

APRRN Statement

Allow safe passage to Bangladesh for persecuted Rohingya

The [Asia Pacific Refugee Rights Network](#) (APRRN), a civil society network of over 250 members, expresses grave concern over the fate of thousands of stateless Rohingya who are attempting to flee grievous persecution in Rakhine state at the hands of the Myanmar military. Following [reports](#) last week that several boats carrying mostly women and children were pushed back from Bangladesh by border guards, APRRN echoes the [appeal](#) of the United Nations High Commissioner for Refugees (UNHCR) for Bangladesh to keep its border open to allow for refugees' safe passage.

Residents of Maungdaw Township and parts of Rathedaung in northern Rakhine State have endured weeks of violence as the Myanmar military engages in counter-insurgency operations. [Credible reports](#) have surfaced of innocent civilians being subjected to extrajudicial killings, torture, mass rape, detention, forced eviction, and at least 1,250 homes being razed to the ground. Some villagers were burnt alive in their homes. The wellbeing of hundreds of thousands of people hangs in the balance. Many people in North Maungdaw are trapped in a 'locked down' area without access to urgently needed humanitarian aid, and the freedom to move and seek protection from persecution. Crops have been destroyed and farmers are unable to reap their harvest, rendering thousands at risk of starvation. The escalation of violence in Northern Rakhine over recent days and weeks has, as predicted, resulted in a new outflow of people seeking refuge.

According to the [Arakan Project](#) and other [sources](#), after a clash between a Rohingya armed group and Myanmar's security forces, two helicopter gunships shot at villagers attempting to flee for their lives through paddy fields. Ground troops also attacked civilians, including women, children and the elderly, not only shooting at them but also using bayonets. The Government of Myanmar has [claimed](#) that 69 'insurgents' were killed during these attacks, but it can be assumed that the actual death toll is much higher, in the absence of any other official sources of information.

APRRN calls upon the Government of the People's Republic of Bangladesh to maintain an open border in accordance with Article 14(1) of the Universal Declaration of Human Rights, which states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution". The Bangladeshi Government's ['pushback' policy](#) is also counter to the principle of *non-refoulement*, the absolute foundation of asylum and international refugee law, and which forms an integral component of customary international law, prohibiting the expulsion, deportation, return or extradition of a person to her/his state of origin or another state where there is a risk that his life or freedom would be threatened for discriminatory reasons. Further, the deportation of Rohingya back to Myanmar is a blatant violation of the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Bangladesh ratified in 1998.

By forcibly returning these highly vulnerable asylum seekers without providing immediate humanitarian assistance, temporary shelter and protection, or allowing for adequate assessment of their claims, Bangladesh is undermining efforts in the Asia Pacific region to advance regional mechanisms that have the protection of those fleeing from persecution at their core. We implore Bangladesh to work collaboratively with other states in the region and play a more constructive role in advancing refugee protection and addressing the root causes of persecution. APRRN reiterates that all people have the right to request and receive humanitarian assistance and international protection.

APRRN wishes to remind the Government of the People's Republic of Bangladesh, and all governments in the region, to uphold their commitments made in signing the Bali Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime on 23 March 2016. In the [Ministerial](#)

[Declaration](#), members recognised “the need to grant protection for those entitled to it, consistent with relevant international legal instrument and in all cases, the principle of *non-refoulement* should be strictly respected”, and acknowledged that “irregular migration poses social, economic, and security concerns for affected countries, with implications for regional and global stability”, and the requirement of “a comprehensive regional approach based on the principles of [...] collective responsibility”.

Members of the Bali Process also committed to provide safety and protection to migrants, victims of human trafficking, smuggled persons, asylum seekers and refugees, whilst addressing the needs of vulnerable groups including women and children. In addition, members recognised the need to “address the root causes of irregular movement of persons and forced displacement, and the frequent linkage between the breakdown of good governance and the ease of people smuggling and irregular migrant ventures”.

An humanitarian crisis is unfolding in front of our eyes which will undoubtedly have a serious destabilising impact on the entire region unless immediate action is taken. As such, APRRN makes the following call for action:

To the Government of Bangladesh:

1. Keep borders open, provide safe passage and immediate access to territory
2. Provide protection to people fleeing persecution and relentless violence
3. Allow unfettered and unconditional access to humanitarian agencies and international organisations with protection mandates such as UNHCR, to displaced populations to both assess their needs and deliver relief assistance
4. Those in need of international protection should be given full and timely access to asylum procedures

To the Government of Myanmar:

1. Immediately cease targeting civilians caught up in the military’s ‘clearance operations’
2. Allow unfettered and unconditional access to humanitarian agencies and international organisations with protection mandates such as UNHCR, to all displaced populations in all areas to both assess their needs and deliver relief assistance.

To ASEAN Member States and Members of the Bali Process:

1. Urgently develop regional solutions that address the root causes of refugee outflows, in particular the ongoing systematic persecution of the Rohingya in Myanmar.
2. Engage in direct advocacy with the Government of Myanmar to resolve the root causes of the persecution of the Rohingya, and promote peace and harmony throughout Myanmar and the entire region.
3. Be prepared for outflows of refugees from Myanmar and Bangladesh, and in the event of such outflows, immediately allow access to territory, for asylum claims to be processed, and provide humanitarian and protection assistance as needed.

While APRRN statements are prepared in consultations with APRRN members, they do not necessarily reflect the views of all members.

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