



THAQĀFIYYĀT: Jurnal Bahasa, Peradaban, dan Informasi Islam

ISSN (Print): 1411-5727, ISSN (Online): 2550-0937

<http://ejournal.uin-suka.ac.id/adab/thaqafiyat/index>

Vol 23, No. 1 (2024)

Research Article

Rohingya Refugees in Southeast Asia: Problems and Proposed Solutions in Historical Analysis

Adiva Wildan Pratama

UIN Sunan Kalijaga, Yogyakarta, Indonesia

E-mail: adivawildan728@gmail.com

Sri Wahyuni Oktafia

UIN Sunan Kalijaga, Yogyakarta, Indonesia

E-mail: sriwahyunioktf@gmail.com

Submitted: May 12, 2024; Reviewed: June 3, 2024; Accepted: June 29, 2024

Abstract: This study discusses the humanitarian crisis involving the Rohingya, one of the most persecuted minority groups in the world. They are forced to flee and drift at sea in hopes of finding a better life. The aim of this research is to highlight the issues associated with the Rohingya refugee crisis and propose potential solutions. By using a qualitative approach and utilizing the concepts of crisis and refugees, this study examines the Rohingya refugee crisis. The findings of the study indicate that the Rohingya ethnic group has been experiencing a humanitarian crisis since the 1970s, forcing them to flee. The issues arising from this refugee crisis include the Rohingya Muslim group being stranded, rejected, experiencing death, starvation, suffering, and human trafficking. The solutions presented in this study, which also represent a novelty in the research, include: (1) The international community, particularly the UN, should evaluate its support and mediate between Myanmar and the refugees. (2) ASEAN countries must be more proactive in addressing the crisis. (3) Reform policies to ensure inclusivity and justice for all ethnic groups. (4) Criticize Myanmar's policies toward the Rohingya through interfaith dialogue.

Keywords: Rohingya Refugees; Humanitarian Crisis; Southeast Asia; Human Rights; Policy Reform

Abstrak: Studi ini membahas krisis kemanusiaan yang dialami oleh Rohingya, salah satu kelompok minoritas yang paling teraniaya di dunia. Mereka terpaksa melarikan diri dan terombang-ambing di laut dengan harapan menemukan kehidupan yang lebih baik. Penelitian ini bertujuan untuk menyoroti permasalahan yang terkait dengan krisis pengungsi Rohingya dan mengusulkan solusi potensial. Dengan menggunakan pendekatan kualitatif serta konsep krisis dan pengungsi, studi ini menganalisis krisis pengungsi Rohingya. Temuan dalam penelitian ini menunjukkan bahwa kelompok etnis Rohingya telah mengalami krisis kemanusiaan sejak tahun 1970-an yang memaksa mereka untuk melarikan diri. Permasalahan yang muncul dari krisis ini mencakup kelompok Muslim Rohingya yang terdampar, ditolak, mengalami kematian, kelaparan, penderitaan, hingga perdagangan manusia. Solusi yang diajukan dalam studi ini menekankan pentingnya evaluasi dukungan komunitas internasional, terutama PBB, serta peran aktif negara-negara ASEAN dalam menangani krisis tersebut. Selain itu, diperlukan reformasi kebijakan untuk memastikan inklusivitas dan keadilan bagi semua kelompok etnis di Myanmar serta penguatan dialog lintas agama untuk mengkritisi kebijakan diskriminatif yang diterapkan terhadap Rohingya.

Kata Kunci: Pengungsi Rohingya; Krisis Kemanusiaan; Asia Tenggara; Hak Asasi Manusia; Reformasi Kebijakan

INTRODUCTION

Currently, Southeast Asian countries such as Indonesia, Malaysia, Thailand, and the Philippines are facing a wave of refugees arriving in their territories, particularly Rohingya refugees.¹ Various policies are taken by the government to deal with this problem, one of them is Indonesia, which has implemented policies to protect Rohingya refugees in Aceh. In September 2015, all of the ASEAN member states agreed to condemn the trafficking in persons through The Kuala Lumpur Declaration on

¹ CSIS, "Uneven Refugee Protections Across Southeast Asia Put Migrants at Risk," last modified 2021, <https://www.csis.org/blogs/new-perspectives-asia/uneven-refugee-protections-across-southeast-asia-put-migrants-risk>.

irregular movement of persons.² This declaration was made in response to Rohingya refugees who were widely reported to be victims of human trafficking in Southeast Asia. Even though the United Nations has held the 1951 convention on refugees, only Cambodia and Philippines that ratified the convention. It means there are no Southeast Asian countries have ratified the convention³ except them, because of several factors such as the different in values between Southeast Asian countries which prioritize the value of community rather than individual as well as European countries. Moreover Asian countries felt that the convention is more eurocentric and very binding.⁴ Therefore, Southeast Asian countries do not have responsibility for treating refugees in their territory.

Several literatures focused on explanation about humanity in Rohingya refugee crisis, as done by Lewis,⁵ Nobuto.⁶ Some other literatures explained about Rohingya refugees in several countries in Southeast Asia, such as Malaysia,⁷ Thailand,⁸ and Indonesia.⁹ Most of the literatures above were discussing the humanitarian perspective on Rohingya refugee problem by explaining the conditions about them in several countries in Southeast Asia. Therefore, the novelty of this study lies in explaining and analyzing the issues under investigation as a result of the Rohingya refugee crisis, as well as proposing solutions to address them by using a perspective different from previous studies, namely a historical perspective. Starting from the assumption that a long-term solution for Rohingya refugees can only be resolved by understanding and

² ASEAN, "Kuala Lumpur Declaration on Irregular Movement of Persons in Southeast Asia," last modified 2015, <https://asean.org/wp-content/uploads/2012/05/Adopted-Kuala-Lumpur-Declaration-on-Irregular-Movement-of-Persons-in-Southeast-Asia.pdf>.

³ UNHCR, "Convention and Protocol Relating to the Status of Refugees," last modified 1951, <https://www.unhcr.org/media/convention-and-protocol-relating-status-refugees>.

⁴ Sébastien Moretti, "Refugee Protection in Southeast Asia," *Bpb.De*, last modified 2023, accessed November 20, 2024, <https://www.bpb.de/themen/migration-integration/regionalprofile/english-version-country-profiles/541947/refugee-protection-in-southeast-asia/#node-content-title-1>.

⁵ David Lewis, "Humanitarianism, Civil Society and the Rohingya Refugee Crisis in Bangladesh," *Third World Quarterly* 40, no. 10 (2019): 1884–1902.

⁶ Yamamoto Nobuto, "Refugee Crisis in Southeast Asia: Humanitarianism, Security, and Sovereignty," *Social Transformations: Journal of the Global South* (2019).

⁷ Aizat Khairi, Kamarulzaman Askandar, and Andika Ab Wahab, "From Myanmar to Malaysia: Protracted Refugee Situations of Rohingya People," *International Journal of Engineering and Technology(UAE)* (2018).

⁸ Hassan Al Imran, "The Plight of Boat Refugees to Thailand," *International Journal on Minority and Group Rights* (2022).

⁹ Irwansyah, Al'asyari Al'asyari, and Rholand Muary, "Rohingya Refugees in Indonesia: The Dynamics of Statelessness and the Views of Local People," *JUPIIS: Journal Of Social Sciences Education* (2021).

making peace with the past because the Rohingya refugee case is part of a long process of discrimination and disintegration that has occurred in Myanmar for hundreds of years. Its assumption come from discrimination which carried out by Myanmar state over Rohingya through various policies such as the 1982 Burmese Citizenship Law that exclude them as Myanmar citizen, military operations and human rights violations.¹⁰ This research aims to analyze what problems arise as a result of the Rohingya refugee crisis in the Southeast Asia region. Apart from that, this research also aims to provide the solution of the Rohingya refugee problems. In analyzing the problems, this research also explains the historical roots of Rohingya refugees in Southeast Asia. The historical roots are so important to get a general description of the Rohingya refugee crisis.

The method used in this research is descriptive-analytic qualitative research because the author aims to provide explanations and analysis regarding the Rohingya refugee crisis in Southeast Asia. The data consists of primary and secondary sources that are relevant to this topic. The primary data provided includes photographs directly related to the Rohingya refugees, while the secondary data consists of literature such as official UN documents, previous publications, government documents, selected news sources, and reports. These data are then interpreted and analyzed using qualitative analysis to explore potential solutions to address the Rohingya refugee crisis. To achieve the objectives of this research, the author also examines the topic from historical and humanitarian perspectives, using the concept of crisis, which will be further explained in the next section.

This article will be divided into several sections. The first section will focus on explaining the historical roots of the Rohingya refugees to examine the chronological aspects. The second section will discuss the issues arising from the Rohingya refugee crisis, presenting accurate data and facts. The third section will analyze solutions that can be applied to resolve the Rohingya refugee problem or at least reduce the escalation of a larger crisis. The proposed solutions will be viewed from two aspects: Long-Term Solutions and Temporary Solutions. The final section will provide remarks on the previous discussions, including the analysis of the proposed solutions, and offer suggestions for future research agendas that can be pursued.

This research uses the concept of crisis proposed by Pearson and Clair, a crisis is a situation that endangers the life of an organization or society which is characterized by unclear causes, consequences and ways of resolving it. So that, a multidisciplinary approach is so needed in understanding the crisis. This has the implication that the solutions offered must also have a diverse approach to cover all unclear aspects of the

¹⁰ Md Abdus Samad, "Ethnic Cleansing of the Rohingyas: A Historical Analysis," *Paramita* (2023): 180–183.

crisis.¹¹ Crisis are often associated with emergency situations that require quick handling. Even though an emergency is part of a crisis, this does not mean that an emergency is a crisis. Emergency situations usually have clear nature, character and dimensions of events compared to crises which do not have such a clear time dimension. An example to explain this is a large fire event which becomes an emergency in a country, but does not become a crisis condition for that country.¹²

In line with Pearson and Clair, Richard Sandbrook argues that a crisis is a mysterious process, situation or event. It is never clear where a problem becomes a crisis and what the crisis classification is. Therefore, a crisis is very subjective based on a person's view of the crisis.¹³ Although there is no clear classification of crises, researchers use the concept of crisis for Rohingya refugees based on the unclear causes, consequences and most effective ways to resolve this problem. For hundreds of years, the Rohingya refugee problem has not been resolved and there has been no concrete resolution process for this problem.

Apart from that, this research also uses the concept of refugees. According to UNHCR, refugees are people outside their country of origin who require international protection because of a serious threat to their life, physical integrity or freedom in their country of origin as a result of persecution, armed conflict, violence or serious public disorder. The need for international protection arises because they do not receive protection from their own countries. In the 1951 Refugee Convention, a person can be said to be a refugee if:¹⁴

- persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion
- armed conflict, which may be rooted in and/or conducted along lines of race, ethnicity, religion, politics, gender or social group divides
- violence perpetrated by organized gangs, traffickers, and other non-State actors, against which the State is unable or unwilling to protect
- persecution on the basis of sexual orientation or gender identity
- disasters (including drought or famine) where they are linked to situations of persecution or armed conflict rooted in racial, ethnic, religious, or political divides, or disproportionately affect particular groups

¹¹ S Milašinoviæ and Z Kešetoviæ, "Crisis and Crisis Management - A Contribution to a Conceptual and Terminological Delimitation," *Megatrend Review* 5, no. 1 (2008): 167–185.

¹² Ibid.

¹³ Richard Sandbrook, "The 'Crisis' in Political Development Theory," *The Journal of Development Studies* (1976).

¹⁴ UNHCR, *The Refugee Concept under International Law* (New York, 2018).

RESULT AND DISCUSSION

History of Rohingya Refugees

To explain the coming of Rohingya community in Myanmar, there are two period of time. First, the Rohingya came along with the reconquest of the Arakanese king (Narameikhla), which helped by Sultanate of Bengal, in Myanmar in 1430 and established a new Islamic Kingdom under Sultanate of Bengal named Mrauk-U Kingdom.¹⁵ Rohingya have lived in Rakhine state since at least 1430 under Mrauk-U kingdom which ruled over 30.000 Muslims.¹⁶ Second, in 1824, the British colonized Myanmar and exploited its natural resources. The British colonialism brought people from Bangladesh, which was then part of the British colonial rule, to work in the agricultural sector.¹⁷ Therefore, it can be concluded that Rohingya is the people from Bengal/Bangladesh lived in Rakhine state which entered Myanmar through two period of time: brought by Arakanese king in 15th century and entered along with British colonialism in Burma/Myanmar in 19th century.

Since independence in 1948, Myanmar has recognized Rohingya citizenship status until 1962 when the Myanmar military forcibly took their citizenship identity cards under the pretext of a check that has not been returned to this day.¹⁸ This condition was exacerbated by the passing of a citizenship law in 1982 which excluded the Rohingya ethnic group from the officially recognized ethnic groups in Myanmar.¹⁹ The exclusion of Rohingya was made on the reason that the Rohingya did not settle in Rohingya before 1823, which the year that qualifies someone as an indigenous citizen of Myanmar as same as the year of occupation by British.²⁰ In 1978, the Myanmar government, which at that time was military-based, implemented the Dragon King Operation (Naga Min) policy, which resulted the confiscation of the national identity cards of the Rohingya Muslim community. Apart from that, Dragon King Operation also involved mass arrests, oppression and violence against the Rohingya Muslim

¹⁵ Naw Lily Kadoe and Fatimah Husein, "Ulama, State, and Politics in Myanmar," *Al-Jami'ah* 53, no. 1 (2015): 134–135.

¹⁶ Kabir Md Shahin and Moyenuul Hasan, "The Rohingya Refugee Crisis: Political and Humanitarian Perspectives," *Southeast Asia: A Multidisciplinary Journal* (2023): 154.

¹⁷ Samad, "Ethnic Cleansing of the Rohingyas: A Historical Analysis," 179.

¹⁸ Haradhan Kumar Mohajan, "History of Rakhine State and the Origin of the Rohingya Muslims," *IKAT: The Indonesian Journal of Southeast Asian Studies* 2, no. 1 (2018): 24.

¹⁹ Kazi Fahmida Farzana, "Boundaries in Shaping the Rohingya Identity and the Shifting Context of Borderland Politics," *Studies in Ethnicity and Nationalism* (2015): 298.

²⁰ Archana Parashar and Jobair Alam, "The National Laws of Myanmar: Making of Statelessness for the Rohingya," *International Migration* (2019): 8.

community.²¹ Operations carried out by the government from February to July 1978 caused more than 200,000 Rohingya people to flee to Bangladesh in August 1978.²² This wave of displacement, which was the first for the Muslim Rohingya community, placed them in very inadequate living conditions. This situation has led to high death rates due to hunger and health problems, with a report from the UNHCR noting that around 10,000 Rohingya Muslims died in Bangladeshi refugee camps.²³

Figures 1. Rohingya refugees flee from Burma into Bangladesh in August 1978



Source: *ushmm.org*

In 1982, the Myanmar government passed a citizenship law that effectively suppressed the Rohingya, Panthay, Ba Shu and six other ethnic minority groups, forcing them to leave Myanmar's social structure.²⁴ The unclear identity status of Rohingya Muslims has serious consequences for their lives. They are not recognized as Myanmar citizens, thereby losing basic citizenship rights such as access to education, health services and employment. On the other hand, they are also not identified as immigrants or tourists, so they are trapped in a state without clear citizenship.²⁵ This

²¹ Medecins Sans Frontieres, "Timeline: A Visual History of the Rohingya Refugee Crisis," *doctorswithoutborders.org*, last modified 2022, <https://www.doctorswithoutborders.org/latest/timeline-visual-history-rohingya-refugee-crisis>.

²² USHMM, "Burma's Path to Genocide Timeline," <https://exhibitions.ushmm.org/burmas-path-to-genocide/timeline>.

²³ Taufiq -E- Faruque, "Rohingya Refugee Crisis in Bangladesh: The Case of UNHCR's Response," *Jurnal Hubungan Internasional* 9, no. 1 (2020): 28–40.

²⁴ Budi Budaya, "Dampak Kewarganegaraan Etnis Rohingya di Myanmar Terhadap Pelanggaran Hak Asasi Manusia dan Negara Sekitar," *Jurnal Ilmiah Hukum* 11, no. 1 (2017): 106–120, <https://maksigama.wisnuwardhana.ac.id/index.php/maksigama/article/view/44>.

²⁵ Firman Syarif Hidayatullah and Sugiyanto Eddie Kusuma, "Dampak Penerapan Undang – Undang Kewarganegaraan Burma 1982 Terhadap Warga Muslim Rohingya pada Masa Pemerintahan Ne Win 1962-1988," *Jurnal Ilmu Hubungan Internasional* (2008): 1–15.

policy caused around 800,000 ethnic Rohingya people in Northern Rakhine to become stateless.²⁶ In 1989, when Burma officially became Myanmar, the government stepped up military policy in northern Rakhine state, where the Rohingya Muslim community lives. Violence against them escalated, prompting some 250,000 to flee to Bangladesh, making it the second largest wave of displacement of Rohingya Muslims.²⁷

In 1992, the governments of Bangladesh and Myanmar agreed to return refugees from camps in Bangladesh to Myanmar. As a result, as many as 50,000 Rohingya Muslims were forcibly returned to Myanmar that year.²⁸ Based on a report from Medicines Sans Frontieres (MSF), the living conditions of the Rohingya Muslim community in refugee camps were related to the lack of availability of food, water and sanitation. In 1992, their living conditions were very poor and inadequate. The condition of Rohingya refugee camps in Bangladesh can be seen as follows.²⁹

Figures 2. Rohingya Refugee Camp in 1992



Source: doctorswithoutborders.org

On 5 November 1993, UNHCR signed a supplementary agreement with the Myanmar government to facilitate the return of refugees. In mid-1994, UNHCR declared a significant improvement in the situation in Rakhine state and actively encouraged Rohingya refugees in Bangladesh to return to Myanmar. With active support from UNHCR, around 200,000 Rohingya people managed to return to Myanmar in mid-1995. Also this year, the government issued a "White Card" as a special temporary identity card for the Rohingya Muslim community.³⁰

Entering the 2000s, the condition of Rohingya refugees had not improved. It was

²⁶ Abul Hasnat Milton et al., "Trapped in Statelessness: Rohingya Refugees in Bangladesh," *International Journal of Environmental Research and Public Health* 14, no. 942 (2017): 1–8.

²⁷ Faruque, "Rohingya Refugee Crisis in Bangladesh: The Case of UNHCR's Response."

²⁸ Ibid.

²⁹ Medecins Sans Frontieres, "Timeline: A Visual History of the Rohingya Refugee Crisis."

³⁰ Faruque, "Rohingya Refugee Crisis in Bangladesh: The Case of UNHCR's Response."

recorded that in 2003, many refugees were still living in camps with alarming conditions. An article published by a refugee advocacy community explained that in 2003, approximately 58 percent of children and 53 percent of adults suffered from chronic malnutrition. In 2006, a natural disaster in the form of a flood occurred in the Rohingya refugee camp in Bangladesh, leading to new problems such as various diseases, including diarrhea and respiratory infections.³¹

In 2008, the government of Myanmar amended the constitution without consulting minority groups or civil society leaders. This set the stage for democratic reforms, but it also ensured the persistence of military rule. In 2010, the military-supported political party secured victory in Myanmar's first national election since 1968, appointing General Thein Sein as president. Meanwhile, the opposition party, the National League for Democracy, chose to boycott the election.³²

Figures 3. One of the white cards belonging to Rohingya residents



Source: *ushmm.org*

Since 2012, violence against the Rohingya ethnic group has increased again, especially due to several cases involving Rohingya Muslims. One of them is the robbery, rape and murder case that happened to Thida Htwe, with the perpetrators being three Rohingya Muslims.³³ This year, there were acts of violence by the Anti-Rohingya group carried out by the community against the Rohingya ethnic group in Myanmar. Unfortunately, the government did not provide a significant response to the conflict, giving the impression of allowing the community to involve themselves in violence against the Rohingya ethnic group.³⁴

³¹ Medecins Sans Frontieres, "Timeline: A Visual History of the Rohingya Refugee Crisis."
³² USHMM, "Burma's Path to Genocide Timeline,"
³³ Budaya, "Dampak Kewarganegaraan Etnis Rohingya di Myanmar Terhadap Pelanggaran Hak Asasi Manusia dan Negara Sekitar."
³⁴ Gulia Ichikaya Mitzy, "Perlawanan Etnis Muslim Rohingya Terhadap Kebijakan Diskriminatif

In 2015, the government took the controversial policy to revoke the Rohingya community's right to own white cards, resulting in Rohingya Muslims becoming stateless. This policy was disturbing and has a deep humanitarian impact, especially when thousands of Rohingya Muslims were forced to drift at sea. This event not only reflects a controversial government decision, but also marks the untold suffering of Rohingya refugees seeking safety and justice.³⁵ The conflict worsened until 2017, prompting refugees to flee to Bangladesh, Thailand, Malaysia, Indonesia and India. In 2017, the United Nations (UN) estimated the number of Rohingya refugees at around 671,000 people.³⁶ Other data shows the number of Rohingya refugees that year reached 700,000 people.³⁷

Figures 4. Rohingya refugees who arrived in Bangladesh in 2017



Source: *ushmm.org*

Based on the UNHCR report until 2021, the Rohingya Muslim community continues to evacuate to various regions of the world by sea via ships. The latest data shows that Bangladesh is the largest destination country with approximately 967,842 refugees in Bangladesh, followed by Malaysia (157,731 people), Thailand (91,339 people), India (78,731 people) and Indonesia (1,600 people).³⁸ Most Rohingya refugees, especially women and children, still live in camps in Cox's Bazar, Bangladesh.

Pemerintah Burma-Myanmar," *Global South Review* (2017).

³⁵ Budi Hermawan Bangun, "Tantangan ASEAN dalam Melakukan Penanganan Pengungsi Rohingya," *Padjadjaran Jurnal Ilmu Hukum (Journal of Law)* 4, no. 3 (2017): 569–587.

³⁶ Nivedita Sudheer and Debanjan Banerjee, "The Rohingya Refugees: A Conceptual Framework of Their Psychosocial Adversities, Cultural Idioms of Distress and Social Suffering," *Global Mental Health* 8, no. 46 (2021): 1–15.

³⁷ Parveen K. Parmar et al., "Mortality in Rohingya Refugee Camps in Bangladesh: Historical, Social, and Political Context," *Sexual and Reproductive Health Matters* 27, no. 2 (2019): 39–49.

³⁸ Yuliu Brahmantya Priambada, "Rohingya Refugees and the Peace Vision of Potential State Leaders," *Kompas.Id*.

According to UNHCR records in 2023, around 75% of Rohingya refugees are women and children. The UN has designated the Rohingya as the most persecuted minority in the world.³⁹

Figures 5. Rohingya refugees arrived in Indonesia in 2023



Source: Kompas.Id

Emerging Problems from Rohingya refugee Crisis

The Rohingya refugee crisis has created many new problems for the Rohingya community. If previously the rejection of the Rohingya community occurred in Myanmar, now this rejection has become widespread and occurs in many countries. There are several problems identified as a result of the Rohingya refugee crisis. One of the problems that arises from the Rohingya refugee crisis is the misery experienced by Rohingya refugees. There is a lot of evidence explaining how the Rohingya people live a life full of misery in their refugee areas. For example, in Bangladesh, many Rohingya refugees do not have good facilities, for example, consisting of 7 people, only lives in two small tents with thatched walls.⁴⁰ This shows that misery is a problem that arises as a result of the Rohingya refugee crisis. It cannot be denied that when the Rohingya refugee crisis occurred, many of them were unable to face the misery. This misery was not without reason because there were so many from host countries. No one is able to accommodate Rohingya refugees in their territory. As a result, the receiving country (host country) allows Rohingya refugees in refugee camps which results in the emergence of misery problems for them.⁴¹

³⁹ UNHCR, "Rohingya Refugee Crisis."

⁴⁰ Md Ismail Hossain et al., "The Rohingya Refugee Crisis: A Threat to Peace and Security in South Asia," *International Journal of Community and Social Development* (2021).

⁴¹ Anas Ansar and Abu Faisal Md. Khaled, "From Solidarity to Resistance: Host Communities' Evolving Response to the Rohingya Refugees in Bangladesh," *Journal of International Humanitarian Action* (2021).

Figures 6.

Rohingya refugees in place shelter while in Kuala Langsa Aceh 18 May 2015



Source: Tempo.com

In their journey to seek asylum, Rohingya refugees sometimes sacrifice their lives. They have to go through a deadly journey to arrive at their destinations such as Indonesia, Malaysia and Thailand. It took days to sail the sea and they only used unseaworthy ships to cross the sea from the Cox's Bazar camp with little food supplies.⁴² On May 15, 2015, Acehnese fishermen rescued around 820 Rohingya refugees who had jumped into the sea without using a boat. This caused a dispute between Bangladeshis and Rohingya on their boat to Indonesia.⁴³ In the last few months, Rohingya refugees have landed again in Aceh and North Sumatra, with the same capital, namely boats. There is no proper food and little. The situation in the Cox's Bazar camp forced them to undertake a harrowing journey. The large number of Rohingya refugees stranded in the middle of the sea caused their ships to be damaged and their food to run out. Therefore, the UN calls them boat people.

When they land by ship, they often encounter resistance from the host country or local population. This happens in many countries. In Aceh Province, Indonesia, in December 2023, local residents rejected Rohingya refugees who landed in Aceh. This rejection was caused by the bad experiences that local residents had had when accepting Rohingya refugees over the previous years.⁴⁴ Actually, there are no countries

⁴² Dian Wahyu Utami, Rahmat Saleh, and Irin Oktafiani, "Indonesia's Constitutional Immigration Policy: A Case of Rohingya Ethnic Group Refugees," *Journal of Indonesian Social Sciences and Humanities* (2018).

⁴³ Graham Thom, "the May 2015 Boat Crisis: the Rohingya in Aceh," *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 8, no. 2 (2016): 43–62.

⁴⁴ Haidar Masyhur Fadhil, "Hate Speech Fuels Rejection of Rohingya Refugees," *Jakarta Post*, last modified 2023, accessed January 9, 2024, <https://www.thejakartapost.com/opinion/2023/12/30/hate-speech-fuels-rejection-of-rohingya-refugees.ht>

in Southeast Asia that have ratified the 1951 Refugee Convention, but there are customs that apply generally to all countries which in principle regulate the 1951 Convention. This principle is the principle of non-refoulement which prohibits countries from expelling refugees who come to their country.⁴⁵ Apart from that, in order to handle cases of rejection of Rohingya refugees, in 2015 the foreign ministers of 3 countries, namely Indonesia, Malaysia and Thailand held a meeting to discuss Rohingya refugees. The meeting resulted in commitments from 3 countries to create temporary shelters for Rohingya refugees.⁴⁶ However, rejection of Rohingya refugees still occurs in various regions in Southeast Asia.

The next problem that arises from the Rohingya refugee crisis is death while sailing at sea. In 2013 to 2014 a total of around 1600 Rohingya refugees were declared refugees who died or disappeared at sea while seeking asylum or a safe zone. Migration poses challenges for them to sail at sea with conditions, equipment and food availability that endanger their lives. They are willing to run alone and face danger at sea because they feel unsafe living in Myanmar or in the Cox's Bazar camps. In recent months, Rohingya refugees have also started arriving in Indonesia. They are Rohingya refugees who sailed from the Cox's Bazar camp in Bangladesh to Indonesia to seek asylum. However, during the journey, food and medicine supplies for the victims who died on the ship were insufficient. In other cases, they sometimes died when they had to sail back after arriving on land, leading to rejection and expulsion of the local population.⁴⁷

We move to another problem that arises from crisis Rohingya refugees are human trafficking. What happened to Rohingya refugees in the Cox's Bazar camp or in Myanmar definitely make it they feel intimidated and get rough treatment. This made a strong desire among the Rohingya to leave their homes. In accordance with it, potential trading man exploited by the perpetrators trading humans or traffickers.⁴⁸ In 2019, the IOM identified around 96 Rohingya refugees became victims of trafficking in persons. Trafficking in persons is usually carried out by strangers. Traffickers recruit victims by method promising income and jobs in the city area and also provide money to the victim's family as guarantee. But in fact, they did not provide security deposit to

ml.

⁴⁵ UNHCR, *Convention and Protocol Relating to the Status of Refugees*.

⁴⁶ Nurul Zayzada and Anindra Nurdiansyah, "Protecting Rohingya Refugees in Asean: the Contested Human Rights in the World of Nation-States," *Journal of Islamic Law Studies* 1, no. 5 (2018): 26–39.

⁴⁷ Hanna Samosir and Astudestra Ajengrastri, "Indonesia: Babies Die on Boats as Locals Chase Rohingya Refugees," *Bbc.Com*, last modified 2023, accessed January 10, 2024, <https://www.bbc.com/news/world-asia-67575500>.

⁴⁸ IOM, "Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis: IOM," last modified 2018, accessed January 11, 2024, <https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>.

victim's family. The traffickers usually are people who work the same with employers in the city area who need workers rough for fill in jobs in their industry. The traffickers are paid by their employers after they succeed trafficked Rohingya people to place his employer.⁴⁹

Solutions to the Rohingya Refugee Problems

The Rohingya refugee crisis has become one of the urgent humanitarian challenges in the Southeast Asia region. The settlement process requires a comprehensive approach from all aspects, such as diplomacy, law and policy, the role of the state in the regional area and internationally. This analysis will discuss several potential solutions that can be implemented to reduce the escalation of a larger crisis and create peace for the Rohingya ethnic group.

The first solution is the role of the international community, especially the United Nations (UN). The first step is to evaluate the international response to the Rohingya refugee crisis. Most of the aid and facilities from the UN through UNHCR are no longer appropriate. An example is the refugee camp in Cox's Bazar, Bangladesh which is very dirty, filthy, damaged and uninhabitable. It is proven by data from Amnesty International report that more than 800.000 Rohingya people live in Cox's Bazar camp with 4-5 people per household and shelter was designed from bamboo and tarpaulin.⁵⁰ In addition, the UN must also evaluate the humanitarian assistance sent to Rohingya refugees, whether the assistance meets their needs? And to what extent is humanitarian aid helping Rohingya refugees to survive safely?. On the other hand, the UN's diplomatic relations with the Myanmar government must also continue to be a peace mediator for the Rohingya ethnic group. Although the UN has no right to interfere in a country's internal affairs, the UN can be a third party that bridges peace between the Rohingya ethnic group and the Myanmar government. Regarding the problems arising from the Rohingya refugee crisis, one of which is the problem of the misery of Rohingya refugees in Camp Cox's Bazar, the UN has the potential to overcome this problem only if the UN evaluates the comfort of the Rohingya refugees there and carries out renovations. refugee camps to make them more livable.

The second solution is a regional response. Some countries in the Southeast Asia region are starting to reject the arrival of Rohingya refugees in their territory. There are

⁴⁹ IOM, *IOM Case Data Analysis Human Trafficking* (Bangladesh, 2019), https://www.iom.int/sites/g/files/tmzbd1486/files/documents/iom_human_trafficking_case_data_analysis_-_rohingya_2.pdf.

⁵⁰ Amnesty International, "The Inhumane Conditions in Cox's Bazar and What Must Be Done to Support Refugees Looking For A Dignified, Hopeful Future," *Amnesty.Org*, last modified 2024, accessed November 20, 2024, <https://www.amnesty.org.au/the-inhumane-conditions-in-coxs-bazar-and-what-must-be-done-to-support-refugees-looking-for-a-dignified-hopeful-future/>.

at least two reasons for rejection, first because it has no country in Southeast Asia has ratified the 1951 Refugee Convention so that country does not have the responsibility to accept refugees. Second, it is difficult for host countries to accommodate the needs and rights of refugees arriving in their territory. In this case, Southeast Asia countries as well as members of one regional organization, namely ASEAN which stands for mediation and conflict resolution in Myanmar, must provide support for refugees. However, it should be noted that this support does not mean absolutely accepting Rohingya refugees as citizens of the host country, but rather to provide a tolerance awareness campaign to local residents so that they can appreciate the arrival of refugees. Making refugees permanent citizens in the host country is not an effective long-term solution, it will perpetuate existing problems such as human trafficking and refugees fleeing to countries in the Southeast Asian region. Apart from that, if this happens continuously it could have a negative impact on bilateral relations between countries in Southeast Asia and Myanmar because it will become a problem and burden for the recipient country. Although no country in Southeast Asia has ratified Refugee Convention 1951, they are bound by the principle of non-refoulement which does not allow receiving countries to expel refugees to areas where their lives are threatened. This is also the reason that receiving countries and their local residents must respect refugees who come to their territory. Therefore, the role of countries in the Southeast Asia region is to ensure that their citizens can respect refugees who arrive in that country.

The third solution is legal and policy reform. Solutions from a legal and policy perspective really need to be implemented and are the main thing in the crisis resolution process. Eliminating laws that discriminate against minority groups, especially the Rohingya ethnic group, and formulating policies that are inclusive and fair for all ethnicities and groups are key in the process of resolving this crisis. The 1982 Burmese law on citizenship which discriminates against the Rohingya minority because they are not included as an official ethnicity in the country of Myanmar so they do not have citizenship must be abolished and revised by recognizing the Rohingya ethnicity as one of the official ethnicities in the country. This really needs to be done to end the citizenship status of the Rohingya ethnic group which has been determined by the UN for years. Apart from that, policies that lead to peace building must be implemented immediately, especially between ethnic groups in Myanmar. One way to suppress extremism in Myanmar is to create peace and security for all groups. The point is to ensure that the laws and policies made by the Myanmar government can accommodate all groups and are oriented towards building long-term peace.

Another solution to the Rohingya Muslim crisis involves criticizing the Myanmar government's discriminatory policies. This effort can be carried out through building inter-religious dialogue in the country. It is important for influential Muslim

figures to actively engage in religious dialogue with the Myanmar government. Despite facing obstacles regarding limits on interference in other countries' affairs, these steps still need to be considered for a more just and sustainable solution.

Based on the crisis concept that defines a crisis as a situation endangering the life of an organization or society characterized by uncertainty regarding its cause, effect, and resolution, the Rohingya refugee situation can be classified as a crisis. This is due to the perilous conditions many Rohingya refugees currently face, including the risk of death. However, there is no clear reason why the Rohingya refugees were expelled from Myanmar. This lack of clarity has led to uncertainty regarding the consequences and the appropriate solution to address this crisis.

CONCLUSION

The Rohingya ethnic group, as the most persecuted ethnic group today, faces a series of challenges that require serious attention and action from various parties. In the course of history, the Rohingya ethnic group has been victims of various acts of oppression and violence, which resulted in them being forced to flee to neighboring countries such as Bangladesh, Malaysia, Indonesia, and Thailand. This displacement is not a one-time event, but has occurred many times since the 1970s until now, with inadequate evacuation conditions and resulting in many deaths among the Rohingya.

This refugee crisis not only creates instability in the daily lives of Rohingya, but also raises various social and humanitarian problems. They are thrown adrift at sea because they have no safe place to take shelter, while some countries reject them as illegal immigrants, forcing them to leave their shelters. In addition, serious health problems have contributed to the difficult conditions faced by the Rohingya, causing many deaths among them. Human trafficking is also a real threat, creating an environment vulnerable to exploitation. In dealing with these various problems, a holistic solution is needed that involves cooperation between many parties. Myanmar, as the homeland of the Rohingya, has a major role in resolving this crisis. The role of the international community and countries in the Southeast Asian region through a diplomatic approach and international pressure can be an effective instrument to encourage Myanmar to take responsibility for its treatment of the Rohingya and pave the way towards a just and sustainable solution. Apart from that, legal and policy reform is the main key to handling the Rohingya refugee crisis. Future research should discuss the extent of the Myanmar government's efforts to overcome the Rohingya refugee problem to see Myanmar's commitment in handling this case.

BIBLIOGRAPHY

Amnesty International. "The Inhumane Conditions in Cox's Bazar and What Must Be Done to Support Refugees Looking For A Dignified, Hopeful Future."

Amnesty.Org. Last modified 2024. Accessed November 20, 2024. <https://www.amnesty.org.au/the-inhumane-conditions-in-coxs-bazar-and-what-must-be-done-to-support-refugees-looking-for-a-dignified-hopeful-future/>.

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* (2021).

ASEAN. *Kuala Lumpur Declaration On Irregular Movement Of Persons In Southeast Asia*, 2015. <https://asean.org/wp-content/uploads/2012/05/Adopted-Kuala-Lumpur-Declaration-on-Irregular-Movement-of-Persons-in-Southeast-Asia.pdf>.

Bangun, Budi Hermawan. "Tantangan ASEAN Dalam Melakukan Penanganan Pengungsi Rohingya." *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* (2018).

Budaya, Budi. "Dampak Kewarganegaraan Etnis Rohingya Di Myanmar Terhadap Pelanggaran Hak Asasi Manusia Dan Negara Sekitar." *Jurnal Ilmiah Hukum* (2017).

CSIS. "Uneven Refugee Protections Across Southeast Asia Put Migrants at Risk". *CSIS.org*. Last modified 2021. Accessed November 21, 2024. <https://www.csis.org/blogs/new-perspectives-asia/uneven-refugee-protections-across-southeast-asia-put-migrants-risk>.

Fadhil, Haidar Masyhur. "Hate Speech Fuels Rejection of Rohingya Refugees." *Jakarta Post*. Last modified 2023. Accessed January 9, 2024. <https://www.thejakartapost.com/opinion/2023/12/30/hate-speech-fuels-rejection-of-rohingya-refugees.html>.

Faruque, Taufiq -E-. "Rohingya Refugee Crisis in Bangladesh: The Case of UNHCR's Response." *Jurnal Hubungan Internasional* 9, no. 1 (2020): 28–40.

Farzana, Kazi Fahmida. "Boundaries in Shaping the Rohingya Identity and the Shifting Context of Borderland Politics." *Studies in Ethnicity and Nationalism* (2015).

Hidayatullah, Firman Syarif, and Sugiyanto Eddie Kusuma. "Dampak Penerapan Undang – Undang Kewarganegaraan Burma 1982 Terhadap Warga Muslim Rohingya Pada Masa Pemerintahan Ne Win 1962-1988." *Jurnal Ilmu Hubungan Internasional* (2008): 1–15.

- Hossain, Md Ismail, Isahaque Ali, Azlinda Azman, Iftakhar Ahmad, and Nafiul Mehedi. "The Rohingya Refugee Crisis: A Threat to Peace and Security in South Asia." *International Journal of Community and Social Development* (2021).
- Ichikaya Mitzy, Gulia. "Perlawanan Etnis Muslim Rohingya Terhadap Kebijakan Diskriminatif Pemerintah Burma-Myanmar." *Global South Review* (2017).
- Al Imran, Hassan. "The Plight of Boat Refugees to Thailand." *International Journal on Minority and Group Rights* (2022).
- IOM. *IOM Case Data Analysis Human Trafficking*. Bangladesh, 2019. https://www.iom.int/sites/g/files/tmzbd1486/files/documents/iom_human_trafficking_case_data_analysis_-_rohingya_2.pdf.
- — —. "Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis: IOM." Last modified 2018. Accessed January 11, 2024. <https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>.
- Irwansyah, Al'asyari Al'asyari, and Rholand Muary. "Rohingya Refugees in Indonesia: The Dynamics of Statelessness and The Views of Local People." *JUPIIS: Journal Of Social Sciences Education* (2021).
- Kadoe, Naw Lily, and Fatimah Husein. "Ulama, State, and Politics in Myanmar." *Al-Jami'ah* 53, no. 1 (2015).
- Khairi, Aizat, Kamarulzaman Askandar, and Andika Ab Wahab. "From Myanmar to Malaysia: Protracted Refugee Situations of Rohingya People." *International Journal of Engineering and Technology(UAE)* (2018).
- Lewis, David. "Humanitarianism, Civil Society and the Rohingya Refugee Crisis in Bangladesh." *Third World Quarterly* 40, no. 10 (2019): 1884–1902.
- Md Shahin, Kabir, and Moyenuul Hasan. "The Rohingya Refugee Crisis: Political and Humanitarian Perspectives." *Southeast Asia: A Multidisciplinary Journal* (2023).
- Medecins Sans Frontieres. "Timeline: A Visual History of the Rohingya Refugee Crisis." "Timeline: A Visual History of the Rohingya Refugee Crisis". *doctorswithoutborders.org*, last modified 2022, <https://www.doctorswithoutborders.org/latest/timeline-visual-history-rohingya-refugee-crisis>

- Milašinoviæ, S, and Z Kešetoviæ. "Crisis and Crisis Management - A Contribution to a Conceptual and Terminological Delimitation." *Megatrend Review* 5, no. 1 (2008): 167–185.
- Milton, Abul Hasnat, Mijanur Rahman, Sumaira Hussain, Charulata Jindal, Sushmita Choudhury, Shahnaz Akter, Shahana Ferdousi, Tafzila Akter Mouly, John Hall, and Jimmy T. Efir. "Trapped in Statelessness: Rohingya Refugees in Bangladesh." *International Journal of Environmental Research and Public Health* 14, no. 942 (2017): 1–8.
- Mohajan, Haradhan Kumar. "History of Rakhine State and the Origin of the Rohingya Muslims." *IKAT: The Indonesian Journal of Southeast Asian Studies* 2, no. 1 (2018).
- Moretti, Sébastien. "Refugee Protection in Southeast Asia." *Bpb.De*. Last modified 2023. Accessed November 20, 2024. <https://www.bpb.de/themen/migration-integration/regionalprofile/english-version-country-profiles/541947/refugee-protection-in-southeast-asia/#node-content-title-1>.
- Nobuto, Yamamoto. "Refugee Crisis in Southeast Asia: Humanitarianism, Security, and Sovereignty." *Social Transformations: Journal of the Global South* (2019).
- Parashar, Archana, and Jobair Alam. "The National Laws of Myanmar: Making of Statelessness for the Rohingya." *International Migration* (2019).
- Parmar, Parveen K., Rowen O. Jin, Meredith Walsh, and Jennifer Scott. "Mortality in Rohingya Refugee Camps in Bangladesh: Historical, Social, and Political Context." *Sexual and Reproductive Health Matters* 27, no. 2 (2019): 39–49.
- Priambada, Yuliu Brahmantya. "Rohingya Refugees and the Peace Vision of Potential State Leaders." *Kompas.Id*.
- Samad, Md Abdus. "Ethnic Cleansing of the Rohingyas: A Historical Analysis." *Paramita* (2023).
- Samosir, Hanna, and Astudestra Ajengrastri. "Indonesia: Babies Die on Boats as Locals Chase Rohingya Refugees." *Bbc.Com*. Last modified 2023. Accessed January 10, 2024. <https://www.bbc.com/news/world-asia-67575500>.
- Sandbrook, Richard. "The 'Crisis' in Political Development Theory." *The Journal of Development Studies* (1976).

- Sudheer, Nivedita, and Debanjan Banerjee. "The Rohingya Refugees: A Conceptual Framework of Their Psychosocial Adversities, Cultural Idioms of Distress and Social Suffering." *Global Mental Health* 8, no. 46 (2021): 1–15.
- Thom, Graham. "The May 2015 Boat Crisis: The Rohingya in Aceh." *Cosmopolitan Civil Societies: An Interdisciplinary Journal* (2016).
- UNHCR. *Convention and Protocol Relating to the Status of Refugees*, 1951. <https://www.unhcr.org/media/convention-and-protocol-relating-status-refugees>.
- — —. "Rohingya Refugee Crisis."
- — —. *The Refugee Concept under International Law*. New York, 2018.
- USHMM. "Burma's Path To Genocide Timeline."
- Utami, Dian Wahyu, Rahmat Saleh, and Irin Oktafiani. "Indonesia's Constitutional Immigration Policy: A Case of Rohingya Ethnic Group Refugees." *Journal of Indonesian Social Sciences and Humanities* (2018).
- Zayzada, Nurul, and Anindra Nurdiansyah. "Protecting Rohingya Refugees in Asean: The Contested Human Rights In The World Of Nation-States." *Jurnal Syariah* (2016).

