

Rohingya Refugees and Bangladesh: Balance of Human Rights and Rationalization

Authors : Kudrat-E-Khuda Babu

Abstract : Rohingya refugees are the most marginalized and persecuted section of people in the world. The heinous brutality of Myanmar has forced the Muslim minority community to flee themselves to their neighboring country, Bangladesh for quite a few times now. The recent atrocity of the Buddhist country has added insult to injury on the existing crisis. In lieu of protection, the rights of the Rohingya community in Myanmar are being violated through exclusion from citizenship and steamroller of persecution. The mass influx of Rohingya refugees to Bangladesh basically took place in 1978, 1992, 2012, and 2017. At present, there are around one million Rohingyas staying at Teknaf, Ukhiya of Cox's Bazar, the southern part of Bangladesh. The country, despite being a poverty-stricken one, has shown unprecedented generosity in sheltering the Rohingya people. For sheltering half of the total refugees in 2017, the Prime Minister of Bangladesh, Sheikh Hasina is now being regarded as the lighthouse of humanity or the mother of humanity. Though Bangladesh is not a ratifying state of the UN Refugee Convention, 1951 and its Additional Protocol, 1967, the country cannot escape its obligation under international human rights jurisprudence. Bangladesh is a party to eight human rights instruments out of nine core instruments, and thus, the country has an indirect obligation to protect and promote the rights of the refugees. Pressure from international bodies has also made Bangladesh bound to provide refuge to Rohingya people. Even though the demographic vulnerability and socio-economic condition of the country do not suggest taking over extra responsibility, the principle of non-refoulement as a part of customary international law reminds us to stay beside those persecuted or believed to have well-founded fear of persecution. In the case of HM Ershad v. Bangladesh and Others, 7 BLC (AD) 67, it was held that any international treaty or document after signing or ratification is not directly enforceable unless and until the parliament enacts a similar statute howsoever sweet the document is. As per Article 33(2) of the 1951 Refugee Convention, there are even exceptions for a state party in case of serious consequences like threat to national security, apprehension of serious crime and danger to safeguard state population. Bangladesh is now at a cross-road of human rights and national interest. The world community should come forward to resolve the crisis of the persecuted Rohingya people through repatriation, resettlement, and reintegration.

Keywords : Rohingya refugees, human rights, Bangladesh, Myanmar

Conference Title : ICDUSHRA 2018 : International Conference on Development, Urban Space, and Human Rights in Asia

Conference Location : Singapore, Singapore

Conference Dates : September 10-11, 2018