

Rohingya Problem and the Impending Crisis: Outcome of Deliberate Denial of Citizenship Status and Prejudiced Refugee Laws in South East Asia

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Abstract : A refugee crisis is manifested by challenges, both for the refugees and the asylum giving state. The situation turns into a mega-crisis when the situation is prejudicially handled by the home state, inappropriate refugee laws, exploding refugee population, and above all, no hope of any foreseeable solution or remedy. This paper studies the impact on the capability of stateless Rohingyas to migrate and seek refuge due to the enforcement of rigid criteria of movement imposed both by Myanmar as well as the adjoining countries in the name of national security. This theoretical study identifies the issues and the key factors and players which have precipitated the crisis. It further discusses the possible ramifications in the home, asylum giving, and the adjoining countries for not discharging their roles aptly. Additionally, an attempt has been made to understand the scarce response given to the impending crisis by the regional organizations like SAARC, ASEAN and CHOGAM as well as international organizations like United Nations Human Rights Council, Security Council, Office of High Commissioner for Refugees and so on, in the name of inadequacy of monetary funds and physical resources. Based on the refugee laws and practices pertaining to the case of Rohingyas, this paper analyses that the Rohingya Crisis is in dire need of an effective action plan to curb and resolve the biggest humanitarian crisis situation of the century. This mounting human tragedy can be mitigated permanently, by strengthening existing and creating new interdependencies among all stakeholders, as further ignorance can drive the countries of the Indian Sub-continent, in particular, and South East Asia, by and large into a violent civil war for seizing long-awaited civil rights by the marginalized Rohingyas. To curb this mass crisis, it will require the application of coercive pressure and diplomatic pursuance on the home country to acknowledge the rights of its fleeing citizens. This further necessitates mustering adequate monetary funds and physical resources for the asylum providing state. Additional challenges such as devising mechanisms for the refugee's safe return, comprehensive planning for their holistic economic development and rehabilitation plan are needed. These, however, can only come into effect with a conscious strive by the regional and international community to fulfil their assigned role.

Keywords : asylum, citizenship, crisis, humanitarian, human rights, refugee, rohingya

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