

ROHINGYA REFUGEE CRISIS: EXAMINING THE EFFICACY OF INTERNATIONAL LEGAL SYSTEM AND THE HUMANITARIAN RESPONSE OF INTERNATIONAL COMMUNITY

Author: Niti Pandey, III year of B.A.,LL.B.(Hons.) from School of Law, Narsee Monjee Institution of Management Studies, Indore

“Rights are inherent to all human beings, whatever our nationality or ethnic origin, color, religion, language, or any other status. We are equally entitled to our human rights without discrimination.”

-United Nations Human Rights Commission

ABSTRACT

The Rohingya are a Muslim ethnic minority group that have resided in predominately Buddhist Myanmar - formerly known as Burma - for generations. They have been described as the world's most persecuted minority. In Myanmar, the Rohingya have been subjected to decades of brutality, discrimination, and persecution. The Rohingya, who have lived in Myanmar for decades, are not recognised as an official ethnic group and have been refused citizenship since 1982, making them the world's biggest stateless people overnight. As a stateless people, Rohingya families are denied basic rights and protection, making them particularly vulnerable to exploitation, sexual and gender-based violence (SGBV), and abuse. Despite ongoing diplomatic efforts by Bangladesh with the support of the international community through the UN, as well as the development of human rights assessments and effective measures for justice and accountability, little progress has been made in creating the conditions necessary to promote a safe, dignified, and long-term return. The paper begins with the background of the Rohingya crisis, it tends to examine the response of international community over the issue. Along with it, the paper will also describe the principles governing refugees' protection under international law and concluded by suggestions and recommendations needed for protecting the rights of the Rohingya.

Keywords: Rohingya, stateless, United Nations, Human Rights, International Law.

INTRODUCTION

“We are alive, but we live like animals. We have no human rights, no education. We don’t have enough water, enough toilets or safety. Nobody is fighting for us.”

- Mohib Ullah, leader of Rohingya Community¹

The Rohingya Refugee Crisis is one among Asia's many difficulties associated with statelessness and refugees, and has been labelled as a "textbook example of ethnic cleansing." by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein.² The Rohingya are a Muslim ethnic minority in Myanmar, which is dominated by Buddhism, and are widely regarded as the world's most persecuted and discriminated minority. The racial prosecution is the result of decades of struggle between the Myanmar government and Rohingya Muslims over religious and ethnic differences. The majority have entered Bangladesh by land, while others have travelled by water to Indonesia, Malaysia, and Thailand. Since the 1970s, the Rohingya have been persecuted. Despite the fact that many of them have origins in Myanmar dating back centuries, they are considered illegal immigrants from Bangladesh. Myanmar's military government approved a citizenship law in 1982 that named 135 ethnic groups eligible for citizenship, but omitted the Rohingya, who had had citizenship rights since the country's independence in 1948.³ As a result, all Rohingya people lost their citizenship and became stateless overnight.

The recent exodus started on August 25, 2017, when violence occurred in Myanmar's Rakhine State, a small group of Rohingya militants known as the *Arakan Rohingya Solidarity Army* (ARSA) attacked police checkpoints, killing 12 Myanmar security personnel. In retaliation, Myanmar's military swore to root out militant organisations, and they've retaliated on a vast scale, killing, injuring, and uprooting many innocent civilians, thereby violating international humanitarian law.⁴

¹Vidya Krishnan, *We live like animals’: Refugee leader gives Rohingya a voice*, LOS ANGELES TIMES, September 16, 2019.

²Sarah Gabbens, *Myanmar's Rohingya Are in Crisis—What You Need to Know*, NATIONAL GEOGRAPHIC MAGAZINE, September 30, 2017.

³Krishnadev Calamur, *The Misunderstood Roots of Burma's Rohingya Crisis*, THE ATLANTIC, September 25, 2017, accessed July 31, 2019, <https://www.theatlantic.com/international/archive/2017/09/rohingyas-burma/540513/>.

⁴ Supra Note 2.

ARSA was declared a terrorist organisation by the government as the military carried out a ruthless assault that destroyed hundreds of Rohingya communities and forced over 700,000 Rohingya people to flee Myanmar,. According to the international medical charity Doctors Without Borders, at least 6,700 Rohingya were killed in the first month of attacks, between August 25 and September 24, 2017, while the Myanmar military raped and assaulted Rohingya women and girls, according to Amnesty International. The UN panel's head stated that the panel discovered evident patterns of military abuse, such as systematic targeting of civilians, sexual violence, propagating discriminatory discourse against minorities, and establishing an environment of impunity for security forces.⁵

In November 2019, Gambia filed the first international complaint against Myanmar at the International Court of Justice, accusing the country of breaking the UN Genocide Convention on behalf of the Organization of Islamic Cooperation's fifty-seven member states.⁶ The court unanimously concluded in January 2020 Myanmar must take emergency measures to protect Rohingya Muslims from assault and preserve evidence of suspected genocide.⁷ Myanmar has consistently denied genocide and claims to be conducting its own inquiry into the 2017 incidents. In 2017, a lack of accountability and Myanmar's reluctance to adequately investigate allegations or criminalise genocide were blamed for "killings, rapes and gang rapes, torture, forced displacement, and other severe rights violations."

Throughout the recent crises, the Bangladesh government has responded very generously. On the other hand, Bangladesh has failed to provide enough protection due to UNHCR's inability to provide adequate help. Between 1993 and 1997, a repatriation exercise based on a memorandum of understanding (MOU) between the Bangladesh government and the Office of the UN High Commissioner for Refugees (UNHCR) took place, with approximately 230,000 Rohingya returning to Myanmar as a result of closed camp settings and the lack of long-term integration prospects. This operation was heavily condemned due to poor living conditions, a lack of legal

⁵Eleanor Albert and Lindsay Maizland, *The Rohingya Crisis*, COUNCIL ON FOREIGN RELATION, January 23, 2020.

⁶ INTERNATIONAL COURT OF JUSTICE, *Application Instituting Proceedings And Request For Provisional Measures* (Gambia v Myanmar) 11 Nov 2019,

<https://www.icj-cij.org/files/case-related/178/178-20191111-APP-01-00-EN.pdf>

⁷ Supra Note 5

and human rights protection, political marginalisation, ambiguous voluntariness, and returnees' lack of knowledge about what they would face once they returned to Myanmar.⁸

Attempts to repatriate Rohingya refugees in the 1970s and 1990s are widely seen as regrettable low points in UNHCR's operational history in Asia.⁹ Despite the UN and the international community's emphasis on 'lessons learned,' the current Rohingya situation demands a thorough analysis.

RESEARCH DESIGN

Research objectives: -

This paper has the following research objectives:

1. To describe the Historical & contemporary contexts related with Rohingya Crisis.
2. To study the concept of refugee protection under International Refugee Law.
3. To critically analyze the efficacy of the responses of UNHCR & ASEAN to the crisis.
4. To examine the Response of International Community to the crisis.
5. To identify the Fault lines in UN's response to the Crisis.
6. To identify and examine the Lacuna in functioning of UN in Myanmar.
7. To illustrate the Suggestions & Recommendations.

Research methodology: -

The present research is mainly a doctrinal research and analytical study. The researcher utilized the conventional method of collecting data from the primary sources. As study is doctrinal in nature, historical and doctrinal methods are adopted because it is not possible to study purely by experimental methods. The relevant material is collected from the secondary sources including various UN reports, newspaper articles, UN Conventions, International Journals and

⁸David Petrasek, *Through Rose-Coloured Glasses: UNHCR's Role in Monitoring the Safety of the Rohingya Refugees Returning to Burma*, in *Human Rights and Forced Displacement*, KLUWER LAW INTERNATIONAL, at pp 114-136 (2000).

⁹Mohfidul Hoque, *The Rohingya Genocide: Compilation and Analysis of Survivors' Testimonies*, THE CENTRE FOR THE STUDY OF GENOCIDE AND JUSTICE & LIBERATION WAR MUSEUM, (2018).

International cases. Materials and information are also collected by legal sources like law books, from print and electronic media.

ANALYSIS

1. THE CONCEPT OF REFUGEE PROTECTION UNDER INTERNATIONAL LAW

The term “refugee” as outlined in the 1951 United Nations Convention Related to Refugees refers to *"a person who as a result of events occurring and owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to that fear, is unwilling to avail himself the protection of that country"*.¹⁰

1.1. Law of Asylum

For refugees to get basic protection, they must be allowed into a country's territory and granted at least temporary asylum. However, no rules dealing directly with admission and asylum are found in the main international refugee mechanisms. They come closest to addressing the issue in their *non-refoulement provisions*, which protect a refugee from being forcibly returned to a country where he or she may face persecution, and in articles that hold that refugees should not be punished for illegally entering a State's territory if they arrive directly from their country of origin.

As defined by Article 1 of the 1951 United Nations Convention Relating to the Status of Refugees, Whether people flee their countries for fear of persecution , or because of armed conflict, foreign aggression or occupation, gross human rights violations, or internal upheavals, there is widespread agreement that they should be admitted and granted at least temporary asylum. A refugee becomes subject to the jurisdiction of the authorities in the nation of reception after he or she has left his or her own country. Refugees do not have a categorical right to asylum

¹⁰ THE UNITED NATIONS CONVENTION RELATED TO REFUGEES 1951, Art. 1.

under international refugee law. The term "asylum" is not defined in the refugee treaties, although it might be interpreted to indicate "offering protection" to refugees seeking entry into a territorial jurisdiction.¹¹

1.2 Non-Refoulement Principle

Non-refoulement is the most basic of protection principles and the first of refugee rights, which states that no one shall be subjected to measures such as border rejection, or, if already in the territory of a country of refuge, expulsion or compulsory return to any country when he or she has reason to fear persecution or danger to life, liberty, or freedom due to reasons related to refugee status. Despite being enshrined in a significant number of international treaties and declarations, This principle is now regarded as a part of general international law¹².

Another fundamental principle of refugee protection is enshrined in Article 32 of the 1951 United Nations Convention¹³, which prevents states from expelling refugees who are legally present on their territory unless it is for reasons of national security or public order.

The concept of non-refoulement prohibits nations from turning away refugees at the border, and in some cases, it may even limit a country's ability to intercept refugees en route to its territory and return them to their country of origin.¹⁴

2. UNHCR's RESPONSE

The UN High Commissioner for Refugees (UNHCR) has emerged as a key international player in the Rohingya refugee crisis. Following the complexities of domestic conflict, the UNHCR created a number of refugee camps near Myanmar's borders, primarily in Bangladesh, the country's closest neighbour.

¹¹ Arthur C. Helton, *Displacement & Human Rights*, 47 JOURNAL OF INTERNATIONAL AFFAIRS at 380 (1994)

¹² Refugees, *Encyclopaedia of Human Rights* at 1253 (2000)

¹³ THE UNITED NATIONS CONVENTION RELATED TO REFUGEES 1951, Art. 32

¹⁴ Sale v. Haitian Centres Council, 113 SC 2549, 2562-67 (1993)

As a result, the UNHCR made the first attempt to build a camp outside Myanmar for early rehabilitation and temporary resettlement, by providing temporary housing and livelihood aids for conflict-affected refugees, making available doctors to mobile around the camps for emergency purposes, and adopting several policies for a more strategic service delivery based on international enforcement of non-refoulement principle of Geneva Convention 1951.¹⁵

The UNHCR offers two solutions based on this principle. The first option is to offer voluntary repatriation to Rakhine state or to establish a new relocation site to allow local communities to integrate with the host natives (voluntary consent). Refugees told stories of gang rape, mass killings, and savage beatings in a report published by the United Nations High Commissioner for Human Rights. More over half of the women interviewed said they have been victims of sexual violence.¹⁶

3. ASEAN's RESPONSE

Because of the large influx of migrants into Bangladesh and the trafficking of Muslims into Malaysia and Thailand, the governments of Thailand and Malaysia have stated that this problem cannot be treated as a domestic issue because it could lead to regional instability or human misery. However, When Myanmar joined ASEAN, the issue of Rohingyas was overlooked by the organisation, ultimately failed to address the issues experienced by the Rohingyas or problems created by other countries which might pose a danger to regional integrity.¹⁷

Thailand has been in the forefront of the humanitarian problem for years, hosting over 120,000 refugees. Thailand, on the other hand, was dealing with insurgency and hoped that the entrance of more stateless Rohingya would catalyse the insurgency. Despite Malaysia's dismal record of ratifying international human rights treaties and enforcing strict immigration laws and procedures, the country has welcomed between 20,000 and 25,000 Rohingyas. Nonetheless, it is

¹⁵ Malang Faye, *A forced migration from Myanmar to Bangladesh and beyond: humanitarian response to Rohingya refugee crisis*, JOURNAL OF INTERNATIONAL HUMANITARIAN ACTION (11 June 2021).

¹⁶ Supra Note 2

¹⁷ KM Rahman, *Ethno-political conflict: the Rohingya vulnerability in Myanmar*, 8(2) INTERNATIONAL JOURNAL OF HUMANITY SOCIAL SCIENCE STUDIES, 288–295 (2015)

worth noting that neither Malaysia nor Thailand are signatories to the 1951 United Nations Convention on the Status of Refugees or the 1967 Protocol on the Rohingya Refugee Crisis.¹⁸

4. ROHINGYA IN BANGLADESH AND EVOLUTION OF POLICY ADVISORY SYSTEM

Approximately 90% of the Rohingya people now resides in Bangladesh, primarily in 28 collective sites and 99 other dispersed areas. Two of these collective sites are government-registered camps, and the most of the others are maintained by intergovernmental organisations such as the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) and nongovernmental organisations (NGOs). The UNHCR and the International Organization for Migration (IOM) facilitate legal rehabilitation and settlement in a third country, and in past few years, the Rohingyas have migrated legally or illegally from Bangladesh to a number of countries, including Malaysia, Indonesia, Thailand, India, Pakistan, and Gambia.

It is clear than over the years, the Rohingya refugee crisis has shaped an internationally systematised & standardised '*policy advisory system*' of organisation, institution and individuals that provides advises about managing the refugee crisis to the Bangladesh government. The participation and representation of this multiplicity of voices has given informed policy advice; made the system more systematic, accountable, rational, and humane; and reduced the politicisation of the domestic refugee management and policy advisory system.¹⁹

¹⁸ SN Parnini, *The crisis of the Rohingya as a Muslim minority in Myanmar and bilateral relations with Bangladesh*, 33(2) JOURNAL OF MUSLIM MINORITY AFFAIR, 281–289 (2013)

¹⁹ Arnab Roy Chowdhury & Ahmed Abid, *Managing the Rohingya refugee crisis: Who holds power?*, SOUTH ASIA CENTRE, (Sept 11, 2019), <https://blogs.lse.ac.uk/southasia/2019/09/11/managing-the-rohingya-refugee-crisis-who-holds-power/>

5. POLITICISATION OF ROHINGYA

Bangladesh, as a newly established developing country, has not signed the 1951 Refugee Convention, the Rohingyas are "illegal migrants." Bangladesh, on the other hand, saw the Rohingya situation as an emergency and handled it temporarily with its domestic advisory committees and refugee management system, which primarily consisted of state bureaucracy and ministries. This system, however, quickly became politicised. 'Illegal migrants' were exploited; vote-bank politics caused the ruling regime to exert political pressure and grant citizenship to many Rohingyas, many of whom had crossed the border illegally from Bangladesh. A new class of Rohingya leaders, known as Mahjees, formed in the camps, gaining enormous authority and facing accusations of abusing the system in their favour.

This has occurred due to the lack of a standardised mechanism for enumerating and registering refugees.

6. ROLE OF NGOS

The UNHCR and IOM, in collaboration with the Refugee Relief and Repatriation Commissioner (RRRC), a body established by the Bangladeshi government, have been systematising the tracking, enumeration, and registration of refugees since 2017. They started issuing identity cards and family cards to enable access to minimal entitlements, and they began collecting household information as well as gender- and age-disaggregated data in order to create a refugee database and adequately manage the refugee issue. As triangulated estimates of the number of refugees arrived from key informants, flow monitoring of refugees at major displacement sites, and household estimates, the IOM began a site management needs and population monitoring exercise. The International Organization for Migration (IOM) has established an Inter-sectoral Coordination Group to tackle the issue in a coordinated and comprehensive manner.²⁰

This international standardisation decreased some of the system's internal politicisation, but it also resulted in a new sort of politicisation. Many intergovernmental organisations and

²⁰ *Id*

international non-governmental organisations (INGOs) began to act as small republics and started operating parallel governance structures. Many of them function in restricted locations or without government approval or consent, especially in areas where state security is at risk. Despite the fact that it has received widespread appreciation from the international community of governments and civil society organisations, all of these issues have raised questions about the present government's internal legitimacy and governing capacity.

7. OPERATIONAL FAULT LINES IN UN'S RESPONSE TO THE CRISIS

The official reports and documents listed some strategical & operational shortcomings of UN's response to the current crisis.

1. Inadequate Inter-governmental support

If the UN Secretariat had adopted a more robust course of action to address the events in Rakhine State, it would have definitely required the UN membership's collective political support. However, there were deep divides among the five permanent members of the Security Council about Myanmar, just as there were divisions between different components of the UN system on the Secretariat's side. Early on, the United Kingdom took the lead in advocating the Council's engagement in Myanmar, but the People's Republic of China maintained that the situation in that country did not pose a threat to world peace and security and should thus be treated as a domestic issue.

In 2006, China agreed to include the issue of Rohingya Refugee crisis in the Council's agenda.²¹ Again in 2007, when the US and UK tried to discuss the matter, it was vetoed by both China and the Russian Federation.²²

²¹ S/PV.5526, SECURITY COUNCIL REPORT, 15 September 2006.

²² S/PV.5619, SECURITY COUNCIL REPORT, 12 January 2007.

2. Lack of a clear and unifying strategy

Every nation is accountable for credible personality and unquestionable integrity and respect for the United Nations. There is a lack of clear strategy to manage the current Rohingya crisis. For example- The Deputy Secretary-General (Sweden) and the Special Adviser (India), both having an impressive background in their country, but they share different mechanism for dealing the crisis.

To be summarized, the Deputy Secretary-General backed a more robust UN response to the events in Rakhine State, whilst the Special Adviser advocated for quiet diplomacy to exert greater influence on the host government. Several attempts appear to have been made in 2015 and 2016 to reconcile these different perspectives into a common position that could provide guidance to the entities that served in the different pillars of the Organization – so that development, peace and security, and human rights could all be mutually reinforcing – as well as to the system as a whole, but all of these efforts were completely ineffectual.

3. Absence of a clear nodal point for coordination

Another shortcoming noticed was the infirmness in the organizational structure as a body to share a coordinated policy for resolving the crisis. However, there is a formal system for policy coordination i.e. *the United Nations System Chief Executive Board for Coordination*²³, Their ability to achieve greater coherence has found to be limited.

Various Internal coordination methods have been attempted by different Secretary-Generals with varied degrees of success, mainly centred on the Secretary-Executive General's Office. In the past, the Regional Monthly Review comprised the Senior Action Group (SAG), which brought together principals of Departments and Agencies as well as subsidiary working groups.

The Deputy Secretary-General, the Chief of Staff/Special Adviser, the USG of DPA, the Administrator of UNDP, the Head of OCHA, and other heads of specialised agencies were

²³ UNITED NATION SYSTEM CHIEF EXECUTIVES BOARD FOR COORDINATION, <http://www.unsceb.org>

frequently present when the SAG met on Myanmar. After analysing some of the minutes of the Senior Action Group meetings, the consultant was left with the idea that the tensions between diverse points of view did not lead to some form of consensus that might constitute the basis of a single system-wide strategy.

8. LACUNA IN UN'S PRESENCE IN MYANMAR

“As grim as the situation is for Rohingya refugees in Bangladesh...their prospects back in Myanmar are even worse”

-Joshua Kurlantzick, Senior Fellow for Southeast Asia

Limited humanitarian access, as well as the inability to move and work autonomously, as well as leadership concerns and reports of a lack of inter-agency coordination, excessive secrecy, and mistrust²⁴, drew criticism against the UN in Myanmar. Three types of forced migration is being happening in Myanmar.

1. Armed clashes between Rakhine Buddhists and Rohingya Muslims leading to the successive displacement.
2. The military occupation of this border state leading to displacement.
3. Internal as well as external migration due to the vulnerability of livelihoods.²⁵

Some serious challenges have been noted in the interaction between Myanmar and the United Nations. Some of them are mentioned below:

²⁴Liam Mahony, *In the report Time to Break Old Habits: Shifting from Complicity to Protection of the Rohingyas in Myanmar*, FIELDVIEW SOLUTIONS, http://www.fieldviewsolutions.org/fv-publications/Time_to_break_old_habits.pdf.

²⁵ SJ Meheub Sahana, *Forced migration and the expatriation of the Rohingya: a demographic assessment of their historical exclusions and statelessness*, 39(1) JOURNAL OF MUSLIM MINORITY AFFAIRS (2019).

a. Problem in Interaction with the host community

Since 2010, Myanmar has had a system of governance that included both military (Tatmadaw) and civilian elements, both of which were in constant motion in terms of their policy positions on local and international affairs. In case of the situation when they were not aligned with each other, this become problematic for the UN and its parts as sometimes they have to interact with two different part of the same government.

b. Issue of ‘Trust deficit’.

Second, given its colonial background, Myanmar has manifested a strong sense of nationalism and an established mistrust of external entities, be they governmental, intergovernmental, or non-governmental, including the United Nations, throughout its independence period. On the one hand, the government has welcomed a large number of UN organisations to establish offices in the country. On the other hand, UN officials and staff feel as being under constant monitoring and are occasionally harassed, if not openly intimidated. For example, when it comes to obtaining permission to travel within the country or extending visas.

This “*trust deficit*” formed a complex atmosphere where the degree of accessibility to the Government or the kinds of harassment faced gave National and State authorities sufficient means to control the Organization.

c. Dynamic division within United Nation system.

The interactions of various UN bodies are a result of the inherent contradictions of supporting peace and political processes. While this emerging human right violation was not accepted to all parts of the UN, but instead there were different views within the UN’s bodies itself.

On one hand, the approach by the UN Office of the High Commissioner of Human Rights, the Special Adviser of the Secretary-General on sexual violence in conflict, Special Adviser of the

Secretary-General on children in conflict and the Office for the Prevention of Genocide and the Responsibility to Protect, was to take a robust action to address the situation of Rohingya. Certain sectors of the UN System, on the other hand, preferred to use quiet diplomacy to use their leverage (to the extent that they had any). Rather than finding a common ground for the conflicting approaches, the disparities appear to have polarized attitudes – institutional and personal – among officials and staff, both at Headquarters and in the field.

CONCLUSION

The experience of dealing with refugees in Bangladesh and the Asian area has raised awareness of the difficulties and challenges and is possibly long road ahead. Stated by a former UNHCR Head, the late Sadako Ogata, once said: *“There are no humanitarian solutions to humanitarian crises. Only political solutions”*. It should be kept into mind that UN and in particular UNHCR have protection mandates.

In this context, a political solution to the Rohingya refugee issue is insufficient, there is a need to advocate and execute intermediate and long-term protection and rights-based measures.

Resentment and anger may only lead to further hardships, challenges, and dangers. Refugees

are not a security threat in and of itself, but failing to create solutions for them can result in security issues on multiple levels.

The best part is that the Rohingya and Bangladesh continued to receive support. Regional players such as China and other powerful states can show leadership by backing proper SC action, but should not limited to it only. At the same time, regional alternatives other than repatriation should be explored and implemented as quickly as possible to promote responsibility sharing. Another good thing is that Bangladeshi authorities are continuing to work with foreign and regional organisations, as well as the NGO community, to address the current crisis. With sound leadership, smart planning, innovative diplomacy and advocacy, and a degree of collective political good will, the humanitarian dimension of the current situation can continue to be properly managed.

SUGGESTION

The current Rohingya crisis is a matter of legitimate concern and remains a serious challenge to the International community. The current Rohingya situation has no clear answers or remedies. Based on the current study of the matter, following are few suggestions to enhance proper management of the crisis.

- The hosting countries should grant full access to public schools and temporary work rights in addition to ensuring health care including psycho-social support, family planning and reproductive health services.²⁶
- Legal protection should be provided to the Rohingya working in the informal economy in Bangladesh.
- International Labour Office should play its role in supporting skill based training and for creating job opportunities.
- **Third country resettlement:** While limited movement of Rohingya refugees from Myanmar and Bangladesh to third countries have been noticed, this often done through irregular channels and at great cost and personal risk.²⁷ This can be advantageous to those who have got the opportunity to start a new life abroad and to the resettlement & asylum countries²⁸ as it results into creation of jobs and leadership skills as well as remittances and human capital can be sent to the refugee's families.
- **Global responsibility sharing:** Different measures could be taken for the Rohingya, including temporary protection and stay with an eventual resettlement scheme; or repatriation under international supervision with the option of seeking asylum if circumstances require.

²⁶ Brian Gorlick, The Rohingya Refugee Crisis, International Justice, and Rethinking Solutions, SCHOOL OF ADVANCED STUDY UNIVERSITY OF LONDON, Feb 4 2020, <https://rli.blogs.sas.ac.uk/2020/02/04/the-rohingya-refugee-crisis-international-justice-and-rethinking-solutions/>

²⁷ Regional, *84 Rohingya stopped from boat journey to Malaysia*, THE STAR, May 19, 2019, <https://www.thestar.com.my/news/regional/2019/05/19/84-rohingya-stopped-from-boatjourney-to-malaysia/>

²⁸ Lisa Martin, Tampa Refugee taken in by new Zealand wins Fulbright scholarship, THE GUARDIAN, June 18, 2019, <https://www.theguardian.com/world/2019/jun/18/tampa-refugee-taken-in-by-new-zealand-wins-fulbrightscholarship>