



HIGHLIGHTING NHRC'S INTERVENTION IN ROHINGYA CRISIS

Human Rights for All Everywhere Equally

NEWSLETTER SPECIAL ISSUE



Hon'ble Prime Minister of Bangladesh visits Rohingya Camp and consoles the tortured Rohingyas at a Camp in Ukhiya, Cox's Bazar in 12 September 2017

physical torture, arson, rape, murder towards innocent Rohingya. They had nothing to do other than flee from their ancestral land to the nearby border area of Bangladesh only to save their lives. With the pre-designed mission of ethnic cleansing

The Rohingya crisis has assumed a formidable feature in Bangladesh. The Rohingya communities are those ill-fated and most persecuted people in the modern world who happen to be the inhabitants of the Rakhine state of Myanmar but on real ground most of them are now stripped of their citizenship and hurled into the severe conditions of statelessness. Due to religious and ethnic differences between Rohingya Muslim minority groups and local Buddhist majority people Rohingya communities had been suffering from discriminations, tortures, negligence and all forms of violation of human rights since long. But this time, in last August 2017, the so-called “clearance operations” of Myanmar army had turned heinous and crossed all limits of atrocities to direct heaps of attacks including

Myanmar army had forced the Rohingya to leave Myanmar and enter into Bangladesh. This was why the exodus occurred and it outnumbered all previous influxes, more than 700,000. The sad saga started around 1978 and with some irregular halts the intrigues and strife got fired and assumed new dimension time and again resulting large arrivals of traumatized asylum seekers in 1991-1992, 2012, 2014, 2016 and at last in 2017, altogether nearly one million within Bangladesh territory which has become a matter of political and diplomatic concern for Bangladesh.

The hon'ble Prime Minister of Bangladesh has kindly given them shelter and other basic necessities from humanitarian ground and requested all concern to come forward and play strong role in the process of repatriation of Rohingya to their ancestral land.

Since the inception of the latest influx, which is identified as the greatest and most inclement wave of human migration so far known, National Human Rights Commission has been up and doing to address the crisis in its own way. NHRC has instantly tried to build up public opinion nationally and internationally in favor of the Rohingya organizing several consultations and meetings with CSOs and other stakeholders. NHRC Chairman started writing letters and making Call for Action to different international bodies like UN, UNHCR, NHRIs of APF region including NHRC, Myanmar, ASEAN, OIC, APF etc. with a view to forming a global platform or consensus so that collective pressure can be mounted on Myanmar Government to stop their clearing operations against the Rohingya and the Myanmar authority becomes under obligation to take them back in Myanmar with full security measures.

NHRC formed several Fact-finding Missions to assess the total situation of Rohingya camps and identify the scale of ruthlessness of Myanmar army; not only that he also paid at least three visits to Ukhiya, Kutupalong and other places of Cox's bazar to witness the plight of Rohingya. The Chairman was highly moved and agonized to see the real picture of the camps; the heaps

of distressed asylum seekers unfolded the stark truth that something very rotten and degrading was being done by the Myanmar army against the Rohingya. NHRC chairman had grown dumbfound and surprised, he could only mutter, for the first time, in front of journalists that **act of genocide was evident** in the torture against the Rohingya perpetrated by Myanmar Military.

NHRC's advocacy campaign on this issue is going on. At present Bangladesh hosts over one million Rohingya; it has created a major humanitarian emergency and raised security concerns; the social, economic, political and public security impacts of this crisis are yet to fully unfold. The crisis has tested Bangladesh's relation not only with Myanmar but also with the key partners like India, China and Russia which have largely supported Myanmar's position. In Nov 2017 Bangladesh and Myanmar reached agreement via a MOU for the repatriation but though the bi-lateral agreement was a welcome step in the right direction, sound implementation of a standard repatriation seems dubious and still a far cry. Hence, much needs to be done by Bangladesh and NHRC cannot sit idle.

Civil Society Dialogue and Press Conference

On 06 September 2017, NHRC organized a civil society dialogue on how to address Rohingya crisis; afterwards, NHRC chairman held a press conference where he expressed that he had placed seven-point recommendations to the governments of Bangladesh and Myanmar as well as to many other international bodies to solve the ongoing Rohingya crisis. The recommendations included stopping atrocities on Rohingya,





creating a buffer zone for the Rohingya in Myanmar under supervision of the UN, taking initiatives for bilateral talks between Bangladesh and Myanmar under UN mediation, helping Bangladesh by international community in protecting the basic human rights of Rohingya who had taken refuge in Bangladesh, giving them Myanmar nationality back by implementing Kofi Anan Commission Report. He also told the media that he had launched a call for action on imposing diplomatic and other sanctions on Myanmar. **“UN Security Council may consider for bringing the Myanmar army under trial in the International Criminal Court for committing genocide,”** he added.

The NHRC Chairman held several discussions and consultations with colleagues, fellow-members and concern stakeholders to decide action plan about Rohingya crisis; made huge correspondences to attract international attention and support in favor of the displaced and distressed Rohingya.

Rohingya Camp Visit & Press Conference

On 09-11 September 2017, NHRC Chairman and Member Ms. Nurun Naher Osmani along with a team visited the Rohingya camps, registered and unregistered, at Ukhiya and Teknaf of Cox’s Bazar. Later, he shared his experiences at a press conference at DC Office, Cox’s Bazar. He expressed deep concern over the horrendous crimes and genocide committed by Myanmar army. He called for mounting immediate international pressure on Myanmar to stop the atrocities against the Rohingya and take them back to their homesteads. He also mentioned that OIC and ASEAN countries could have come forward to playing

role in this regard. “Bangladesh has given shelter to the asylum seekers of Myanmar on humanitarian ground; global leaders can come forward to extending financial and other logistic supports,” he added.

On 08-09 October 2017, NHRC team comprising of Full Time Member Md. Nazrul Islam, Member Prof. Akhter Hussain; UNDP Country Director Mr. Sudipto Mukherji; UNDP-HRP Chief Technical Adviser Sharmeela Rassool and other officials visited Kutupalong Rohingya Camp. They talked to the Rohingya asylum seekers, local administrations and NGOs/INGOs working over there.

On 21-22 October 2017 a three-member committee of National Human Rights Commission comprising of NHRC Member Banchita Chakma and NHRC officers visited Kutupalong and Balukhali camps. During their investigation, the committee widely interacted with the victims residing at the camps who were persecuted in Myanmar. They also collected information from Cox’s Bazar District Administration.

UNHCR-NHRC meeting

On 14 September 2017, a high-level delegation from UNHCR led by Mr. George-Okoth-Obbo, Assistant High Commissioner, UNHCR Head Quarter met NHRC Chairman Kazi Reazul Hoque and other Members of the Commission. Mr. George-Okoth-Obbo praised Bangladesh for giving shelter and extending support to the Rohingya. He explained that the UNHCR wanted to have the views of NHRC on Rohingya crisis so that they could comprehend the



situation better and design their humanitarian response towards the issue.

Hon'ble Chairman shared his experience of visiting Rohingya camps and expressed that Rohingya community had been discriminated, exploited, persecuted and deprived of their human rights in Myanmar for long and at last they had to face crime against humanity there. He also told that the hon'ble Prime Minister of Bangladesh has kindly given them shelter and other basic necessities from humanitarian ground and requested all concern to come forward and play strong role in the process of repatriation of Rohingya to their ancestral land.

Hon'ble Chairman attends Istanbul International Ombudsman Conference

Kazi Reazul Hoque, Hon'ble Chairman, National Human Rights Commission attended International Ombudsman Conference in Istanbul, Turkey organized by the grand National Assembly of Turkey on 25-26 September 2017. The conference aimed at providing common understanding on the Grand National Assembly of Turkey in protection of human rights and promoting good governance principles through different perspectives and to strengthen cooperation by bringing together the Ombudsmen of East & West.

The Conference was inaugurated by **Recep Tayyip Erdogan**, Hon'ble President, Republic of Turkey and attended by the Heads of Ombudsman institutions and Human Rights Commissions of more than 30 countries, mostly from OIC and ASEAN. Bangladesh Consul General in Istanbul, Dr. Mohammad Monirul Islam accompanied the NHRCB Chairman in the Conference.

In his inaugural address, Turkish President made an emotional pitch on the woes and agonies of the Rohingya and assured his government's continued support for bringing the crisis to an end. The issue has also got references in a number of statements delivered at the conference.

Hon'ble Chairman of NHRC delivered speech on **"Fights against Racism, Xenophobia and Hate Speech: A Case Study of Rohingya"**. He mentioned that he led a four-member team on an emergency fact-finding mission from 09 to 11 September 2017. In fact, it was the Commission's second visit to the camps within a span of seven months. He elaborated NHRCB's observation on the recent Rohingya influx in Bangladesh and the brutality they faced and tolerated in Myanmar.



Hon'ble Chairman also said that to avoid further escalation of the crisis and in the greater interest of human rights, he had sent out a call for action to many international, regional and local entities which directly or indirectly had a stake in this crisis, including the UN agencies, AICHR, OIC and diplomatic missions operating in Dhaka. He outlined that the call for action proposed a four-point formula; **'Triple I + P'**; which stood for;

1. Immediate end to violence
2. Immediate & unhindered access to humanitarian aid
3. Immediate aid to manage influx of refugees
4. Permanent solution

Hon'ble Chairman also called upon the international community to;

- Take immediate steps to end atrocities of Myanmar security forces on Rakhine Muslims
- Continue to provide humanitarian aid in a coordinated manner
- Immediately undertake fact finding missions to investigate alleged human rights violations and crimes against the Rohingya
- Advocate on establishing the buffer zone within the territory of Myanmar under the guidance of UN agencies

- Continue to lobby within the Myanmar government to find a durable and sustainable solution to address the ongoing crisis and if needed, initiate discussions on trade/economic sanctions to be imposed on the government of Myanmar
- Continue to advocate for the rights of the Refugees indulging the right to return and citizenship
- Support to safeguard rights of the host community paying heed to the longer-term impact this crisis has on environment of Bangladesh
- Support the immediate implementation of the Kofi Annan report.

The active participation of NHRC Chairman had not only provided a first-hand account of events but also helped to mobilize international support to pressurize Myanmar to immediately stop violence and create an enabling environment for the return of Rohingya to their homeland in a safe, secured and dignified way.

NHRC Chairman attends Permanent Peoples' Tribunal in Malaysia

The NHRC chairman Kazi Reazul Hoque spoke before a Rome-based Permanent Peoples' Tribunal (PPT), an international public opinion tribunal that operates independent of state authority. The purpose of the tribunal was to "expose" the alleged inhuman treatment to Rohingya and push to stop the crimes. It had been hearing victims from the Myanmar ethnic communities, recording their testimonies on their experiences in a court-like setting.

As Bangladesh tackles the flood of Rohingya Muslims streaming into the country from Myanmar, NHRC Chairman said that the situation was alarming in the camps set up for the refugees and further aggravation of the situation might lead to a "humanitarian catastrophe".

"Bangladesh has seen an estimated 400,000 Rohingyas fleeing into the country in the past three-and-a-half weeks, creating a humanitarian crisis, with the refugees facing acute

shortages of all kinds of humanitarian support, shelter, food, sanitation and clean water", said Kazi Reazul Haque. He called for immediate and unhindered access to humanitarian aid from the international community. He said "Bangladesh has allowed the Rohingya people to seek temporary shelter and provided them humanitarian support, but the situation was so critical that the influx of the refugees took place far faster than the government was able to set up camps."

"The Rohingya refugees had started occupying all available spaces, including public spaces such as railway stations, public grounds and markets. Persons who were not able to find space were simply occupying roadsides. During our visit, we witnessed rows of persons helplessly standing by the roadside," the chairman added.

He also said "Bangladesh has already been hosting 32,000 registered Rohingya refugees, most of them are living in two official camps in Cox's Bazar. But the new arrival since 25 August, 2017 has taken the number to around 700,000; unless a sustainable solution is found there is a possibility that the entire Rohingya community from Myanmar may flee to Bangladesh to escape the ongoing grave violation of human rights."

Experts of Independent International Fact-Finding Mission on Myanmar visits NHRC

The UN Human Rights Council appointed the Fact-Finding Mission, March 2017 to establish the facts and circumstances of alleged human rights violations by military and security forces of Myanmar, in particular in Rakhine State. Marzuki Darusman, former Indonesian Attorney-General and human rights campaigner



pioneered the Fact-Finding Mission. The other experts were Radhika Coomaraswamy, former Special Representative of the UN Secretary-General on Children and Armed Conflict and Christopher Sidoti, an Australian international human rights specialist.

The Mission visited NHRC in October 2017 to have NHRC's views and experiences in dealing with Rohingya crisis. NHRC Chairman Kazi Reazul Hoque, Member Md. Nazrul Islam and Meghna Guhathakurta, Secretary Hiranmaya Barai attended meeting with the mission. **Hon'ble Chairman said that Myanmar's persecution was tantamount to genocide. This genocide needed to be tried at international court of justice.** He also told that UN could have created pressure on Myanmar so that they stop the heinous crime committed against the Rohingya and take them back to their own land ensuring their basic rights in Myanmar.

Round Table on Rohingya Crisis: Call for Action

NHRC jointly with HRP-UNDP organized a Roundtable titled "Rohingya Crisis: Call for Action" on 26 October 2017 at the Pan Pacific Sonargaon. Kazi Reazul Hoque, Chairman, NHRC moderated the discussion. NHRC Members Md. Nazrul Islam, Prof. Meghna Guhathakurta, Nurun Naher Osmani, Prof. Akhter Hussain attended the discussion. Key discussants were Md. Shah Kamal, Secretary, Ministry of Disaster Management & Relief; Brig. Gen. (Rtd.) M. Sakhawat Hussain, Former Election Commissioner;



Ms. Sadia Faizunnesa, DG (UN), Ministry of Foreign Affairs; Rasheda K. Choudhury, Executive Director, CAMPE; Sheepa Hafiza, Executive Director, Ain o Shalish Kendra; Ms. Wahida Banu, Executive Director, Aparajeo Bangladesh; Ms. Momtaz Begum, Chairman, Jatio Mahila Sangstha; Dr. Mesbah Kamal, Chairperson, Research and development Collective (RDC); Former Ambassador Maj. Gen. (Rtd.) Anup Kumar Chakma; Former Ambassador Mr. Muhammad Azizul Haque; Shabnam Azim, Assistant Professor, Dept. of Mass Communication & Journalism, University of Dhaka.

NHRC Chairman Kazi Reazul Hoque said that the implementation of the five-point recommendation from Prime Minister Sheikh Hasina and recommendation from The Advisory Commission on Rakhine State could guide the pertinent solution to Rohingya repatriation. Bilateral efforts alone could not make this happen and hence the international community could have extended their support towards Bangladesh, he mentioned. He also said that the oppressions made by Myanmar government had encompassed all criteria of genocide and for that they could have been taken to the International Court. Director General (UN) of Ministry of Foreign Affairs Sadia Faizunnesa said, "Myanmar is always a difficult nation to deal with traditional diplomacy. Bangladesh needs to communicate more often than before with ASEAN and South Asian countries with regards to the Rohingya crisis. Government of Bangladesh believes that repatriation of Rohingyas is the prime solution of the issue and we actively working towards it". She added that MOFA would press the issue during the next Asia-Europe (ASEM) meeting with due importance and dexterity.

Maj Gen (Rtd.) Anup Kumar Chakma, former Ambassador to Myanmar said that repatriation would not fix the problem unless the Rohingya were granted full citizenship in Myanmar.

UNSRSG on Sexual Violence Ms. Pramila Patten meets NHRC Chairman

United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict Pramila Patten met NHRC Chairman Kazi Reazul Hoque on 11 November 2017. The UN special envoy had come to Bangladesh only with the mission of having a better and clearer understanding of the patterns and trends of the sexual violence occurred in Myanmar against the Rohingya women and girls. During her meeting with the NHRC Chairman she said that they had heard horrendous stories about sexual violence from Rohingya survivors who were raped or gang-raped. She had shown interest to hear from honorable Chairman of NHRC about his personal experience and opinion in connection with the issue. Appreciating the role of the government, Patten said



Bangladesh not only opened borders for Rohingya but also opened their homes and hearts for humanity. She urged NHRC to play leadership role in documenting sexual violence on Rohingya women and girls in Myanmar. NHRC Chairman thanked Ms. Patten for her compliment and said that the Commission had already planned for conducting studies and surveys on Sexual violence against Rohingya girls and women within shortest possible time.

NHRC Conducts an Investigation on Allegations of Sexual Violence Against Rohingya Women & Girls

From time to time members of different UN missions, UN agencies and international experts on issues related to genocide met NHRC Chairman and Members during their visit. They discussed about the atrocities done by Myanmar against Rohingyas. They wanted to know what NHRC as an independent institution was going to do in this regard. NHRC Chairman informed them that Commission was going to do an independent investigation on the atrocities. They also shared their experiences on their work in different international tribunals and ICC. Based on their inputs a detailed questionnaire was structured with support from Bangladesh Liberation War Museum and HRP-UNDP. The non-disclosure form for the investigators and consent form for the interviewees/survivors were also prepared.

The aim of the investigation was to collect testimonies of Rohingya women and girls who were raped and sexually abused in Myanmar. For the purpose of data collection in February 2018 NHRC officers jointly with research team of Liberation War Museum and HRP-UNDP visited Rohingya camps in Cox's Bazar. Hon'ble Chairman also visited the camps during that period. The research team were divided into four teams and all teams were composed of female interviewer, note-taker, interpreter and psychosocial counselor. Altogether 53 Rohingya women were interviewed as a part of documentation process NHRC will continue its effort in collecting more testimonies with a view to ensuring justice for the survivors.



UN Secretary General's Special Adviser on Genocide Prevention meets NHRC Chairman

In 11 March 2018 UN Secretary General's Special Adviser Mr. Adama Dieng met hon'ble Chairman Kazi Reazul Hoque. NHRC Chairman shared his view on the Rohingya crisis. NHRC has been collecting testimonies of Rohingya women and girls who were raped and sexually abused in Myanmar, the Chairman added. Mr. Adama told that no one was immuned from trial for committing the crime of genocide.

In a press conference on the day, NHRC Chairman urged neighbouring countries China and India to mount at least "economic pressure" on Myanmar to stop atrocities and return their nationals ensuring their dignity and rights.

He said Bangladesh would need to continue diplomatic efforts to convince China and Russia, the two permanent members of United Nations Security Council who opposed the UN resolution on Rohingyas, so they remain neutral to pass the resolution next time.

Training for NHRC officers on Documenting Conflict-Related Sexual Violence among the Rohingya

After knowing the overall activities of NHRC on Rohingya crisis and after being informed that NHRC is conducting an investigation in different Rohingya camps on ALLEGATIONS OF SEXUAL VIOLENCE AGAINST ROHINGYA WHICH TOOK PLACE IN MYANMAR the Executive Director of UNWOMEN came forward and discussed the matter with the Chairman and Members of NHRC. Accordingly, UNWOMEN signed MoU with NHRC on arranging training course for the investigation team on Documenting Conflict-Related Sexual Violence among the Rohingya. The aim of the training was to create a credible documentation in this regard.

As part of the MoU, on 18-22 March 2018 UNWOMEN and Institute of International Criminal Investigations organized Training for NHRC investigation team. Trainers were Dr. Ingrid Elliott, IICI Consultant (and International Criminal Justice and SGBV Expert, UK Preventing Sexual Violence in Conflict Team of Experts & UK Senior Gender and Justice Conflict Adviser); Ms Erin Gallagher, IICI Consultant (and investigator at International Criminal Court, and SGBV-Investigation Expert) and Ms. Siobhan Hobbs, UNWOMEN (Women, Peace and Security Specialist and International Criminal Justice and SGBV Investigation Expert). As NHRC is collecting testimonies of victims of sexual violence in Myanmar, the objective of the training was to address the challenges of data collection.

The acting High Commissioner of the United Kingdom, Country Representative of the UNWOMEN and NHRC Chairman were present at the 05 day long training program and expressed their continued support.



National Human Rights Commission, Bangladesh

(A statutory independent institution established by the National Human Rights Commission Act 2009)

BTMC Building (Level- 8), 7-9 Karwan Bazar, Dhaka-1215

PABX: 02-55013726-28

E-mail: info@nhrc.org.bd ; Website: www.nhrc.org.bd