



Rohingya Crises in Myanmar and the Role of Organization of Islamic Cooperation (OIC)

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Abstract:

Rohingya Muslim minority has been victimized, suppressed and discriminated by the Myanmar Government since 1982. The campaign of genocide and ethnic cleansing resulted in the killing of thousands of people, burning of their houses, large scale displacement and human rights violations. Under 1982 Myanmar Citizenship Law, the Rohingya Muslims were denied their rights as citizens of Myanmar. It is estimated that 65,5000 Rohingya fled Myanmar. Human rights abuses by the Myanmar Government against the Rohingya Muslim by the Myanmar Government is a violation of Genocide Convention. This paper investigates the root cause of Rohingya issue and assesses the role of the Organization of Islamic Cooperation in the humanitarian crises faced by Rohingya Muslim community. The qualitative research method has been used for this study. It is concluded that the Myanmar Government can bring peace by amending the discriminatory laws against Rohingya Muslim community, ensuring the safe return of refugees, safeguarding their political and economic rights and ensuring peaceful environment for minorities living in Myanmar.

Key Words: Myanmar, Rohingya, OIC, Muslims, human rights violations, citizenship, resolution.

INTRODUCTION

Myanmar (previously Burma) faces the longest internal ethnic conflicts since its inception. The idea of federal union, which was visualized in the Panglong Conference (1947), was not practiced (Sakhong, 2012). On the contrary, Burma portrayed itself as a unitary state, empowering only the single group called Burman people. The Muslims of Myanmar call themselves the Rohingya, having population of about 800,000. According to historians, they have been living since ages in Myanmar's Arakan region that is named Rakhine now a days (Ahmad, 2012). The Muslim minority of Rohingya has been victimized, suppressed and discriminated by the Myanmar Government. It is an act of genocide as well as ethnic cleansing which has resulted in the killing of thousands of people, burning of the houses, large scale displacement and human rights violations.

This paper explores the human sufferings faced by the Rohingya Muslim community in Myanmar since 2012 and the efforts made by the Organization of Islamic Cooperation (OIC) to address this

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problem. This paper employs qualitative and descriptive research method and uses mainly secondary sources. Thematic analysis method has been used to analyze and interpret the data.

LITERATURE REVIEW

Rehman et. al, focused on identity of Rohingya and concluded that Rohingya are legal citizens of Myanmar and have been living there since centuries but Myanmar officials do not accept this stance. The international community also voiced in favour of Rohingya. About 13,00,000 Rohingya are living in refugee camps in Bangladesh. The Myanmar government must make arrangements for respectable return of Rohingya to their homes and international humanitarian organizations can play an influential role in this regard (2018). Mohajan highlighted Rohingya genocide in Myanmar and opined that Myanmar government persecuted the said community on continuous basis. This persecution is not restricted to Rohingya. Different other ethnic communities such as Chin, San and Karen are also facing ethnic cleansing in Myanmar. Unfortunately, Rohingya stand at the top of the list in term of victimization by Myanmar government and they are stateless people in their own state. "But the strategy of ethnic cleansing of the Rohingya has reached the level of genocide since 2012. The Rohingya has lost the security of lives, free from hunger, disease, arbitrary detention, and physical abuse" (2018).

Jati, in his article "Comparative Study of the Roles of ASEAN and the Organization of Islamic Cooperation in responding to the Rohingya Crisis" observed that ASEAN should play a central role in settling Rohingya issue. The author concluded that ASEAN has revealed disinclination towards the said crisis and just concentrated on diplomatic course. OIC showed its deep concerns on Rohingya issue since 2012. OIC continuously urged Myanmar government to stop its inhuman attitude towards Rohingya, make guarantee to the safety of their lives and also make arrangements for respectable return of Rohingya to their homes. OIC also provided humanitarian aid to Rohingya (2017). Dussich observed that the pathetic position of Rohingya and their oppression by Myanmar government has lastly come into view of the international community. He concluded that Aung San Suu Kyi's government has to face a lot of criticism due to Rohingya's perpetual persecution by security forces (Dussich, 2018). Abundant literature is available on Rohingya issue but literature on the role of the OIC in saving Rohingya is missing. This study fills this gap.

ROHINGYA MUSLIMS AND HUMANITARIAN CRISES IN MYANMAR

Myanmar was separated from the British Indian Empire in 1937, before it got independence on January 4, 1948. It is a multiethnic and multi-religious state situated in Southeast Asia. The Muslims predominantly live in the Rakhine state. Various ethnic groups live in Rakhine state such as Khami, Daint, Chin, Rakhine, Moro and Rohingya. Islam and Buddhism are the two main religions in the area (Chan, A. 2005).

Rohingya means "inhabitants of Rohang," people of the community who lived in Myanmar from thousands year ago. The Rohang is actually a Bengali word used by Bengali Muslims in the 17th century for identifying the Kingdom of Arakan which is now known as Rakhine. The predicament of the Rohingya Muslims persisted over the last three decades, is brutally deteriorated in the last few years. Between 1948 and 1962, Rohingya were accepted as citizens after the independence of Burma by three successive governments. Though, the Rohingya are concentrated in the Arakan region, there is not much information about the original Rohingya crisis.

Rohingya Muslims are the second largest population of the Rakhine state having percentage of 40.75. They are the most deprived and suppressed community in Myanmar. They were deprived of their rights of citizenship under the 1982 Citizenship Law. Myanmar Government believed that Rohingya Muslims were immigrants from Bangladesh and did not consider them as citizens of Myanmar. National registry cards were given to citizens of Myanmar while foreign registry cards were issued to Rohingya Muslims. The life threat compelled almost 200,000 Rohingya Muslims to take refuge in Bangladesh to save their lives (Binti & Rahman 2014). Suppression of the Rohingya Muslims by Myanmar Government continued and it reached to such a level that it grabbed the world's attention due to the wave of ethnic discrimination in the middle of 2012.

Under 1982 Myanmar Citizenship Law, majority of the Rohingya Muslims were denied the right of citizenship in Myanmar and were issued white cards which meant provisional registration card. In June 2012, ethnic violence broke out which resulted in the loss of 20,000 Rohingya' lives. It is assumed that rape and killing of a Rakhine woman, supposedly by three Muslim men on May 28, 2012, intensified ethnic violence. As a result, ten Muslim men belonging to Yangon were murdered by natives of Rakhine. Buddhist monks were supported by the government and Rohingya were mercilessly killed (Binti & Rahman, 2014). UNHRC's data shows that almost 32,000 registered Rohingya refugees are living in Bangladesh in two government-run camps, near Cox's Bazar, in Kutupalong and Nayapara. However, it is expected that nearly 200,000 Rohingya refugees live nearby in unofficial camps (Pagano, 2016). Some issues of conflict are discussed below.

A. Genocide

The Myanmar Government has constantly showed anti-Muslim attitude. In Rakhine state, Buddhist monks have also played a key role in instigating the Buddhist people to oppress the Rohingya Muslims (Fisher, 2013). National census was held in Myanmar in 2014 but Rohingya Muslims were not included. According to Human Rights Watch, bloodshed of the Rohingya in different areas of the Rakhine state was well "organized" and assassins were encouraged by the government authorities (Persecution, 2015). The Myanmar government's failure to stop, investigate and punish the persons, who killed Rohingya, was a serious violation of Genocide Convention 1949. Under Article III of the said Convention, "the following acts shall be punishable: (a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide" (Genocide Convention Act, 1949).

B. Denial of Citizenship

Under 1982 Myanmar Citizenship Law, there are three kinds of citizenship namely: natural citizenship, allied citizenship and full citizenship represented through green, blue and pink colour cards respectively. However, majority of the Rohingya Muslims were denied as citizens of Myanmar and were issued white cards which meant provisional registration card. It was made compulsory for Rohingya Muslims to get permission of marriage from the government authorities. In June 2012, ethnic violence broke out which resulted in the loss of 20,000 Rohingya' lives (Binti & Rahman, 2014). Rohingya fled to neighboring countries particularly Thailand, Malaysia and Bangladesh to take refuge.

C. Religious Harassment

The Myanmar Government imposed restrictions on the religious freedom of the Rohingya. The government authorities did not permit Muslims to construct new mosques or repair the old ones and sometimes it encouraged local people to destroy mosques and convert them into Buddhist temples (pagodas) (Crimes Against, 2010). The purpose was to minimize the population of Rohingya and settle Buddhists there and construct pagodas to promote Buddhism. A large number of Rohingya took asylum in Bangladesh due to lack of religious freedom in Myanmar.

D. Forced Displacement

The Myanmar authorities strenuously forced Rohingya to vacate their houses and their belongings were distributed among Buddhists. They were intimidated by Buddhist fanatics to leave Myanmar. According to UN, thousands of Rohingya became homeless. The Myanmar Government deliberately disperse Rohingya and considers their unity a threat for Buddhists (Mazhar & Goray, 2016). According to the UN, "Rohingya are one of the most persecuted minorities in the world." The UN estimation indicated that more than 137, 000 people fled from Myanmar and took refuge in Malaysia till September 2014 (Albert, 2015).

E. Marriage constraints

A law was introduced during 1990s in Myanmar, which made it obligatory for the residents of Rakhine State to get approval before receiving marriage licenses. Since 2005, some Rohingya were given marriage licenses under the condition that they would not have more than two children. In Rakhine State, a policy document titled "Population Control Activities" was circulated among government officials in 2008. They were given instructions to force people to "use pills and injections for birth control at every regional clinic, township hospitals and their own regional hospitals" (Persecution, 2015).

Rohingya have also been facing some other problems in Myanmar. The students are required to have national identity cards after high school education, to get further education. The government has imposed ban on independent movement of Rohingya outside the region. Rohingya are unable to get more education due to not having the identity cards. The government shows reluctance in issuing the said cards (Mazhar & Goray, 2016). The Rohingya are unable to get jobs in urban areas for not having national identity cards.

Amnesty International Report (2017/18) estimated that 6,55000 Rohingya fled to Bangladesh. Furthermore, Myanmar authorities hamper humanitarian access to affected areas. Myanmar and Bangladesh signed an agreement for repatriation of refugees. However, flee of Rohingya continues and refugees are reluctant to return to Myanmar due to danger of victimization by the security forces. The Myanmar Government failed to investigate impartially and hold to account the perpetrators of serious human rights violations in Rakhine. A so-called military investigation concluded that no human rights violation was observed in Rakhine (Amnesty, 2018). On 1st March 2018, Myanmar Government deployed 200 troops, calling it "anti-terrorism operation" near Bangladesh border where Rohingya have taken shelter. Bangladesh and the UN refugee agency showed their reservations on the aforesaid decision. According to the UN, Rohingya refugee problem is "fastest growing refugee crisis in the world" (Myanmar Defends, March 2, 2018).

THE OIC AND ROHINGYA CRISES IN MYANMAR

The OIC represents collective aspirations of the Muslim world. It was established in 1969 mainly to promote bonds of Islamic solidarity and fraternity among Muslims. Its objectives also include (besides others); “To safeguard and protect the common interests and support the legitimate causes of the Member States” ...; “To respect the right of self-determination” ...; “To reaffirm its support for the rights of peoples as stipulated in the UN Charter and international law;” “To promote and to protect human rights and fundamental freedoms including the rights of women, children, youth, elderly and people with special needs” ..., and; “To safeguard the rights, dignity and religious and cultural identity of Muslim communities and minorities in non-Member States.” This shows that OIC has the responsibility of protecting the lives and fundamental human rights of the Muslims living in different parts of the World. The following section surveys the measures adopted by OIC on the humanitarian crises, ethnic cleansing and genocide faced by the Rohingya Muslims in Myanmar.

The OIC took quick humanitarian steps since beginning of Rohingya issue. It provided humanitarian aid through bilateral and multilateral ways. The OIC members made individual contributions within their human rights bodies. Indonesia, Turkey, Malaysia, Saudi Arabia and Iran made considerable contributions to help Rohingya in monetary terms. At the multilateral level, the OIC was able to collect 25 million US \$ from member states during the second consultative meeting on humanitarian aid in Doha (Jati, 2017). The efforts of OIC for helping out the Rohingya Muslims from the threat of extinct which they are facing at present have been overviewed in the following paragraphs.

Islamic Summit Conference

The 12th session of the Islamic Summit Conference was held in Cairo in February 2013. The meeting condemned the violations of International Law, acts of brutalities done by Myanmar Government on innocent and unarmed Rohingya Muslim community and demanded the aforesaid Government to act upon the United Nations General Assembly (UNGA) Resolution A/RES/67/233 in true spirit (Final Communiqué, 2013). The 13th session of the Islamic Summit Conference was held in Istanbul in April 2016. The meeting demanded from the new Myanmar Government to ensure the provision of basic rights and restoration of citizenship to Rohingya Muslim community. It also appreciated Gambia’s decision for opening its doors for Rohingya refugees and stressed the member states to use their diplomatic channels to engage Myanmar Government to make a durable solution to Rohingya issue (Final Communiqué, 2016).

Council of Foreign Ministers

Human rights violations in the Rakhine region of Myanmar was severely criticized in the annual coordination meeting of the Council of Foreign Ministers (CFMs) of the OIC member states held in September 2012. It was emphasized that human rights violations were against international law and a danger for regional and international peace as well (Final Communiqué, 2012). The meeting recommended for convening of a session of special Human Rights Council and adoption of the resolution on Rohingya Muslims in the UN General Assembly’s 67th session.

CFMs in their 39th meeting held at Djibouti in November 2012, gave due attention to the statement of the UN High Commissioner for Human Rights that “Myanmar Government maintained discriminations against Rohingya Muslims and did not accept them as its citizens and they are forced to remain as stateless.” The participants highly appreciated the Secretary General of the OIC for writing a letter to the UN Secretary General. The letter threw light on the duties of the international community to save the lives of innocent Rohingya community. A request was made to the Government of Myanmar to act upon UNGA Resolution 238/64 of 26th March 2010. The resolution said that Rohingya Muslims should be considered as an ethnic minority (Resolution No. 4/39-MM, November 2012). The 40th session of the CFMs was held at Conakry, Republic of Guinea, from 9 to 11 December 2013. The participants felt satisfaction upon the decision of the Myanmar Government to allow visit of the OIC Contact Group to Myanmar. The OIC Secretary General along with a high-level delegation visited Myanmar from 14th to 16th November 2013. The participants appreciated the efforts of the Islamic Development Bank to help the rehabilitation of the Rohingya in Rakhine State (Resolution No. 4/40-MM, December 2013).

The CFMs in their 41st meeting on 18-19 June 2014 in Jeddah passed Resolution No.4/41-MM on the situation of the Rohingya Muslim community. The meeting discussed March 2014 report of the UN Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojeo Quintana. A concern was shown to the Myanmar Government for violating human rights in Rakhine State (Resolutions Jeddah, 2014). The Myanmar Government was requested to provide security to Rohingya Muslims.

The 42nd of the CFMs was held in Kuwait on 27-28 May 2015. Resolution No. 4/42-MM was passed on the situation of Muslim community in Myanmar. A request was made to Myanmar Government to act upon UN General Assembly Resolution A/RES/64/238 of 24 December 2009. The report said that Rohingya Muslims must be accepted as an ethnic minority. The meeting also expressed its apprehensions over the troubles faced by the UN agencies and International NGOs (Resolution No. 4/42-MM, 2015). The 43rd session of the CFMs was held in Tashkent on 18-19 October 2016 and Resolution No. 4/42-MM was adopted on the situation of the Muslim community in Myanmar. The UNGA Resolution A/RES/70/233 on the situation of human rights in Myanmar was discussed. The participants concluded that worse situation in Rakhine State forced thousands of Muslims to leave this area (Resolution No. 4/43-MM, 2016).

The extraordinary meeting of the CFMs of OIC on the situation of Rohingya was held in Kuala Lumpur on January 19, 2017. The participants demanded the Myanmar Government to review 1982 Citizenship Act. A request was also made to the aforementioned government to give access to the regional and international organizations to deliver their services to the affected Rohingya. The meeting articulated its deep apprehensions over constant displacement of Rohingya refugees. The OIC Secretary-General was requested to coordinate with Myanmar Government to arrange a visit of the OIC Contact Group to the Rakhine State. The meeting made a request to the OIC Groups in Brussels, Geneva and New York to summon meetings of the Contact Group on regular basis to examine the critical condition of Rohingya (Resolution, 2017).

The 44th session of the CFM was held in Abidjan, Republic of D'Ivoire on July 10-11, 2017. Under Resolution No. 4/44-MM, the said council expressed its serious reservations at the atrocious acts of the Myanmar authorities against the innocent Rohingya. The participants stressed the Myanmar

Government to end violation of International Law and amend the discriminatory 1982 Citizenship Act (Resolutions, 2017). The 45th session of the CFMs was held in Dhaka on May 5-6, 2018 and passed the Resolution No. 4/45-MM. It expressed its serious apprehensions about the continuous discrimination shown by the Myanmar Government against the Rohingya community. Myanmar Government's non-cooperative attitude towards the UN agencies was also condemned. The brutal activities of the Myanmar Government against the Rohingya were censured (Resolution, 2018). The 46th session of the CFMs was held at Abu Dhabi on March 1-2, 2019, and condemned the continuous inhuman activities against the Rohingya community in Myanmar. The meeting demanded Myanmar Government for the access of the workers of humanitarian agencies to the Rohingya community (Resolution, 2019).

C. Contact Group on Rohingya

A Contact Group on Rohingya was instituted under the Summit Resolution No.3/4-EX (IS). The mandate of the group was to consider ways to stop human rights violations against innocent Rohingya and the restoration of their citizenship rights. A meeting of the OIC Ministerial Contact Group on Rohingya was held in New York on September 24, 2013. The situation in Myanmar was discussed in detail and it was expressed that OIC will support Rohingya in regaining their basic human rights. The meeting welcomed the UNGA Resolution (N 12-59569) on "The Situation of Human Rights in Myanmar" adopted by the 67th session on November 16, 2012 (Report, 2013).

The Contact Group's meeting was held in Kuala Lumpur on September 26, 2014 and the plan of action proposed by Hamid Albar, the OIC Special Envoy for Myanmar was approved. A request was made to the Myanmar Government to permit Internally Displaced People (IDPs) to come back to their homes and to allow international humanitarian aid to reach Rakhine State (OIC Contact Group, 2014). Another meeting of the Contact Group was held on September 30, 2015 at New York. The OIC's Special Envoy to Myanmar Hamid Albar and the Director-General of the Arakan Rohingya Union Dr. Wakar Uddin also attended the meeting. The Secretary General appreciated Indonesia and Malaysia for accepting boat refugees and also praised the aid provided by other member states to the Rohingya Muslims. However, Myanmar Government's policy of cancellation of 'white' identity cards was strongly condemned (OIC Contact Group, 2015).

The Contact Group in its meeting on 19th September 2017 expressed its serious concern over the inhuman behavior of the Myanmar's security forces against innocent Rohingya which resulted in the displacement of 375000 Rohingya. It was demanded from the Myanmar Government to allow the visit of the UNHRC's fact-finding mission to investigate the situation. A request was made to the Myanmar Government to act upon the recommendations made by the Rakhine State Commission which was instituted under the headship of Kofi Annan. A suggestion was made to the OIC member states to circumscribe their economic relations with Myanmar till revision of its biased policies against Rohingya (Declaration, 2017). The Contact Group's another meeting was held under the chairmanship of Secretary General, Yousef A. Al-Othaimeen on September 25, 2018 in New York. The meeting condemned the ethnic cleansing of Rohingya community. It was demanded from the Myanmar Government to honor and provide justice to the innocent Rohingya (Contact Group Report, 2018).

The Contact Group in its meeting held on September 24, 2019 in New York expressed its great dissatisfaction on the Myanmar Government for failing to provide justice to unarmed and innocent Rohingya. The meeting demanded the aforementioned government to meet its international obligations to design a road map for Rohingya's peaceful return to their homes, and stop planned ethnic cleansing of Rohingya by armed forces and repeal 1982 Citizenship Law (Contact Group Report, 2019).

D. Independent Permanent Human Rights Commission

The Independent Permanent Human Rights Commission (IPHRC) was formally established with the adoption of its statute on the eve of 38th session of the CFMs held at Astana (Kazakhstan) on 28-30 June 2011. IPHRC's first session was held in Jakarta from 20th to 24th February 2012 and Siti Ruhaini Dzuhayatin, of Republic of Indonesia was elected as interim Chairperson of the Commission. Rules of procedure of the said Commission were also discussed in the meeting (IPHRC, 2012). The 2nd session of IPHRC was held in Ankara under its interim Chairperson Dzuhayatin where concerns were expressed over the human right violations against Rohingya Muslims. The Chairperson was requested to contact Myanmar Government to allow a fact-finding mission of IPHRC to visit Myanmar to get first-hand information about Rohingya Muslims (IPHRC, 2012). IPHRC's 3rd session was held in Jeddah in October 2013 and Mohammad Kawu Ibrahim, belonging to Nigeria was appointed as its new chairperson (IPHRC, October 2013). The Commission thoroughly discussed human rights violations in Myanmar and also decided to send their own fact-finding mission to Myanmar in order to overview the condition of Rohingya Muslims.

The 4th session of IPHRC was held in Jeddah from 2nd to 6th February 2014 to discuss human rights violations in Myanmar. IPHRC sent a letter to the Foreign Minister of Myanmar and conveyed Commission's intention to visit Myanmar with the purpose of discussing the issue of Rohingya Muslims (IPHRC, 2014). IPHRC's Fifth Session was held in Jeddah from 1-5 June 2014. The Commission expressed great concerns over the non-cooperative attitude of the Government of Myanmar for not allowing IPHRC representatives' visit to Myanmar (IPHRC, 2014). The 6th session of IPHRC was held in Jeddah from 1st to 6th November, 2014. The Commission discussed in detail the situation of human rights in Myanmar and Central African Republic (IPHRC, November 2014).

IPHRC's 7th session was held in Jeddah in April 2015. The Commission requested the Myanmar Government to save the lives of innocent Rohingya and to punish those people who incited violence and hatred (IPHRC, 2015). The 8th session of IPHRC was held in Jeddah in November 2015. Hamid Albar, OIC Special Envoy to Myanmar, Ameen Madani, Secretary General of OIC, David Kaye, UN Special Rapporteur on Freedom of Expression (participated through video link) and Doudou Diene, former UN Special Rapporteur on Racism also attended the meeting. Hamid Albar briefed the said Commission regarding his observations of victimizations and human rights violations committed by Myanmar's government officials against the innocent Rohingya Muslims (IPHRC, 2015).

IPHRC's 9th session was held in Jeddah in May 2016. The Commission noted that Aung San Suu Kyi's Government had also not been able to stop human rights' violations against Rohingya Muslims. It was unanimously decided that the OIC and IPHRC would carry on their endeavors to remain in contact with the Myanmar authorities for the cause of Rohingya Muslims (IPHRC, 2016). The 10th session of IPHRC, held in Jeddah in December 2016, strongly condemned the ongoing human rights

violations, rape, torture and burning homes of Rohingya Muslims by Myanmar authorities. The Commission also requested the Myanmar Government to respond to allow its fact-finding visit to the affected area and also to permit the establishment of the OIC humanitarian office for the provision of humanitarian assistance (IPHRC, 2016).

The IPHRC Fact-Finding Mission

The IPHRC made perpetual requests to the Myanmar Government to allow visit to Rakhine state to get first-hand information about continuous human rights violations against the innocent and persecuted Rohingya. The said government did not respond positively. As a result, a delegation of IPHRC held three-day fact-finding visit in the first week of January 2018 to Cox Bazar Bangladesh to meet Rohingya refugees and other stakeholders to have first-hand information about human rights situation. The delegation made a request to the Myanmar Government to: (i) immediately take steps to end persecution of Rohingya; (ii) reverse all biased policies against Rohingya; (iii) make sure of safety of lives to those Rohingya who voluntarily want to come back to their homes; (iv) allow free access to humanitarian aid organizations; (v) take steps to implement Kofi Annan Advisory Commission's proposals; (vi) take steps to promote reconciliation among affected communities and (vii) find a permanent solution to the root causes of prejudice of Rohingya such as citizenship. The delegation made a request to the international community and the OIC member states to put pressure on Myanmar Government to act upon International Law (IPHRC Visit, 2018).

An ad hoc ministerial committee on human rights violations against Rohingya Muslims met under the chairmanship of Gambia's Minister of Justice in New York on September 25, 2019. The violence against the unarmed Rohingya community by the armed forces of Myanmar was strongly denounced. The minister of justice of Gambia also briefed the participants on the case to be registered to the International Court of Justice (ICJ). The said committee requested the OIC member states to provide financial aid on voluntarily basis. The Islamic Development Bank (IDB) and the Islamic Solidarity Fund (ISF) were also appealed to provide aid to the said committee to meet expenditure of the legal case (Report, 2019). The 16th regular session of the IPHRC was held on November 24-28 at Jeddah. The commission showed its deep concerns for roughly 600,000 Rohingya in Rakhine state living in an "open-air prison." It also admired the UN Independent International Fact-Finding Mission's statement that Myanmar does not perform its obligations mentioned in the Genocide Convention (Summary Report, 2019).

On behalf of the OIC, Gambia submitted an application against Myanmar to the International Court of Justice (ICJ) on November 11, 2019. It claimed that the Government of Myanmar violated Article I, III, IV, V and VI of the Genocide Convention by committing ethnic cleansing of Rohingya through the armed forces and public, failing to counter genocide activities, failing to sentence to those who were involved in genocide and also failing to enact such laws that were necessary to implement articles of the Genocide Convention. Gambia requested the ICJ to adjudicate and announce that "Myanmar: fails on regular basis to act upon the provisions of the Genocide Convention; must stop the violation of the Genocide Convention; must perform its commitments according to the Genocide Convention; must sentence such persons who were involved in genocide; must give a solid commitment not to repeat genocide and must regard the citizenship and other rights of Rohingya" (Application, 2019).

The ICJ heard point of view of both the parties and gave its judgment on 23rd January 2020. It observed the following provisional measures. Firstly, Myanmar shall perform its obligations mentioned in Article II (killing, causing serious mental and bodily harm, physical devastation and check births) of the Convention on the Prevention and Punishment of the Crime of Genocide, in connection to Rohingya. Secondly, Myanmar shall guarantee that its armed forces will not violate Article II. Thirdly, Myanmar shall take sufficient decisions to stop devastation and shall not obliterate testimonies of accusations related to Article II. Fourthly, Myanmar shall submit a report to the Court on all actions taken to implement this Order within four months. It shall also submit a report after every six months till the final decision (Order, 2020). The ICJ gave a very significant decision on Rohingya issue. Myanmar's military forces' attacks on Rohingya continued even after the ICJ's judgment of 23rd January 2020. The safeguard of Rohingya is still an enigma (Rist, 2020).

CONCLUSION

The Muslim minority of Rohingya has been victimized, suppressed and discriminated by the Myanmar Government in the recent history. According to the 1982 Citizenship Law, Rohingya Muslims were deprived of their rights of citizenship and this denial has led to ethnic conflict and racism. Some issues of conflict include; denial of citizenship, religious harassment, forced displacement, marriage constraints and genocide of Rohingya Muslims etc. In June 2012, ethnic violence broke out which resulted in the loss of 20,000 Rohingyas' lives. The world was attracted towards the violations of human rights by the Myanmar government against Rohingya Muslims. The Rohingya Muslims were ruthlessly killed by Myanmar authorities and Human Rights Watch called it genocide. Thousands of Rohingya took refuge in Bangladesh, Malaysia and Indonesia.

The issue of Rohingya remained constantly on the OIC agenda since 2012. The OIC repeatedly condemned the violations of International Law, acts of brutalities perpetrated by Myanmar Government towards innocent and unarmed Rohingya Muslim community. It has been emphasized that human rights violations are inimical to regional and international peace as made to the Government of Myanmar to end practices of bigotry against Rohingya Muslims, to act upon its obligations under the International Law and to restore the citizenship of Rohingya Muslims, which was repealed under the Citizenship Act 1982. Reports of the UN Special Rapporteurs on the situation of human rights in Myanmar have also been discussed at this forum.

The extraordinary meeting of the CFMs of OIC on the situation of the Rohingya Muslim minority in Myanmar was held in Kuala Lumpur on January 19, 2017. It was demanded from the Myanmar Government to review 1982 Citizenship Act, which deprived the Rohingya Muslims of their citizenship. A request was also made to the aforesaid government to give access to the regional and international organizations to deliver their services to the affected Rohingya Muslims. The IPHRC has shown great apprehensions at the human right violations against Rohingya since August 2012.

It is the core obligation of a state to protect the rights of its citizens. However, it is a fact that the Myanmar Government has failed to fulfill its international obligations in this regard. The OIC has done commendable efforts to rescue Rohingya Muslims from the religious fanaticism prevalent in the Buddhist population of Myanmar. It should continue its efforts so that the planned genocide is

averted. Otherwise, this massacre will become an ugly blot not only on the face of humanity but also on the face of Buddhists who claim to be the followers of religion of peace and tolerance.

Aung San Suu Kyi was awarded the Nobel Peace Prize in 1991 for her non-violent struggle for democracy and human rights. She was previously famous for her bravery in the face of military abuses, now drew criticism for turning a blind eye to human rights violations against Rohingya. According to the UN, Rohingya refugee problem is the “fastest growing refugee crisis in the world.” The Myanmar Government can bring peace by taking steps such as amending the laws to block the way of discrimination, demilitarization in ethnic areas, investment in infrastructure and rehabilitation. It should also ensure the safety of lives to those Rohingya who come back to their homes and also create jobs for them. International community can provide more aid to Rohingya refugees living in Bangladesh on humanitarian basis. Maintenance of peace and reconstruction in Rakhine State can be achieved with the help of global partners and the OIC can play a leading role in this connection.

References:

- Ahmad, K. (2012, Aug. 1). Who are the Rohingya? *The Express Tribune*.
- Ahsan, A. (2017, Feb. 18). The Rohingya crisis and the role of the OIC. *Aljazeera*.
- Albert, E. (2015, Jun. 17). *The Rohingya migration crisis*. Council on Foreign Relations. [https://www.files.ethz.ch/isn/191762/Backrounder %20The%20Rohingya%20Migration%20Crisis%20-%20Council%20on%20Foreign%20Relations.pdf](https://www.files.ethz.ch/isn/191762/Backrounder%20The%20Rohingya%20Migration%20Crisis%20-%20Council%20on%20Foreign%20Relations.pdf).
- Amnesty International. (2018, Feb. 22). Amnesty International Report 2017/18: The State of the World's Human Rights (Myanmar). <https://www.amnesty.org/en/countries/asia-and-the-pacific/myanmar/report-myanmar/>
- Application of Gambia Versus Myanmar at the International Court of Justice. (2019, Nov. 11). <https://www.icj-cij.org/files/case-related/178/178-20191111-APP-01-00-EN.pdf>
- Binti, S. K. & Haji, A. R. (2014). Rohingya Muslim ethnic violence: World's response and the role of United Nations. *International Conference of Global Islamic Studies*, 103-114. <http://ukmsyariah.org/terbitan/wp-content/uploads/2015/10/09-Siti-Khalijah-Abd-Rahman.pdf>
- Chan, A. (2005). The development of a Muslim enclave in Arakan (Rakhine) state of Burma (Myanmar). *SOAS Bulletin of Burma Research* 3(2), 1-25. <https://www.soas.ac.uk/sbbr/editions/file64388.pdf>
- Irish Centre for Human Rights. (2010). Crimes against humanity in Western Burma: The situation of the Rohingyas. http://burmaactionireland.org/images/uploads/ICHR_Rohingya_Report_2010.pdf
- Declaration of the Contact Group. (2017, Sep.). https://www.oic-oci.org/upload/documents/acm_2017_rohingya_rep_en.pdf
- Dussich, J. P. J. (2018). The ongoing genocide crisis of the Rohingya minority in Myanmar. *Journal of Victimology and Victim Justice*. 1 (1), 4-24 <https://journals.sagepub.com/doi/pdf/10.1177/2516606918764998>
- Final Communiqué of the Twelfth Session of the Islamic Session Conference. (2013, Feb.). Cairo. <http://www.oic-oci.org/docdown/?docID=19&refID=7>

- Final Communiqué of the Annual Coordination Meeting of the Ministers of Foreign Affairs of the OIC Member States. (2012, Sep.). New York. Retrieved January 3, 2017 from http://www.oic-oci.org/topic/?t_id=7229&ref=2964&lan=en
- Final Communiqué of the Thirteenth Session of the Islamic Session Conference. (2016, Apr.). Istanbul. <https://www.oic-oci.org/docdown/?docID=14&refID=5>
- Fisher, J. (2013, Aug. 29). Anti-Muslim monk stokes religious tensions. *BBC News*.
- Genocide Convention Act 1949. (2013, Nov. 27). Prepared by the Office of Legislative Drafting, Attorney-General's Department, Canberra <https://www.refworld.org/docid/44a92a0d2.html>
- IPHRC First Session Press Statement. (2012, Feb. 20). Jakarta. <http://www.oic-iphrc.org/data/sessions/Press%20Communique%20-%20IPHRC%20-%201st%20Session%20-%20Jakarta%20-%20Feb%202012%20-%20EV.pdf>.
- IPHRC Second Session Press Statement. (2012, Aug. 27). Ankara. <http://www.oic-iphrc.org/data/sessions/Press%20Communique%20-%20IPHRC%20-%202nd%20Session%20-%20Ankara%20-%20Aug%202012%20-%20EV.pdf>.
- IPHRC Third Session Press Statement. (2013, Oct.). Jeddah. <http://www.oic-iphrc.org/data/sessions/IPHRC%20-%203rd%20Session%20-%20Press%20release%20-%2031.10.pdf>.
- IPHRC Fourth Session Press Statement. (2014, Feb. 2014). Jeddah. <http://www.oic-iphrc.org/data/sessions/IPHRC%20-%20Press%20Release%20-%204th%20Session%20-%20Closing%20session%20-%20EV.pdf>.
- IPHRC Fifth Session Press Statement. (2014, Jun.). Jeddah. <http://www.oic-iphrc.org/data/sessions/Final%20Communique%20-%205th%20-%20EV.pdf>.
- IPHRC Sixth Session Press Statement. (2014, Nov.). Jeddah. <http://www.oic-iphrc.org/data/sessions/Final%20Communique%20of%20the%20IPHRC%206th%20session%20-%206%20Nov%202014.pdf>
- IPHRC Seventh Session Press Statement. (2015, Apr.) Jeddah. <http://www.oic-iphrc.org/data/sessions/Final%20Press%20release%20for%20the%207th%20iphrc%20session%20-%20EV.pdf>.
- IPHRC Eighth Session Press Statement. (2015, Nov.). Jeddah. <http://www.oic-iphrc.org/data/sessions/8th%20iphrc%20concluding%20press%20en.pdf>.
- IPHRC Ninth Session Press Statement. (2016, May). Jeddah. <http://www.oic-iphrc.org/data/sessions/IPHRC%209th%20Session%20Concluding%20Press%20Release%205%20May%202016.pdf>.
- IPHRC Tenth Session Press Statement. (2016, Dec.). Jeddah. <http://www.oic-iphrc.org/data/sessions/10th%20rohingya%20press%20release%20en.pdf>.
- IPHRC Fact-Finding Mission's Visit. (2018 Jan. 7). http://www.oic-iphrc.org/en/press_details/?id=2232
- Jati, Irawan. (2017, Jul.). Comparative Study of the Roles of ASEAN and the Organization of Islamic Cooperation in Responding to the Rohingya Crisis. *The Indonesian Journal of Southeast Asian Studies*, 1(1), 17-32. <https://jurnal.ugm.ac.id/ikat/article/view/27466/16821>
- Mazhar, M. S. & Goray, N. S. (2016, Jun.). Plight of Rohingya Muslims. *Journal of the Research Society of Pakistan*, 53(1), 27-40.
- Mohajan, H. K. (2018, Nov.). The Rohingya Muslims in Myanmar are Victim of Genocide, *ABC Journal of Advanced Research*, 7(1), 59-72.

- Myanmar Defends Military Build-up on Bangladesh Border. (2018, Mar. 2). *Aljazara News*.
- Myanmar's-1982 Citizenship Law and Rohingyas. (2014, Dec.). Burmese Rohingya Organization UK. <http://burmacampaign.org.uk/media/Myanmar's-1982-Citizenship-Law-and-Rohingya.pdf>.
- Myanmar Opposed UN Decision to Send Fact-Finding Mission to Rakhine. (2017, Mar. 25). <http://www.radio.gov.pk/25-Mar-2017/myanmar-opposes-un-decision-to-sent-fact-finding-mission-to-rakhine>
- OIC Contact Group Meeting on Rohingya Adopts Plan of Action. (2014, Sep.). Kuala Lumpur. https://www.facebook.com/permalink.php?id=272728579557825&story_fbid=352439461586736
- OIC Contact Group on Myanmar Adopts Plan of Action on Rohingya Muslims. (2015, Sep.). New York. http://www.oic-oci.org//topic/ampg.asp?t_id=10498&t_ref=4142&lan=en
- Order of the International Court of Justice. (2020, Jan. 23). <https://www.icj-cij.org/files/case-related/178/178-20200123-ORD-01-00-EN.pdf>
- Pagano, A. (2016, Mar. 10). *The Rohingyas Refugee Crisis: A Regional and International Issue*. Washington: Middle East Institute. <http://www.mei.edu/content/map/rohingyas-refugee-crisis-regional-and-international-issue>
- Persecution of the Rohingya Muslims: Is Genocide Occurring in Myanmar? (2015, Oct.). *A Legal Analysis. Prepared by the Allard K. Lowenstein International Human Rights Clinic*. Yale Law School for Fortify Rights. [http://www.fortifyrights.org/downloads/Yale Persecution of the Rohingya October 2015.pdf](http://www.fortifyrights.org/downloads/Yale%20Persecution%20of%20the%20Rohingya%20October%202015.pdf)
- Rehman, M. Z., Jhensanam A., Bouasone, C., Hossain, M. S. & Amin. M. (2018, Dec.). Rohingya Crisis: Identity of Rohingya Muslim in Myanmar. *International Research Journal of Social Sciences*, 7(12), 12-16.
- Report of the Meeting of the OIC Contact Group on the Rohingya Muslim Minority, OIC/ACM-2013/ROHY/REP Annex-VI. (2013, Sep.). New York. <http://www.oic-oci.org/upload/pages/un/acm/en/2013/FC-ACM-2013-FINAL-EN.pdf>
- Report of the Special Rapporteur on the situation of human rights in Myanmar in Human Rights Council Thirty-fourth session: 27 February-24 March 2017. (2017, Mar.). http://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_34_67_AUVFinal.pdf
- Report of Ad Hoc Ministerial Committee on Human Rights Violations against the Rohingya. (2019, Sep. 25) New York. <https://www.oic-oci.org/docdown/?docID=4519&refID=1255>
- Resolution No. 4/39-MM on the situation of the Muslim Community in Myanmar, The Thirty-Ninth Session of the Council of Foreign Ministers. (2012, Nov. 15-17). Djibouti. <http://www1.oic-oci.org/english/conf/fm/39/MM-DR-39CFM%20-FINAL.pdf>
- Resolution No. 4/40-MM on the Situation of the Muslim Community in Myanmar, The Fortieth Session of the Council of Foreign Ministers. (2013, Dec. 9-11). Conakry. <http://www.oic-oci.org/docdown/?docID=574&refID=64>
- Resolutions on Muslim Communities and Minorities in Non-OIC Member States, Forty First Session of the Council of Foreign Ministers. (2014, Jun.). Jeddah. <http://www.oic-oci.org/subweb/cfm/41/cfm/en/docs/final/RES-MM.pdf>
- Resolution No. 4/42-MM on the Situation of the Muslim Community in Myanmar, The Forty Second Session of the Council of Foreign Ministers. (2015, May). Kuwait. http://www.oic-oci.org/subweb/cfm/42/en/42cfm_res_mm_en.pdf

- Resolution No. 4/43-MM on the Situation of the Muslim Community in Myanmar, The Forty Third Session of the Council of Foreign Ministers. (2016, October). Tashkent. http://www.oic-oci.org/subweb/cfm/43/en/docs/fin/43cfm_res_mm_en.pdf
- Resolution OIC/EX-CFM/2017, Extraordinary Session of the Council of Foreign Ministers on the Situation of the Rohingya Muslim Minority in Myanmar. (2017, Jan.). Kuala Lumpur. <http://www.oic-oci.org/docdown/?docID=574&refID=64>
- Resolutions on Muslims Communities, Abidjan, Republic of D'Ivoire (2017, Jul.). https://www.oic-oci.org/subweb/cfm/44/en/docs/final/44cfm_res_mm_en.pdf
- Resolution No. 4/45-MM on Muslim Communities and Muslim Minorities in the Non-OIC Member States, The Forty Fifth Session of the Council of Foreign Ministers. (2018, May). Dhaka. <https://www.oic-oci.org/docdown/?docID=1870&refID=1078>
- Resolution No. 4/46-MM on Muslim Communities and Muslim Minorities in the Non-OIC Member States, The Forty Sixth Session of the Council of Foreign Ministers. (2019, Mar.). Abu Dhabi. <https://www.oic-oci.org/docdown/?docID=4447&refID=1250>
- Contact Group Report. (2018). <https://www.oic-oci.org/docdown/?docID=3345&refID=1167>
- Contact Group Report. (2019). <https://www.oic-oci.org/docdown/?docID=4518&refID=1255>
- Rist, D. W. (2020, Feb.). What Does ICJ Decision Gambia V. Myanmar Mean? *American Society of International Law*, 24(2). <https://www.asil.org/insights/volume/24/issue/2/what-does-icj-decision-gambia-v-myanmar-mean>
- Sakhong, Lian H. (2012). *The Dynamics of Sixty Years of Ethnic Armed Conflict in Burma*. [http://www.burmalibrary.org/docs13/BCES-AP-01-dynamics\(en\).pdf](http://www.burmalibrary.org/docs13/BCES-AP-01-dynamics(en).pdf)
- Summary Report of the Sixteenth Session of the OIC, IPHRC. (2019, Nov. 24-28). Jeddah. https://www.oic-iphrc.org/ckfinder/userfiles/files/Final%20Concluding%20Press%20Statement%2016th%20Regular%20Session_EV.pdf
- UNHRC. (2017, Mar. 24). UNHRC decides to dispatch a fact-finding mission to Myanmar to establish facts on violations, especially in Rakhine State. <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21443&LangID=E>

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