



## Bangladesh pushes back Rohingya refugees amid collective punishment in Myanmar

As the Myanmar authorities are subjecting the Rohingya Muslim minority to collective punishment, thousands of refugees who have made it across the border to Bangladesh in desperate need of humanitarian assistance are being forcibly pushed back in flagrant violation of international law, Amnesty International said today. “The Rohingya are being squeezed by the callous actions of both the Myanmar and Bangladesh authorities. Fleeing collective punishment in Myanmar, they are being pushed back by the Bangladeshi authorities. Trapped between these cruel fates, their desperate need for food, water and medical care is not being addressed,” said Champa Patel, Amnesty International’s South Asia Director. The Rohingya are fleeing a policy of collective punishment in Myanmar’s Northern Rakhine state, where security forces are mounting indiscriminate reprisal attacks in response to a 9 October assault on three border posts that killed nine members of the border police. Speaking to members of the Rohingya community on the ground in Bangladesh and in interviews with those still in Myanmar, Amnesty International has heard accounts of Myanmar’s security forces, led by the military, firing at villagers from helicopter gunships, torching hundreds of homes, carrying out arbitrary arrests, and raping women and girls. Across the Naf river that divides Bangladesh and Myanmar, Rohingya refugees and asylum-seekers are forced into hiding and are suffering a severe lack of food and medical care, Amnesty International found in Bangladesh’s Cox’s Bazar district.

### Forcible returns

The Bangladeshi authorities have cracked down on the flow of Rohingya refugees and asylum-seekers from Myanmar. Over the past week, the Bangladesh Border Guards have detained and forcibly returned hundreds. The move is a violation of the principle of *non-refoulement* – an absolute prohibition under international law on forcibly returning people to a country or place where they would be at real risk of serious human rights violations. The Bangladeshi authorities have also sealed their border with Myanmar and fortified it with the deployment of the Bangladesh Border Guards and coast guard forces. Since 1992, the Bangladesh government has a policy of denying Rohingya refugee status.

On 22 November, Amnesty International witnessed groups of Rohingya crossing the border close to Whaikyang, a village by the Naf river in Bangladesh. They looked weary and emaciated, the signs of a gruelling journey evident on their faces. They told Amnesty International that they had arrived in Bangladesh the night before, waiting until sunrise on a nearby island to evade Bangladeshi officials. Several thousand Rohingya refugees and asylum-seekers are believed to have recently crossed into Bangladesh. They are spread out across villages, refugee camps and slums, making the true number impossible to determine. At least 2,000 people have made the journey across the Naf river since 21 November, with more set to arrive over successive days. Some of them told Amnesty International they had paid smugglers to take them across. Others confessed to bribing Bangladesh Border Guards or other

Bangladeshis to help them elude interception at the border. “The Bangladeshi government must not add to the suffering of Rohingya. They should be recognized and protected as refugees fleeing persecution, not punished for who they are,” said Champa Patel.

## Inhuman and degrading conditions

The bulk of the Rohingya who successfully reached Bangladesh have sought shelter in makeshift camps across the Cox's Bazar where earlier waves of refugees and asylum-seekers settled. Water and food are scarce. Aid workers in the area told Amnesty International that even before the most recent arrivals, the camp dwellers were already suffering severe malnutrition. The latest arrivals have put an enormous strain on Rohingya refugees and asylum-seekers already based in Bangladesh who have opened their small and cramped homes to them. One man living in the Kutupalong makeshift refugee camp told Amnesty International: "I am the only breadwinner in my family. We are seven people, but some family members arrived from Myanmar last week so now we are 15 people living in the same small hut. We did not have any food this morning. I only own two *longyis* [traditional garment] – I gave one to my cousin, I am wearing the only clothes I own." A 40-year-old woman, who said she had fled to Bangladesh after the Myanmar army killed her husband and one of her sons, was not able to find shelter in the camp for herself and her two young children. "We are sleeping outside in the mud," she said. "My son is two years old and is crying all the time, he is very cold in the mornings. Still, compared to Myanmar, Bangladesh seems like heaven to me." A 40-year-old woman, who said she had fled to Bangladesh after the Myanmar army killed her husband and one of her sons, was not able to find shelter in the camp for herself and her two young children. Many of those arriving are in extremely poor health and in need of medical attention. Reliable sources confirmed to Amnesty International that several people have crossed the border bearing untreated bullet wounds. But the Rohingya said that they did not seek medical attention from the few clinics in the area, out of fear of being detained and deported. While many Bangladeshi people have welcomed and offered assistance to the new arrivals, the Rohingya are preyed upon by local thieves. "When we crossed the border, some local people attacked and looted us. They took everything we had," said one 16-year-old girl, who paid people smugglers to take her into Bangladesh on 21 November. "Relying on the generosity of Bangladeshis already in poverty and long-term refugees is not sustainable. The thousands who have crossed the border desperately need help. Bangladeshi authorities must immediately allow aid groups unfettered access to those fleeing the escalating persecution in Myanmar," said Champa Patel.

## Collective punishment in Rakhine state

Since the 9 October attack on border police posts, Amnesty International and other rights organizations have received reports of a litany of human rights violations carried out by the Myanmar army in North Rakhine State during security operations. The UN estimates that 30,000 people have been displaced from their homes. "The response of the army to attacks on security forces six weeks ago went far beyond what was necessary and proportional. Instead of investigating and arresting specific suspects, the army carried out operations amounting to collective punishment," said Champa Patel. "By targeting individuals clearly not involved in such attacks, whole families and whole villages, these operations appear to target Rohingya collectively on the basis of their ethnicity and religion." The Myanmar government has denied all allegations of human rights violations by its military, but at the same time has blocked access to humanitarian aid and effectively barred independent journalists and human rights monitors from entering the area. "The Myanmar government's accounts lack credibility. If it has nothing to hide, it should open access to independent observers, including human rights monitors, aid workers and journalists," said Champa Patel. Members of the Rohingya community, both in Bangladesh and Myanmar described in harrowing detail the actions of the Myanmar army, including arbitrary arrests, unlawful killings, and the torching of villages. "These and other accounts of human rights violations must immediately be investigated in a genuinely independent impartial and efficient way. The only real solution, both in the

short and long terms, lies in respect for the human rights of Rohingyas in Myanmar. Long-term, entrenched and systemic discrimination against Rohingyas must end.”

## Testimonies

A Rohingya villager in Myanmar told Amnesty International how security forces approached his village, firing guns in the air, creating a panic: “Then they shot at people who were fleeing. They surrounded the village and started going from house to house. They were verbally abusing the people. They were threatening to rape the women saying ‘We are going to rape your *kalar* women’.”

“*Kalar*” or “foreigner” is a racial epithet used against the Rohingya community. A woman who spoke to Amnesty International from Myanmar described how her two sons were arbitrarily arrested by security forces: “It was early in the morning, the military surrounded our house, while some came in and forced me and my children to go outside. They tied my two sons up. They tied their hands behind their backs, and they were beaten badly. The military kicked them in the chest. I saw it myself. I was crying so loudly. When I cried, they [the military] pointed a gun at me. My children were begging the military not to hit them. They were beaten for around 30 minutes before being taken away.” She hasn’t seen or heard from them since.

A 38-year-old man, who spoke to Amnesty International in Bangladesh after arriving on 22 November, said: “My sister and brother were both kidnapped by the army. I saw with my own eyes how the military burned down our village, and how soldiers raped women and girls.” A 44-year-old woman said she witnessed how the army arrested and handcuffed young men in her village, shot them dead and pushed them into mass graves. She also said the army used hand-held rocket launchers, echoing reports from several other eyewitnesses about the use of such weapons and actions.

Another man, 58, told Amnesty International in Bangladesh he fled across the border after helicopter gunships opened fire on his and surrounding villages: “We saw helicopters firing on the village. We ran into the forest to save our lives.”

## Background: Rohingya in Bangladesh

Rohingya refugees and asylum-seekers have arrived into Bangladesh from Myanmar in waves since at least the 1970s. There are some 33,000 registered Rohingya refugees living in Cox’s Bazar’s two camps, Kutupalong and Nayapara. The Bangladesh government has since 1992 refused to grant refugee status to Rohingyas arriving from Myanmar. An estimated 300,000-500,000 undocumented Rohingyas are living in Bangladesh, spread out in the two makeshift camps close to Kutupalong and Leda, as well as villages and towns across the southeast of the country. With no legal protections, the undocumented Rohingyas are extremely vulnerable to exploitation and abuse. Limited employment opportunities means that many are forced into the drug trade or human trafficking to earn an income. Incidents of rape and other sexual violence against undocumented Rohingya women are frequent, since they are considered “easy targets” who cannot report crimes to police for fear of being arrested themselves. The Bangladesh government has recently completed a census of the undocumented Rohingya people but has not made the results public yet. The government says the census will lead to better access to services and to granting basic legal status to the undocumented Rohingyas.