohingya to unnecessary violence. The 1951 refugee convention states that "no contracting states shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."³⁶ Historically, the

²⁹ Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 206.

³⁰ Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 13-14.

³¹ Kiragu, Esther, Angela Li Rosi, and Tim Morris. "States of denial. A review of UNHCR's response to the protracted situation of stateless Rohingya refugees in Bangladesh." *UNHCR's Policy Development and Evaluation Service*: 2. December, 2011.

[https://www.unhcr.org/4ee754c19.pdf?%20\(accessed%20June%205,%202018\)](https://www.unhcr.org/4ee754c19.pdf?%20(accessed%20June%205,%202018))

³² Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 308.

³³ Guhathakurta, Meghna. "Understanding Violence, Strategising Protection: Perspectives from Rohingya Refugees in Bangladesh." *Asian Journal of Social Science* 45 (2017) (6): 639-665.

<https://www.jstor.org/stable/10.2307/26567209>

³⁴ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 112-113; Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 313; Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 59.

³⁵ International Crisis Group. "A Sustainable Policy for Rohingya Refugees in Bangladesh." *International Crisis Group*, December 27, 2019, 10-11. <https://d2071andvip0wj.cloudfront.net/303-a-sustainable-policy-for-rohingya.pdf>

³⁶ UNHCR. "Convention and Protocol Relating to the Status of Refugees." *UNHCR Communications and Public Information Service* (2010): 30. <https://www.unhcr.org/en-us/3b66c2aa10>.

repatriation from Bangladesh to Myanmar is involuntary and resulted in Rohingya fleeing and death.³⁷ In 1978, the GOB reached a repatriation agreement with Myanmar, sending most of the Rohingya refugees back to Myanmar without guarantee of their citizenship status or protection.³⁸ Reports claimed that about 180,000 Rohingya were forcibly repatriated to Myanmar by the end of 1979 and 10,000 people died in the camps.³⁹ In 1992 and 1994, Human Rights Watch reported that the GOB used force, withheld rations, imprisoned and beat refugees into agreeing to return.⁴⁰

Some scholars argue that the solution of repatriation overlooks the history of Rohingya as persecuted people in Myanmar. Bangladesh frames Rohingya as “Forcibly Displaced Myanmar Nationals,” forgetting the fact that they are not granted the right to citizenship in Myanmar.⁴¹ To send them back without ensuring Myanmar grants them full protection means they are sending refugees back to be subjected to state-inflicted violence. However, some scholars also acknowledge that the prolonged hosting of Rohingya refugees have also resulted in the burdening of the host community.⁴²

Regardless of if repatriation is the right course of action for the Rohingya, the GOB’s eagerness to repatriate also had negative implications for the humanitarian assistance available for refugees. In 2017, a repatriation agreement was reached on the 23rd of November, but currently on hold.⁴³ Even though the process is on hold, the GOB increased pressure to withhold and reduce the amount of aid given to refugees

³⁷ Leider, Jacques. "Rohingya: The history of a Muslim identity in Myanmar." In *Oxford research encyclopedia of Asian history* (2018): 14. <https://doi.org/10.1093/acrefore/9780190277727.013.115>

³⁸ Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 306; Leider, Jacques. "Rohingya: The history of a Muslim identity in Myanmar." (2018), 13.

³⁹ Habib, Md Reza. "The “stateless” Rohingya in Bangladesh: Crisis Management and Policy Responses." (2021), 582.

⁴⁰ Human Rights Watch. “Burma: The Rohingya Muslims: Ending a Cycle of Exodus?” *Human Rights Watch*, September 1, 1996. <https://www.refworld.org/docid/3ae6a84a2.html>

⁴¹ Human Rights Watch. “Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar.” (2018), 42.

⁴² International Crisis Group. “A Sustainable Policy for Rohingya Refugees in Bangladesh.” (2019), 10-11; Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 212.

⁴³ Khan, Aaqib. “In Cox’s Bazar, A Rising Bangladeshi Resentment Against Rohingyas, As The Refugees Live In Fear of Forced Repatriation.” *Caravan Magazine*, April 10, 2018. <https://caravanmagazine.in/vantage/coxs-bazar-rising-resentment-rohingyas-fear-forced-repatriation>

with the excuse that they are about to be repatriated soon, therefore there is no point increasing resources and efforts into improving the refugee's quality of life.⁴⁴

Third, the lack of long-term policies for accommodating refugees created conditions that adversely affected its local community, who have in turn pressured the government to stop supporting Rohingya refugees.⁴⁵ Initially, locals empathized with refugees due to Bangladesh's recent history of being refugees themselves. Locals were amongst the first frontline responders, providing food and basic items.⁴⁶ However, tensions rose as the situation continued. Locals express that job loss, wage depression, rising prices and competition over essential commodities, and facing increased police security measures in their own neighborhood are reasons for the increasing impatience with Rohingya refugees.⁴⁷ Furthermore, the perception that international NGOs are only serving the Rohingyas and ignoring the poverty-stricken Bangladeshi populace is also resulting in increasing feelings of apathy.⁴⁸ Some researchers also cite the increasing security concerns regarding drug and human trafficking and border insecurity as a result of Myanmar targeting Bangladeshi borders as other concerns that increased hostility towards refugees.⁴⁹

Bangladesh's Rohingya Refugee Policy in Practice

The GOB's policy stance on Rohingya have created conditions where Rohingya refugees are exposed to inhumane and violent conditions. The three categories of violence discussed in the literature are: inhumane living conditions, environment of

⁴⁴ McConnachie, Kirsten. "Refugee Policy as Border Governance: Refugee Return, Peacebuilding, and Myanmar's Politics of Transition." *Modern Asian Studies* (2021): 19. DOI: 10.1017/S0026749X20000189

⁴⁵ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 112-114.

⁴⁶ Roy Chowdhury, Arnab. "International-domestic linkages in a developing-country context: the case of the Rohingyas in Bangladesh." (2019), 307; Lewis, David. "Humanitarianism, Civil Society and the Rohingya Refugee Crisis in Bangladesh." *Third World Quarterly* 40 (2019) (10): 1885, 1888. <https://doi-org.proxy.library.upenn.edu/10.1080/01436597.2019.1652897>

⁴⁷ Ansar, Anas, and Abu Faisal Md. Khaled. "From Solidarity to Resistance: Host Communities' Evolving Response to the Rohingya Refugees in Bangladesh." *Journal of International Humanitarian Action* 6 (2021) (1): 1-14. <https://doi-org.proxy.library.upenn.edu/10.1080/01436597.2019.1652897>;

Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 104–120; Milton, Abul H., Mijanur Rahman, Sumaira Hussain, Charulata Jindal, Sushmita Choudhury, Shahnaz Akter, Shahana Ferdousi, Tafzila A. Mouly, John Hall, and Jimmy T. Efirid. "Trapped in Statelessness: Rohingya Refugees in Bangladesh." (2017), 942.

⁴⁸ Ansar, Anas, and Abu Faisal Md. Khaled. "From Solidarity to Resistance: Host Communities' Evolving Response to the Rohingya Refugees in Bangladesh." (2021), 3.

⁴⁹ Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 206-210.

conflict and crimes, and state policies resulting in police and security officials committing violence.

The most commented-on form of violence in the literature is the inhumane living conditions that Rohingya refugees face. The factors that contribute towards inhumane living conditions are the limited funding and access to basic needs including food, water and sanitation facilities, insecurity in their shelter due to climate and overcrowding, a limited freedom of movement, and a lack of wage-earning opportunities.⁵⁰

The most common living-condition problems the refugees report are lack of safe drinking water, food and firewood.⁵¹ With regards to water, refugees complain that there is not enough water, that people get sick after drinking water, and people have to walk long distances and stand in long queues to get water due to the shortage.⁵² The Refugee influx Emergency Vulnerability Assessment (REVA) found that 88% are vulnerable to food security.⁵³ The scarcity of basic resources are exacerbated by locals breaking into the camp to steal relief goods provided by international agencies.⁵⁴ This is a clear symptom of the GOB's lack of long term planning, leading to increasing issues between locals and refugees as locals feel refugees are their competition for food and resources.⁵⁵ The insufficiency of supply

⁵⁰ Riley, Andrew, Andrea Varner, Peter Ventevogel, M. M. Taimur Hasan, and Courtney Welton-Mitchell. "Daily Stressors, Trauma Exposure, and Mental Health among Stateless Rohingya Refugees in Bangladesh." *Transcultural Psychiatry* 54 (2017) (3): 320. DOI: 10.1177/1363461517705571

⁵¹ Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 31-34; Papasilekas, Ioannis, Maria Fatas Ortego, and Kate Hughes. "Rohingya Repatriation Survey." (2019), 24; ISCG. "2020 Joint Response Plan. Rohingya Humanitarian Crisis. January - December 2020." *Inter Sector Coordination Group Bangladesh* (2020): 5-6. https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/jrp_2020_final_in-design_200422_12.2mb.pdf

⁵² Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 32; ISCG. "2020 Joint Response Plan. Rohingya Humanitarian Crisis. January - December 2020." (2020), 7.

⁵³ Khan, Afsana Iffat, Mahathir Sarker, Geophrey Sikeiand, and Susana Moreno. "Refugee influx Emergency Vulnerability Assessment (REVA-4) Summary Report April 2021." *World Food Programme*: 10, April 4, 2021. <https://www.wfp.org/publications/bangladesh-rohingya-emergency-vulnerability-assessment-reva-4-april-2021>

⁵⁴ Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." *International Sociology* 36 (2021) (6): 876. <https://doi.org/10.1177/0268580921993328>

⁵⁵ Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." (2021), 880; Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 109; Ansar, Anas, and Abu Faisal Md. Khaled. "From Solidarity to Resistance: Host Communities' Evolving Response to the Rohingya Refugees in Bangladesh." (2021), 6.

rations from camp officials is critical, as it is the only way for most refugees to legally and safely access basic needs. This is because the GOB does not allow refugees to work outside the camp to earn money and limits the refugees' movement to campgrounds only.⁵⁶ The only official avenue to earn cash is through the 'cash for work' program runned by UN agencies and NGOs, which multiple reports show have only reached at maximum a third of the camp refugees.⁵⁷ Majority of the refugee population are therefore unemployed, and completely dependent on rations provided by camp authorities and NGOs or turn to illegal work and stealing.⁵⁸ Turning to illegal work exposes refugees to more exploitation, such as not being paid for contract work.⁵⁹

Scholars and NGOs also express concern over refugees living in overcrowded camps and being exposed to harsh climates.⁶⁰ The GOB has been trying to resolve overcrowding that has occurred due to the mass influx of refugees since 2017. In 2018, the GOB expanded the land available for refugee camps to over 6,000 acres in the Ukhiya and Teknaf Upazilas, of which 35% is estimated to be suitable living conditions and has relocated approximately 43,000 people into newly developed sites.⁶¹ However, this is still not enough land to meet basic internationally recognized humanitarian standards, and the area is not safe from extreme weather.⁶² Cox's Bazar

⁵⁶ Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." *International Journal of Disaster Risk Reduction* 50 (2020).

<https://doi.org/10.1016/j.ijdr.2020.101694>; Khan, Aaqib. "In Cox's Bazar, A Rising Bangladeshi Resentment Against Rohingyas, As The Refugees Live In Fear of Forced Repatriation." (2018).

⁵⁷ Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 63; Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 6.

⁵⁸ Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 6.

⁵⁹ Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 64; Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." (2021), 879.

⁶⁰ Barua, Amit and Rutu Hitesh Karia. "Challenges Faced by Rohingya Refugees in the Covid-19 Pandemic." *Annals of Global Health* 86 (2020) (1): 1. DOI: <https://doi.org/10.5334/aogh.3052>

⁶¹ ISCG. "Joint Response Plan for Rohingya Humanitarian Crisis - Mid Term Review - March to December 2018." *Inter Sector Coordination Group Bangladesh*: 11. October 7, 2018.

<https://www.humanitarianresponse.info/en/operations/bangladesh/document/mid-term-review-joint-response-plan-rohingya-humanitarian-crisis-2018>; Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 8.

⁶² ISCG. "Joint Response Plan for Rohingya Humanitarian Crisis - Mid Term Review - March to December 2018." (2018), 11.

is vulnerable to climate disasters such as landslides, floods, and cyclones.⁶³ In 2019 alone, 915 incidents of natural disaster were logged, including 38 fires, 37 floods, 338 landslides, 2 lightning strikes and 500 windstorm issues that affected 89,483 individuals in total.⁶⁴ Most refugees live in temporary shelters built from untreated bamboo and tarpaulin, making them more vulnerable to rain and extreme weather conditions.⁶⁵ Congested settlements, scarcity of open spaces, poor access to roads, and restriction of movement further increase disaster vulnerability.⁶⁶

In 2019, the GOB proposed to move about 100,000 refugees to Bhasan Char island, however, this was heavily contested by international NGOs and the refugees themselves as Bhasan Char is even more vulnerable to harsh climate conditions, and it is cut off from the rest of Bangladesh which would restrict the amount of aid and mobility refugees have even further.⁶⁷ Refugees who have already moved to Bhasan Char report higher feelings of vulnerability, lacking access to food, water, education, work and living in fear of the instability of the island due to the climate conditions.⁶⁸

In the wake of the COVID-19 pandemic, concerns of living conditions have become more pressing. The lack of space, freedom of movement and adequate healthcare has made refugees in camps more vulnerable to contracting COVID.⁶⁹ Refugees also lack the education on COVID prevention and access to sanitation goods like face masks, soap and gloves.⁷⁰ Additionally, government imposed COVID

⁶³ ISCG. "Joint Response Plan for Rohingya Humanitarian Crisis - Mid Term Review - March to December 2018." (2018), 53; ISCG. "2020 Joint Response Plan. Rohingya Humanitarian Crisis. January - December 2020." (2020), 54.

⁶⁴ ISCG. "2020 Joint Response Plan. Rohingya Humanitarian Crisis. January - December 2020." (2020), 54.

⁶⁵ Ibid., 49.

⁶⁶ Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 8.

⁶⁷ Human Rights Watch. "Malaysia: Stop Treating Rohingya Refugees as Criminals." *Human Rights Watch*, July 22, 2020. <https://www.hrw.org/news/2020/07/22/malaysia-stop-treating-rohingya-refugees-criminals>; Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 8-10.

⁶⁸ Hasnat, Saif and Sameer Yasir. "They Were Promised a New Home. Then They Tried to Escape It." *New York Times*, October 10, 2021. <https://www.nytimes.com/2021/10/10/world/asia/bangladesh-rohingya-bhasan-char.html>

⁶⁹ Zaman, Shamrita, Peter Sammonds, Bayes Ahmed, and Taifur Rahman. "Disaster Risk Reduction in Conflict Contexts: Lessons Learned from the Lived Experiences of Rohingya Refugees in Cox's Bazar, Bangladesh." (2020), 11; Barua, Amit and Rutu Hitesh Karia. "Challenges Faced by Rohingya Refugees in the Covid-19 Pandemic." (2020), 3.

⁷⁰ Barua, Amit and Rutu Hitesh Karia. "Challenges Faced by Rohingya Refugees in the Covid-19 Pandemic." (2020), 2.

restrictions have resulted in the scaling down of humanitarian services, which was already insufficient prior to the pandemic.⁷¹

The lack of resources and increasing sense of desperation had resulted in an increase in intra group violence, inter group violence, gender-based violence and crime rates.

From December 2017 to June 2018, 19 Rohingya refugees were reportedly murdered in the camps.⁷² In June 2018, a community leader was reportedly stabbed by a group of men in the middle of camp.⁷³ Intragroup violence is speculated to be triggered by the increased presence of Arakan Rohingya Salvation Army in the camps.⁷⁴ Furthermore, as Rohingya refugees become more frustrated by the lack of hope and are plagued by desperation, camps are reporting an increase in conflict due to increasingly tense environments.⁷⁵

Intergroup violence most often occurs when refugees go out of the camp to find informal work, where refugees report being verbally and physically harassed.⁷⁶ According to Riley et al., 72% of Rohingya refugees report being stressed about harassment by locals.⁷⁷ Intergroup violence has increased as a result of the increasing tension between locals and refugees caused by the GOB's lack of long-term planning, as discussed above in this section.

Both intra and intergroup gender-based violence remains a significant issue in camps. According to UNFPA, over 10,000 incidents of GBV were reported from August 2017 to August 2018.⁷⁸ Riley et al. interviewed 148 adult men and women, finding that 12.8% reported being exposed to sexual abuse, humiliation, and exploitation, and 8.1% being exposed to rape, and 6.1% having witnessed physical or

⁷¹ Khan, Afsana Iffat, Mahathir Sarker, Geophrey Sikeiand, and Susana Moreno. "Refugee influx Emergency Vulnerability Assessment (REVA-4) Summary Report April 2021." (2021), 3.

⁷² Human Rights Watch. "Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar." (2018), 30.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Bari, Shamsul. "The Rohingya Refugee Crisis: A Time Bomb Waiting to Explode." *Social Change* (New Delhi) 50 (2020) (2): 286. <https://doi-org.proxy.library.upenn.edu/10.1177/0049085719901038>

⁷⁶ Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." (2021), 876.

⁷⁷ Riley, Andrew, Andrea Varner, Peter Ventevogel, M. M. Taimur Hasan, and Courtney Welton-Mitchell. "Daily Stressors, Trauma Exposure, and Mental Health among Stateless Rohingya Refugees in Bangladesh." *Transcultural Psychiatry* 54 (2017) (3): 309. DOI: 10.1177/1363461517705571

⁷⁸ Learson, Carly. "One year on, Rohingya women and girls seek safety – and a chance to heal." *UNFPA*, August 24, 2018. <https://www.unfpa.org/news/one-year-rohingya-women-and-girls-seek-safety-%E2%80%93-and-chance-heal>

sexual violence.⁷⁹ Yousuf, Akter, Salam and Salam found that perpetrators of sexual assault and harassment are from their own community, the host community and camp security personnels.⁸⁰

The main systematic crimes found in refugee camps are drug cartels and human and sex trafficking.

In May 2019, almost 33 million yaba tablets (yaba is the drug most commonly traded in Southeast Asia) were confiscated by the police in Bangladesh, with an estimated 10 times more yaba tablets believed to have been smuggled in from Myanmar to Bangladesh that month.⁸¹ Due to the limitation in employment opportunities, many Rohingya refugees turn to drug trade to earn cash.⁸² Involvement in drug trafficking puts refugees at a higher risk for exploitation by ringleaders and extrajudicial killing by the police.⁸³

Forced early marriages, sex trafficking and prostitution are significant systematic issues among refugees. The industry is both runned by local Bangladeshi and Rohingya refugees that were settled in Bangladeshi before the most recent wave in 2016.⁸⁴ Pittaway reports that girls as young as nine years old are being abducted by local villagers and forced into marriages, being returned to the camps if they get pregnant.⁸⁵ Additionally, girls are also trafficked into the sex industry nearby Cox's Bazar and Chittagong.⁸⁶ The practices are perpetuated as Rohingya girls are

⁷⁹ Riley, Andrew, Andrea Varner, Peter Ventevogel, M. M. Taimur Hasan, and Courtney Welton-Mitchell. "Daily Stressors, Trauma Exposure, and Mental Health among Stateless Rohingya Refugees in Bangladesh." (2017), 310.

⁸⁰ Yousuf, Rabeya, Md Mushtahid Salam, Shaima Akter, and Abdus Salam. "Safety and Security of Sexual-Reproductive Health and Gender-Based Violence among Rohingya Refugee Women in Bangladesh." *International Journal of Human and Health Sciences* 5 (2020) (2): 166. <http://dx.doi.org/10.31344/ijhhs.v5i2.254>

⁸¹ Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 207.

⁸² Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 207; Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." (2021), 878; International Crisis Group. "A Sustainable Policy for Rohingya Refugees in Bangladesh." (2019), 10.

⁸³ Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. "Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh." (2021), 879; International Crisis Group. "A Sustainable Policy for Rohingya Refugees in Bangladesh." (2019), 6.

⁸⁴ Yasmin, Lailufar, and Sayeda Akther. "The Locals and the Rohingyas: Trapped with an Uncertain Future." (2020), 110.

⁸⁵ Pittaway, Eileen. "The Rohingya refugees in Bangladesh: A failure of the international protection regime." *Protracted displacement in Asia: No place to call home* (2008): 95.

⁸⁶ Pittaway, Eileen. "The Rohingya refugees in Bangladesh: A failure of the international protection regime." (2008), 91; Mallick, Abdullah Hossain. "Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality." (2020), 207.

considered “good business” in local sex industries. Young Rohingya girls have also been married off by their own families to reduce the number of people families have to feed. Additionally, local communities explain that girls are coerced into prostitution because NGOs give essentials but not cash to families.⁸⁷

As a result of increased tensions and problems in refugee camps and within the local community, the GOB responded by increasing police presence and strictness, restricting the little freedom that Rohingya refugees already have.⁸⁸ Research has shown mixed responses from Rohingya refugees regarding their experience with police and security personnel. On one hand, the literature finds that Rohingya refugees face police violence and harassment in camps.⁸⁹ The stricter police surveillance has made refugees feel more vulnerable,⁹⁰ and has led to more altercations with police such as threatening to arrest any refugee found with a phone or hitting refugees for trying to escape the camp.⁹¹ According to Riley et al., 51% of Rohingya refugees report that police harassment contributes to their daily stress.⁹² According to the International Crisis Group, the authorities’ “heavy-handed response” has resulted in increasing resentment from refugees along with additional security challenges.⁹³ On the other hand, other Rohingya refugees may be safer if increased police presence is in their camps to protect them from kidnapping and inter- and intragroup conflict.⁹⁴ According to the Human Rights Watch report in 2018, some refugees trust the army to help them guard against kidnapping, robberies and wild animals.⁹⁵

⁸⁷ Yasmin, Lailufar, and Sayeda Akther. “The Locals and the Rohingyas: Trapped with an Uncertain Future.” (2020), 110.

⁸⁸ International Crisis Group. “A Sustainable Policy for Rohingya Refugees in Bangladesh.” (2019), 8.

⁸⁹ Bari, Shamsul. “The Rohingya Refugee Crisis: A Time Bomb Waiting to Explode.” (2020), 295; Chowdhury, Suban Kumar, Anne Keary, Andrea Reupert, and Eisuke Saito. “Multi-Vocal Voices of Refugees: A Case Study of Rohingya Refugees in Bangladesh.” (2021), 876.

⁹⁰ Guhathakurta, Meghna. “Understanding Violence, Strategising Protection: Perspectives from Rohingya Refugees in Bangladesh.” (2017), 659.

⁹¹ Human Rights Watch. “Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar.” (2018), 34, 43; International Crisis Group. “A Sustainable Policy for Rohingya Refugees in Bangladesh.” (2019), 8.

⁹² Riley, Andrew, Andrea Varner, Peter Ventevogel, M. M. Taimur Hasan, and Courtney Welton-Mitchell. “Daily Stressors, Trauma Exposure, and Mental Health among Stateless Rohingya Refugees in Bangladesh.” (2017), 309.

⁹³ International Crisis Group. “A Sustainable Policy for Rohingya Refugees in Bangladesh.” (2019), 7.

⁹⁴ Mallick, Abdullah Hossain. “Rohingya Refugee Repatriation from Bangladesh: A Far Cry from Reality.” (2020), 207; Islam, Arafatul. “Bangladesh: Gang violence in Rohingya refugee camps prompts fear.” *Deutsche Welle*. October 26, 2021. <https://www.dw.com/en/bangladesh-gang-violence-in-rohingya-refugee-camps-prompts-fear/a-59631798>

⁹⁵ Human Rights Watch. “Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar.” (2018), 30.

Furthermore, the increasingly tight security policies have disrupted aid groups' operations. The government replaced local officials in the camp who were known to be sympathetic to refugees to increase vigilance. Security policies have resulted in longer delays in the processing of visa requests and other documents for NGOs to operate in Cox's Bazar.⁹⁶ This lengthened the amount of time for aid groups to get goods and services to refugees and contributed to the scarcity in basic provisions.

Malaysia

I have chosen Malaysia as a case study because, despite the Malaysian government's anti-Rohingya refugee sentiment, Rohingya still consider Malaysia as a prime final destination. As of March 2020, 101, 580 refugees in Malaysia were identified as Rohingya.⁹⁷ Despite the government's apathy towards Rohingya refugees, Malaysia continues to be a pull factor for refugees due to the relative security it provides (as long as they are not detained or in human trafficking) compared to in Rakhine and in refugee camps elsewhere.⁹⁸ Rohingya refugees consider Malaysia ideal due to the better job opportunities in its strong economy and shared Islamic faith.⁹⁹ The advocacy and help from Rohingya refugee networks, refugee community organizations and NGOs have also made it easier for refugees to find protection and integrate into life in Malaysia.¹⁰⁰

Rohingya refugees residing in Malaysia are categorized into three groups: refugees living in Malaysian communities, refugees in state detention and those living in human trafficking camps. In this section, I will first explain Malaysia's stance and overarching policy approach on Rohingya refugees, followed by showing how Malaysia's legal and policy stance affects each category of Rohingya refugees in practice.

⁹⁶ International Crisis Group. "A Sustainable Policy for Rohingya Refugees in Bangladesh." (2019), 8.

⁹⁷ UNHCR. "Figures at a glance in Malaysia." (2020).

⁹⁸ Munir-Asen, Katrina. "(Re)negotiating refugee protection in Malaysia: implications for future policy in refugee management. No. 29/2018." *German Development Institute/Deutsches Institut für Entwicklungspolitik (DIE)*, 2018, 2. <https://www.econstor.eu/bitstream/10419/199549/1/die-dp-2018-29.pdf>

⁹⁹ Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." *Journal of Immigrant & Refugee Studies* 19 (2021) (4): 378.

<https://doi.org/10.1080/15562948.2020.1821274>; Cheung, Samuel. "Migration Control and the Solutions Impasse in South and Southeast Asia: Implications from the Rohingya Experience." *Journal of Refugee Studies* 25 (2012) (1): 55. <https://doi-org.proxy.library.upenn.edu/10.1093/jrs/fer048>

¹⁰⁰ Munir-Asen, Katrina. "(Re)negotiating refugee protection in Malaysia: implications for future policy in refugee management. No. 29/2018." (2018), 6.

Malaysia's Stance on Rohingya Refugees

While Malaysia positioned itself as compassionate towards the plight of refugees in 2012, it quickly changed its stance once the number of refugees started to increase.¹⁰¹ Currently, the stance the Malaysian government has taken towards Rohingya refugees is that they do not want them in the country. Similar to other South and Southeast Asian countries, Malaysia has not ratified the 1951 Refugees Convention or the 1967 Protocol to Recognize the Status of Refugees.¹⁰² Therefore, it regards Rohingya refugees as illegal immigrants.¹⁰³ Malaysia only provides minimal humanitarian support to refugees that are recognized by the UNHCR,¹⁰⁴ which amounts to 103,090 Rohingyas as of October 2021.¹⁰⁵ The Malaysian government also uses its government-controlled media to portray Rohingya refugees as violent and illegal outsiders, while portraying itself as “benevolent saviors offering humanitarian aid and refuge,”¹⁰⁶ in order to bolster support for the incumbent party.

Malaysia's Rohingya Refugee Policy in Practice

There is a gap in literature examining the experiences of Rohingya refugees in Malaysia past 2016, with most analysis coming from sources before the 2016 wave of refugees. However, several news articles and NGO reports suggest that the situation has not improved since 2016.¹⁰⁷

¹⁰¹ Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." (2021), 383.

¹⁰² Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." (2021), 379.

¹⁰³ Jeong, Yoojeong. "Diverging Response to the Rohingya Refugee Crisis since 2017 Military Crackdown: Comparative Analysis of Bangladesh and Malaysia." *The Korean Journal of International Studies* Vol 19 (2021), no. 1: 136.

https://scholar.archive.org/work/qcjarrac4zgfzaciwyw5oahsw3a/access/wayback/https://www.kjis.org/journal/download_pdf.php?doi=10.14731%2Fkjis.2021.04.19.1.133

¹⁰⁴ Yesmin, Sultana. "Policy towards Rohingya refugees: a comparative analysis of Bangladesh, Malaysia and Thailand." *Journal of the Asiatic Society of Bangladesh (Hum.)* 61 (2016), no. 1: 87.

http://cgsdu.org/wp-content/uploads/2019/03/4-H_883.pdf

¹⁰⁵ UNHCR. "Figures at a glance in Malaysia." (2020).

¹⁰⁶ Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." (2021), 387.

¹⁰⁷ Sukhani, Piya. "The Shifting Politics of Rohingya Refugees in Malaysia." *The Diplomat*, July 10, 2020. <https://thediplomat.com/2020/07/the-shifting-politics-of-rohingya-refugees-in-malaysia/>;

Latiff, Rozanna. "Malaysia to hand 1,200 Myanmar detainees to country's navy." *Reuters*, February 11, 2021. <https://www.reuters.com/article/us-myanmar-politics-malaysia-idUSKBN2AB1T4>;

Human Rights Watch. "Malaysia: Stop Treating Rohingya Refugees as Criminals." *Human Rights*

The Malaysian government's stance on refugees have impacted Rohingya refugee's experience of violence in several ways: the inability to integrate and conduct a livelihood, the increase in detention of Rohingya, and increasing human trafficking.

Refugees staying in Malaysia have no legal access to employment, services, and education, which has been a main contributing factor to livelihood insecurity.¹⁰⁸ Scholars and NGOs find evidence that the biggest barrier to finding employment and access to services is the lack of a UNHCR card.¹⁰⁹ However, while a UNHCR card helps refugees to get employment, it is not sufficient for legal documentation and protection.¹¹⁰ Therefore, Rohingya finding jobs are vulnerable to exploitation such as verbal, physical, sexual harassment, arbitrary dismissals and non-payment of wages.¹¹¹ Additionally, the low wages and shortage of cash affects Rohingya refugees' access to healthcare, food, water and other basic necessities.¹¹² The cost of healthcare, due to expensive foreigner fees and healthcare insurance, remains a large barrier for refugees to access healthcare services.¹¹³

The lack of recognition of the Rohingya's statelessness status in Malaysia has subjected those who have entered to arrest, detention, and deportation.¹¹⁴ By 2011,

Watch, July 22, 2020. <https://www.hrw.org/news/2020/07/22/malaysia-stop-treating-rohingya-refugees-criminals>; UNHCR. "Rohingya Refugee Crisis Explained." *UNHCR*, August 25, 2021. <https://www.unrefugees.org/news/rohingya-refugee-crisis-explained/>

¹⁰⁸ Nursyazwani, Nursyazwani. "Mobile Refugee: Rohingya Refugees' Practices of Imaginary Citizenship in Klang Valley, Malaysia." *The American Behavioral Scientist* (Beverly Hills) 64 (2020) (10): 1447. <https://doi-org.proxy.library.upenn.edu/10.1177%2F0002764220947770>; Munir-Asen, Katrina. "(Re)negotiating refugee protection in Malaysia: implications for future policy in refugee management. No. 29/2018." (2018), 7.

¹⁰⁹ Wake, Caitlin, and Tania Cheung. "Livelihood strategies of Rohingya refugees in Malaysia. We want to live in dignity." *Overseas Development Institute* (2016): 26. <https://www.refworld.org/pdfid/57922bbb4.pdf>; Nursyazwani, Nursyazwani. "Mobile Refugee: Rohingya Refugees' Practices of Imaginary Citizenship in Klang Valley, Malaysia." (2020), 1445.

¹¹⁰ Wake, Caitlin, and Tania Cheung. "Livelihood strategies of Rohingya refugees in Malaysia. We want to live in dignity." (2016): 26.

¹¹¹ Wake, Caitlin, and Tania Cheung. "Livelihood strategies of Rohingya refugees in Malaysia. We want to live in dignity." (2016): 7.

¹¹² Chuah, Fiona Leh Hoon, Sok Teng Tan, Jason Yeo, and Helena Legido-Quigley. "The Health Needs and Access Barriers among Refugees and Asylum-Seekers in Malaysia: A Qualitative Study." *International Journal for Equity in Health* 17 (2018) (1): 9-10. <https://doi.org/10.1186/s12939-018-0833-x>; Shaw, Stacey, Hamid Karim, Noelle Bellows, and Veena Pillai. "Emotional Distress among Rohingya Refugees in Malaysia." *Intervention* (Amstelveen, Netherlands) 17 (2019) (2): 178. http://dx.doi.org/10.4103/INTV.INTV_8_19

¹¹³ Chuah, Fiona Leh Hoon, Sok Teng Tan, Jason Yeo, and Helena Legido-Quigley. "The Health Needs and Access Barriers among Refugees and Asylum-Seekers in Malaysia: A Qualitative Study." (2018), 2.

¹¹⁴ Sullivan, Daniel. "Still Adrift: Failure to Protect Rohingya In Malaysia and Thailand." *Refugees International*, November 16, 2016. <https://www.refugeesinternational.org/reports/2016/rohingya;>

arrests and deportation rates remained high, with almost half of all Rohingya refugees reported to have experienced arrest and multiple deportations.¹¹⁵ While risk of deportation and refoulement has decreased significantly since 2009, risk of detention has increased.¹¹⁶ Many times, new Rohingya asylum-seekers are undocumented, having to wait to be given an appointment to obtain a UNHCR card.¹¹⁷ This puts a bulk of the newly arrived refugees in a vulnerable position, as the documentation process can take years.¹¹⁸ According to a Refugees International field report, between 7,000 and 9,000 Rohingya are detained annually in Malaysia.¹¹⁹ News sources suggest the detention of Rohingya has increased during COVID, with the government using the prevention of COVID spread as an excuse for increased surveillance.¹²⁰ In addition to arbitrary arrest being an inherent violation of rights, arrested refugees are also sent to detention centers with inhumane living conditions. Detention facilities in Malaysia are unsafe environments for refugees, with issues of overcrowding, lack of provision of healthcare, food and water, and reports of abuse within centers.¹²¹

Malaysia's lack of investigation into human trafficking issues enables Rohingya refugees to continue to be vulnerable to human trafficking. According to a joint analysis of The Human Rights Commission of Malaysia and Fortify Rights, several thousand Rohingya were trafficked from Myanmar and Bangladesh to Malaysia between 2012 and 2015.¹²² Despite the prevalence of human trafficking, the Malaysian

Munir-Asen, Katrina. "(Re)negotiating refugee protection in Malaysia: implications for future policy in refugee management. No. 29/2018." (2018), 2; Yesmin, Sultana. "Policy towards Rohingya refugees: a comparative analysis of Bangladesh, Malaysia and Thailand." (2016), 85.

¹¹⁵ Cheung, Samuel. "Migration Control and the Solutions Impasse in South and Southeast Asia: Implications from the Rohingya Experience." (2012), 61.

¹¹⁶ Wake, Caitlin, and Tania Cheung. "Livelihood strategies of Rohingya refugees in Malaysia. We want to live in dignity." (2016): 7.

¹¹⁷ Ibid., 10.

¹¹⁸ Ibid., 7.

¹¹⁹ Sullivan, Daniel. "Still Adrift: Failure to Protect Rohingya In Malaysia and Thailand." *Refugees International*: 7, November 16, 2016. <https://www.refugeesinternational.org/reports/2016/rohingya>

¹²⁰ Ahmed, Kaamil. "Malaysia cites Covid-19 for rounding up hundreds of migrants." *The Guardian*, May 2, 2020. <https://www.theguardian.com/global-development/2020/may/02/malaysia-cites-covid-19-for-rounding-up-hundreds-of-migrants>; Ananthalakshmi, A and Rozanna Latiff. "Rohingya targeted in Malaysia as coronavirus stokes xenophobia." *Reuters*, May 22, 2020.

<https://www.reuters.com/article/uk-health-coronavirus-malaysia-rohingya-idUKKBN22Z00Q>

¹²¹ Munir-Asen, Katrina. "(Re)negotiating refugee protection in Malaysia: implications for future policy in refugee management. No. 29/2018." (2018), 10; Chuah, Fiona Leh Hoon, Sok Teng Tan, Jason Yeo, and Helena Legido-Quigley. "The Health Needs and Access Barriers among Refugees and Asylum-Seekers in Malaysia: A Qualitative Study." (2018), 6.

¹²² The Human Rights Commission of Malaysia (SUHAKAM) and Fortify Rights. "Sold like fish: Crimes against humanity, mass graves, and human trafficking from Myanmar and Bangladesh to Malaysia from 2012 to 2015." *Fortify Rights*, March, 2019, 110.

government often treats cases that are speculated to be human trafficking as immigration offenses, ignoring information that could help to identify and prosecute all those responsible for crimes against humanity in the human trafficking of Rohingya and Bangladeshis from Myanmar and Bangladesh to Malaysia.¹²³ For example, approximately 750 Rohingya refugees were arrested for illegal entry into Wang Kelian in 2013 and 2014, rather than investigated for human trafficking, despite the police's knowledge that the campsite at Wang Kelian is used for human trafficking.¹²⁴ In some cases, the Malaysian police actively tamper with investigation procedures. In the infamous case of the reported mass grave site in Wang Kelian in January 2015, the police only started investigating the site in March which, in turn, hampered forensic specialists from identifying the causes of their death.¹²⁵ The 38 "undocumented foreign migrants" found at the site were detained, tried for immigration offenses, and not screened as survivors of human trafficking.¹²⁶

The negligence of human trafficking enabled Rohingya refugees to continue to be abused in human trafficking situations. Many Rohingya refugees fall prey to traffickers who arrange for refugees to escape to Malaysia, who trick them into forced labor in camps.¹²⁷ Human trafficking camps, often found at the borders of Thailand and Malaysia provides inhumane living conditions, where captives are not given sufficient food, water, space and shelter from extreme weather conditions.¹²⁸ Fortify Rights and the Commission also obtained evidence of rape and sexual exploitation of Rohingya women in human trafficking camps.¹²⁹ Harsh working conditions, severe nutritional deficiencies and lack of space often lead to paralysis and death of refugees.¹³⁰

<https://www.fortifyrights.org/downloads/Fortify%20Rights-SUHAKAM%20-%20Sold%20Like%20Fish.pdf>

¹²³ Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." (2021), 382; The Human Rights Commission of Malaysia (SUHAKAM) and Fortify Rights. "Sold like fish: Crimes against humanity, mass graves, and human trafficking from Myanmar and Bangladesh to Malaysia from 2012 to 2015." (2019), 76.

¹²⁴ The Human Rights Commission of Malaysia (SUHAKAM) and Fortify Rights. "Sold like fish: Crimes against humanity, mass graves, and human trafficking from Myanmar and Bangladesh to Malaysia from 2012 to 2015." (2019), 76.

¹²⁵ Ibid.

¹²⁶ Ibid., 71.

¹²⁷ UNHCR. "Left Adrift At Sea: Dangerous Journeys of Refugees Across the Bay of Bengal and Andaman Sea. January 2020 - June 2021." *UNHCR*: 7, August 19, 2021.

<https://reliefweb.int/report/myanmar/left-adrift-sea-dangerous-journeys-refugees-across-bay-bengal-and-andaman-sea-january>

¹²⁸ The Human Rights Commission of Malaysia (SUHAKAM) and Fortify Rights. "Sold like fish: Crimes against humanity, mass graves, and human trafficking from Myanmar and Bangladesh to Malaysia from 2012 to 2015." (2019), 42-46.

¹²⁹ Ibid., 49.

¹³⁰ Ibid., 53.

India

Since the 1970s, Rohingya refugees have been arriving in India through Bangladesh, settling mainly in Jammu, Mewat, Delhi and Jaipur. The only official UNHCR camp for Rohingya refugees is in Jammu where most Rohingya people settle, while others are spread out in unofficial settlements.¹³¹ Prior to the 2016 wave of refugees, an estimated 25,000 Rohingya refugees were in.¹³² As of 2021, an estimated 40,000 Rohingya refugees are believed to reside in India, with about 16,500 registered with the UNHCR.¹³³

I have chosen India as a case study because of its unique position as a country that has been supportive of other nation's refugees, but not supportive of Rohingya. However, as a result of its reluctance to acknowledge Rohingya and cooperate with NGOs to track and help Rohingya refugees, there is a significant gap in the literature of India's policy and its effect on Rohingya lives compared to other nations.

India's Stance on Rohingya Refugees

India's stance on Rohingya refugees has been the most negative out of all three countries discussed in this paper. India has not ratified the 1951 Refugees Convention or the 1967 Protocol,¹³⁴ therefore all refugees are technically defined as foreigners under the Foreigners Act 1946.¹³⁵ In the absence of a standardized refugee policy, India can flexibly treat some groups in accordance with international refugee laws while treating others like illegal immigrants, with the decision heavily subjected to political interest.¹³⁶ India has been quite supportive of refugees from groups such as Tamil, Tibetans and Sri Lankans.¹³⁷ However, the Rohingya fall under the latter group who are treated with hostility.¹³⁸ The hostility towards Rohingya has to do with three main political interests. First, India is interested in maintaining good ties with the

¹³¹ Basavapatna, Sahana. "Where Do# IBelong?: The Stateless Rohingya in India." In *The Rohingya in South Asia* (2018): 47. Routledge India.

¹³² Velath, Priyanca Mathur, and Kriti Chopra. "The Stateless People: Rohingya in Hyderabad." In *The Rohingya in South Asia* (2018): 76. Routledge India.

¹³³ Human Rights Watch. "India: Halt All Forced Returns to Myanmar." (2021).

¹³⁴ Velath, Priyanca Mathur, and Kriti Chopra. "The Stateless People: Rohingya in Hyderabad." (2018), 76.

¹³⁵ Basavapatna, Sahana. "Where Do# IBelong?: The Stateless Rohingya in India." (2018), 53.

¹³⁶ Amin, Mudasar. "'Nobody's Children, Owners of Nothing': Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." *The Hindu Centre for Politics and Public Policy* (2018): 43. https://www.thehinducentre.com/incoming/article24811444.ece/BINARY/Policy%20Report%2024%20Mudasir_a5.pdf

¹³⁷ Ibid., 37.

¹³⁸ Ibid., 44-46

Myanmar government to forward the Rakhine Development Program, which is their key to counter China's growing influence in Southeast Asia.¹³⁹ Second, India sees its partnership with Myanmar as key towards maintaining security in Northeast India, which borders the Rakhine state.¹⁴⁰ Third, the Indian government views the presence of Rohingya refugees as national security threats, using their Muslim identity to frame them as terrorists.¹⁴¹

India's Rohingya Refugee Policy in Practice

The Indian government's political interests in Myanmar have colored their anti-Rohingya refugee stance, which has translated into violence against Rohingyas. India's policy has resulted in multiple forms of violence faced by Rohingya refugees: bad living conditions, police persecution, detainment, and deportation.

The Rohingya refugees in India struggle to access basic supplies and services, such as sturdy shelters, electricity, food, water and sanitation, healthcare, and education.¹⁴² According to researchers and news reports from Jammu and Delhi, living conditions in settlements are "sub-human".¹⁴³ Children are the worst affected, as lack of nutrition and medicine has resulted in many falling ill.¹⁴⁴ UNHCR and other international NGOs have found it difficult to access Rohingyas living in India, due to the lack of cooperation from the Indian government to identify refugees in need and because Rohingya refugees are scattered in different states, therefore unable to provide adequate aid and protection for many Rohingyas.¹⁴⁵

¹³⁹ Amin, Mudasir. "Nobody's Children, Owners of Nothing?: Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." (2018), 98-99; Taufiq, Hossain Ahmed. "China, India, and Myanmar: playing Rohingya roulette?." In *South Asia in global power rivalry* (2019): 90. Palgrave Macmillan, Singapore. https://doi-org.proxy.library.upenn.edu/10.1007/978-981-13-7240-7_4

¹⁴⁰ Taufiq, Hossain Ahmed. "China, India, and Myanmar: playing Rohingya roulette?." (2019), 86.

¹⁴¹ Ghoshal, Anushree. "Refugees and Human Security - A Study of the Rohingya Refugee Crisis." *IMPACT: International Journal of Research in Humanities, Arts and Literature (IMPACT: IJRHAL)* 8 (2020): 5. <http://www.impactjournals.us/index.php/download/archives/17-03-2020-1584443121-6-IMPACT%20:%20IJRHAL-1.%20IJRHAL-%20Refugees%20and%20human%20security-A%20Study%20Of%20The%20Rohingya%20Refugee%20Crisis%20-%20Copy.pdf>; Amin, Mudasir. "Nobody's Children, Owners of Nothing?: Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." (2018), 58.

¹⁴² Amin, Mudasir. "Nobody's Children, Owners of Nothing?: Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." (2018), 49-50; Velath, Priyanca Mathur, and Kriti Chopra. "The Stateless People: Rohingyas in Hyderabad." (2018), 76, 80-81.

¹⁴³ Amin, Mudasir. "Nobody's Children, Owners of Nothing?: Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." (2018), 69.

¹⁴⁴ Velath, Priyanca Mathur, and Kriti Chopra. "The Stateless People: Rohingyas in Hyderabad." (2018), 81.

¹⁴⁵ Amin, Mudasir. "Nobody's Children, Owners of Nothing?: Analysing the Indian State's Policy Response to the Rohingya Refugee Crisis." (2018), 77.

Police persecution of Rohingya refugees is widespread. Rohingya refugees are targeted by police as suspects every time a Hindu or Buddhist structure comes under attack, subjected to interrogation and harassment on their documentation.¹⁴⁶ In many cases, the refugees are arbitrarily arrested and detained, even when they carry refugee cards.¹⁴⁷ The hostile policy and stance towards Rohingya refugees was further entrenched and confirmed in the Supreme Court case, *Mohammad Salimullah v. Union of India*, on 8 April 2021.¹⁴⁸ In the decision, the court permitted the deportation of 40,000 Rohingya refugees who were rounded up by the police and put in detention, arguing that the principle of non-refoulement does not apply to India as they are not a signatory of the 1951 Refugees Convention.¹⁴⁹ That is, the court does not believe it is India's responsibility to ensure that Rohingya refugees are not returning to Myanmar where they are at risk of death.

Implications

The fate of Rohingya refugees is characterized by the lack of sustainable solutions and protection given by host countries. The literature exposes how the international community and host countries' soft stance towards supporting Rohingya refugees and lack of harsh condemnation towards Myanmar has trickled down into violence against Rohingya refugees.

South and Southeast Asian nations hosting Rohingya refugees commonly lack the legal frameworks to deal with refugees, often displaying "ad hoc institutional practices."¹⁵⁰ Therefore, Rohingya refugees are subjected to violence because they are used as pawns in political interest, rather than treated as a humanitarian case. India refuses to acknowledge and provide Rohingya refugees protection that should be afforded by refugees in order to protect its interest in Myanmar. Bangladesh, while sympathetic to the plight of Rohingya, does not provide adequate sustainable support because it fears Rohingya refugees will remain in their country and that Myanmar will not take responsibility for the Rohingya. Malaysia (and many countries in ASEAN) refuse to accommodate Rohingya refugees despite the strong advocacy of NGOs within its country as it is afraid of attracting more refugees into its country. In many

¹⁴⁶ Velath, Priyanca Mathur, and Kriti Chopra. "The Stateless People: Rohingya in Hyderabad." (2018), 82-83.

¹⁴⁷ Majumder, Suchismita. "The Jailed Rohingya in West Bengal." In *The Rohingya in South Asia* (2018): 100-103. Routledge India.

¹⁴⁸ Katrak, Malcolm, and Shardool Kulkarni. "Refouling Rohingyas: The Supreme Court of India's Uneasy Engagement with International Law." *Journal of Liberty and International Affairs* 7 (2021) (2): 116-127. <https://doi.org/10.47305/JLIA21720116k>

¹⁴⁹ *Ibid.*, 123.

¹⁵⁰ Cheung, Samuel. "Migration Control and the Solutions Impasse in South and Southeast Asia: Implications from the Rohingya Experience." (2012), 55.

South and Southeast Asian countries, the perception that repatriation is feasible has led to the withdrawal of funding, services and attention given to Rohingya refugees.¹⁵¹

Understanding South and Southeast Asian countries' role as host communities adds to the literature studying what factors influence a host countries' acceptance of refugees. Firstly, it adds to the theory that cultural factors affect anti-immigrant sentiments.¹⁵² In the example of Malaysia, it was shown that for refugees to be considered one in the same as locals, it requires more than to have the same religion, but also language, shared origin, shared religious practices and more. Media can also play a role in making cultural differences more or less salient.¹⁵³ Secondly, the literature shows that in order for the country to sustain the acceptance of refugees, it needs to have policies that allow for locals to benefit from the presence of refugees and humanitarian aid. If these conditions are not met, refugees will face backlash.¹⁵⁴

Limitations

Among the most notable limitations is the lack of access for scholars to conduct research directly with Rohingya refugees, which limits scholars' ability to collect high-quality information on the lived experiences of refugees in different host countries. In many studies, researchers are only able to collect information from humanitarian workers, government officials and news reports, rather than the refugees themselves. This is due to the restrictions host countries may impose on research. This has made it difficult for scholars to study the relationship between host country policies and the lived experiences of refugees. NGOs, on the other hand, have more access to interview Rohingya refugees to collect qualitative information. However, it is still difficult for both researchers and NGOs to access the most marginalized refugees, such as those in human trafficking camps and those who are undocumented and running away from police persecution. The inability to study the most marginalized prevents researchers and NGOs from understanding the full scope of the effects of policies on Rohingya refugees.

NGOs have more access to conduct qualitative and quantitative studies on refugees in Bangladesh, compared to other countries like Malaysia and India. This

¹⁵¹ McConnachie, Kirsten. "Refugee Policy as Border Governance: Refugee Return, Peacebuilding, and Myanmar's Politics of Transition." (2021), 24.

¹⁵² Ellermann, Antje. *The Comparative Politics of Immigration: Policy Choices in Germany, Canada, Switzerland, and the United States*. Cambridge Studies in Comparative Politics. Cambridge: Cambridge University Press, 2021, 57. doi:10.1017/9781316551103.

¹⁵³ Ehmer, Emily, and Ammina Kothari. "Malaysia and the Rohingya: Media, Migration, and Politics." (2021).

¹⁵⁴ Bansak, Kirk, Jens Hainmueller, and Dominik Hangartner. "How Economic, Humanitarian, and Religious Concerns Shape European Attitudes toward Asylum Seekers." *Science* 354 (2016) (6309): 217–222. <https://doi-org.proxy.library.upenn.edu/10.1126/science.aag2147>

may be because Malaysia and India are less cooperative with NGOs and international organizations compared to Bangladesh, inferring from the negative attitude they have towards NGOs and Rohingya refugees. This may also be because Rohingya refugees are more scattered in India and Malaysia,¹⁵⁵ compared to Bangladesh where most Rohingya refugees live in official camps.¹⁵⁶

Second, even when researchers and NGOs can access refugees, Rohingya refugees in camps face a barrier to freely express their opinions on their experience in host countries. According to Guhathakurta, camp authorities and agencies censor refugees through surveillance, making refugees uncomfortable in talking about how refugee policies affected their families and their own lives to researchers.¹⁵⁷ Camp authorities and agencies hinted that they should focus on the violence that is perpetuated by their own people instead, such as domestic violence in camps and early childhood marriage.¹⁵⁸ Even without explicit censorship, refugees may be discouraged from speaking freely as they are not legally protected.¹⁵⁹ Censorship may explain why in many studies of refugees, most demonstrate being grateful towards host countries no matter how bad their situation is because it is better than how they are treated in Myanmar. While there may be some truth in that, it also prevents researchers from being able to gain a more accurate perspective of the plight of refugees.

Third, many studies are limited to collecting information from English newspapers and sources. This may limit the amount of information and perspectives that researchers may be able to collect for two reasons. Firstly, English news sources in many South and Southeast Asian countries are written for the elite and educated class and may adopt a perspective that is more “western,” skewing the framing of information. Secondly, only accessing English news sources cuts us off from information that is available in local languages, which may provide researchers with even more information about Rohingya refugees and the government’s treatment of them. Even in cases where sources are translated, the meaning and accuracy of translation may affect the final outcome.

Lastly, the research done on the plight of refugees has been scattered in different academic fields. For example, I have found information on sexual and physical violence in medical and psychological journals, and I have found information on detention cases in law journals. The lack of research that considers all different

¹⁵⁵ Amin, Mudasir. “‘Nobody’s Children, Owners of Nothing’: Analysing the Indian State’s Policy Response to the Rohingya Refugee Crisis.” (2018), 77.

¹⁵⁶ ISCG. “Humanitarian Response Plan [September 2017 - February 2018] Final Report.” (2018), 6.

¹⁵⁷ Guhathakurta, Meghna. “Understanding Violence, Strategising Protection: Perspectives from Rohingya Refugees in Bangladesh.” (2017), 659.

¹⁵⁸ *Ibid.*, 660.

¹⁵⁹ Human Rights Watch. “Bangladesh Is Not My Country: The Plight of Rohingya Refugees from Myanmar.” (2018), 12.

types of violences and deprivations together limits us from being able to make deeper connections. For example, while I learn from medical journals that refugees face violence inflicted by security guards, I do not know if this harm is due to the lack of policy protecting the right to life of refugees or if it is due to the lack of accountability measures to prevent security guards from harming refugees. Many researchers investigating Rohingya refugees are not framing their methodology and analysis to directly study the effect of host country policies on Rohingya refugees. Therefore, I had to connect pieces of information from various fields to develop a holistic view of the link between policy and lived experiences, which at times required drawing inferences from studies.

Future Direction

Moving forward, future research should focus on integrating the different types of violence experienced by Rohingya refugees as a consequence of host country policy and stance. Researchers could also choose to investigate one type of policy, such as humanitarian aid strategy or immigration detention center practices, and look at all the dimensions of violence these policies cause. This is important as it allows researchers to fully capture the vulnerability of the Rohingya and for the international community, NGOs and other relevant officials to find comprehensive solutions.

The literature would also benefit from researchers comparing findings between case studies. For example, researchers could pick a few refugee camps in different municipalities to compare the difference between the policy and cooperativeness with aid organizations of each municipality leader and how that affects refugees' lives. Researchers could also do more analysis that compares different South and Southeast Asian countries. By being more comparative, researchers may be able to identify a specific policy that may hurt or improve Rohingya refugees' experience.

As the Rohingya refugee crisis is a current, ongoing event, future research has to continue to investigate how time and trigger events can influence host country policies and stance, and how this in turn affects refugees. For example, COVID-19 has made South and Southeast Asian countries restrict the rights of refugees even further. Future research could analyze what types of policies changed as a consequence of COVID-19 and if these policies resulted in the intended effect.

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