Rohingya Identity Crisis: History and Reality- A Legal Analysis

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Abstract

The Rohingya of Myanmar, mostly persecuted people in the world, is living in a realm of statelessness for generations. The Rohingya crisis stemmed from the question of citizenship which is the identity of a national. The denial of citizenship to the Rohingya Muslims by the Myanmar government is one of the most profound human rights tragedies of the 21st century. Social science testifies that ethnic identity is not intrinsically given and fixed. It may change as people migrate and adapt to new places and cultural differences. Since independence, Myanmar has been plagued by ethno-religious armed conflict for ignoring this reality of generating ethnic identity. Rohingya Muslims are denied of ethnic identity as well as deprived of citizenship by the Citizenship Law of 1982. Who are the Rohingyas and what is the nature of the conflict they face in Myanmar, these are the questions, this paper strives to explore.

Key Words: Rohingya, identity crisis, Citizenship, United Nations, Kofi Annan, Sheikh Hasina.

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1. Introduction:

Myanmar, formerly known as Union of Burma, is a multi-national, multi-religious and multi- cultural country. It is amply blessed with natural resources. Since its birth as an independent country, it has been ragged by various ethno-religious conflicts. Rohingya issue is one of them that brings the country in the spotlight all over the world. The Rohingya people are an ethnic minority who live mostly in the Rakhaine state north-western coastline of Myanmar. For years, they are facing not only threat and oppression but genocide and ethnic cleansing from the sides of majority Buddhists and the government as well. So, they have often been described as one of the world's most persecuted minorities. The doleful history of Rohingya dates back two centuries and can be categorized in three stages such as pre-colonial, colonial and post-colonial. In pre-colonial period, the Rohingya lived in harmony and peace with the people of other cultures and religions. The scenario deteriorated after colonization by the British regime following the first Anglo-Burmese war in 1825 which worsened during the II World War as the Rohingya expressed their loyalty to the British whereas the Arakanese supported the Japanese. During post-colonial period, with the emergence of Burma as an independent country, the anti-Rohingya campaign was patronized and backed by the government resulting in the increase of division. They are really an ill- fated race in the world history who have none to save them from the oppressive arbitrary rule of the local and central government, who have no safe place of their own in this world to take shelter, who have no real friend to stand beside themselves and speak as spokesman. If they really had one, they wouldn't be oppressed and tortured for generation to generation. It's a shame for humankind and a blow on the face of modern civilization.

2. Objectives of the Research:

Myanmar government claims the Rohingyas are the migrant from Bangladesh so they are not citizen of Myanmar and Bangladesh denies the claim treating them as refugees. So, the question here is which country they belong to and what is their identity? This paper strives to explore the fact and reality in this regard analyzing the authentic history of Myanmar. This research also probes into why Rohingya problem has been forlorn so far by exploring the appropriate reasons of the crisis in the context of international politics and Bangladesh-

Myanmar relations.

3. Methodology:

The study is analytical in nature based on diversified secondary data which have been cumulated from pertinent books, reports, websites, national and international journals, case laws, opinion of adept etc. The study has been accomplished by systematic method of analysis and fertilization of understanding.

4. Who are Rohingyas:

Arakan, now Rakhaine is the very province among the fourteen provinces of Myanmar where Muslims are majority. More than half of Muslims in Myanmar take up their abode in Arakan. There are predominantly two major ethnic races in Arakan- the Rohingyas and the Rakhains (Maghs). Rohingyas are not the people who abruptly emerged in Arakan. The group has its own language and cultural practices. The history of the Rohingya people is inextricably linked to the history of Myanmar. The Rohingya comprising indigenous, trader Arab diasporas and Indo-Bengal immigrant origins have been living in Arakan state for centuries. The descendants of the mined marriages between the local people and Arabs founded the roots of Rohingyas in Myanmar specially in Arakan. The settlement of Muslims in Arakan dated back to 7th century A.D. Phayre (1844) states that the historical evidences ensure that the arrival and settlement of the Rohingya Muslims in Arakan predated the arrival and settlement of many other ethnic races inhabiting in Arakan. In a manuscript related to the family history of Arakanese King Ra-dz-wang,[1] it is noted that during the regime of Arakanese king Mahat-y-ing Chanday at (780-810 A.D), several foreign ships were wrecked upon the island of Ranree and the people who boarded on them were said to be Muslims. These ship-wrecked Muslim sailors settled in the villages of Arakans the Arakanese King ordered when they were taken before him.[2] Hall (1936) further states that with the passage of time, the number of muslims in Arakan begins to increase. Hall (1936) further states that gradually these Muslims have developed bonhomous bond with the native people and intermingled by establishing marital relationship. It was a long- established custom that foreign residents and even visitors to Burma by shipwreck or for commercial reason, were encouraged to form matrimonial alliances with the

women of the country but on the strict understanding that when they would leave the country, their wives and children might not be taken away with them.[3] Historical resources thus explained how Rohingyas got root in Arakan. The derivation of the term 'Rohingya' also bears a great deal of importance to fathom who Rohingyas are. Historians firmly clinch that – the term Rohang/ Roshang is the corrupt form of the word "Mrohaung", the ancient name of the capital of Arakan. Afterwards, the inhabitants of Roshang are termed as Roshangee or Rohingya.

In the medieval Bengali literary works the term 'Roshang' is repeatedly used in lieu of Arakan. Among the Bengali poets like Qazi Daulat, Mardan, Shamser Ali, Quraishi Magan, Aminullah, Syed Nasir, Abdul Gani and the immigrant poet Alaol, they all have made references to 'Roshanga Shahar' meaning the capital of Arakan in their literary works. So, it is crystal clear that the term 'Rohingya' stems from 'Roshanga' which is a corruption form of 'Mrohang> Rohang > Rosang or Rosanga'.

There is another historical definition of Rohingya. Some historians say that, Rohingya is corrupted form of Arabic term 'Rahami'. They say that some Arab ships were wrecked along the shores of Arakan. As the wretched people asked for help uttering the word 'Rahan'; bit by bit, it changed from Rahan to Rohang and eventually Rahingya or Rohingya.

5. **Whether Rohingyas are citizen or not:**

Myanmar doesn't recognize Rohingya as citizen rather considers them immigrants from Bangladesh who came to Arakan during British rule. The country's census in 2014 didn't count them instead they are told to register as Bengali indicating their origin in Bangladesh. Chowdhury (2006) states that the history of the Rohingya reveals that they developed from different stocks of people who concentrated in a common geographical location. They have more than 1200 years old tradition, history, culture and civilization of their own expressed in their shines, cemeteries, sanctuaries, social and cultural institutions found scattered even today in every hook and corner of theland.[4]

Grantham (1923) shows the evidence that in the 1911 census, the Rohingyas were included with the Indian population as an ethnic group of Indian origin.

The reason given was that they looked more like the Indian than like the Burmese. But the census of 1921 mentions the Rohingyas as really Arakanese.[5] Unfortunately, such type of census obliqueness of treating the Rohingyas as Indians no doubt paved the way to the controversy of today. The present government of Myanmar claims that the Rohingyas are not indigenous people but have migrated from Bangladesh. It also claims that it has eight major ethnic communities subdivided into 135 ethnic races and these people are descendants of Mongolian races only. The government categorically denies that Myanmar has any indigenous ethnic race belonging to Asian stock including Rohingya. However, even prior to 1962, Rohingyas have government issued identity cards and British issued ration cards which signify that they are citizens of Myanmar. Then on the pretext of checking these identity cards were forcibly taken and torn to bits just to deny them their legal identity.[6]

Attempt to deprive the right of citizenship to Rohingya commenced shortly after the independence of Union of Burma. The union Citizenship Act, 1948 defined Myanmar citizenship and recognized certain ethnic groups as indigenous races of Myanmar who were allowed to get citizenship. The list unfortunately didn't include Rohingya. However, the Act allowed people to apply for identify cards whose families had lived for two generations in Myanmar. At the very beginning, many Rohingyas got citizenship or Identity cards under this provision. After the military coup in 1962, the government began giving documentation to fewer and fewer Rohingya children, refusing to recognize fully new generations of the Rohingya population.[7] Two major Acts were legislated to deprive the Rohingyas from their rightful rights-namely the 1974 Emergency Immigration Act and the 1982 Burmese Citizenship Law. The 1974 Emergency Immigration Act required all citizen to carry an identity card called a 'National Registration Cards but allowed Rohingya to obtain only Foreign Registration cards. Until 1982, the Rohingya Muslims enjoyed some degree of citizenship. Citizenship Law in 1982 specifies three categories of citizens: - 1) Full citizen 2) Associate citizen 3) Naturalized citizen. According to section- 3, under the chapter II of the Act, full citizens are the people who are descendants of inhabitants who settled in Burma prior to 1823 or are been to parents who are both citizens. Associate citizens are those persons who have gained citizenship through the union Citizenship Act, 1948. Naturalized citizens are those who have been in the country before January 4, 1948 but applied for

citizenship after 1982. The crux of the Act, 1982 is here that as per section-4 of the Act, the decision as to whether any specific ethnic group is 'Full citizen' or not, doesn't depend on the verdict of the court but rests on the verdict of the 'Council of State'. The Burmese military government arbitrarily threw away 'Rohingyas' from the list of citizens overlooking their honored history of establishment in the country. Because of forced displacement and massive violence on Rohingyas involving burning down of houses, villages, belonging to them, most of the Rohingyas have lost their many important documents needed for acquiring citizenship.

Today the million-dollar question is how this conundrum as to citizenship of Rohingya can be solved amicably. The solution lies in the Rohingyas millennia old settlement in Arakan. In 1947, when section-11 of the constitution of the Union of Burma was being framed qualms as to whether the Rohingyas of Arakan come under the purview of section-11 sub-clauses i, ii, iii, arose and an objection was put in to have the qualms cleared in respect of the term 'Indigenous' as used in the constitution. But it was revoked on the commitment of the President of the constituent assembly who said "Muslims of the Arakan certainly belong to one of the indigenous races of Burma which you represent. In fact, there is no pure indigenous race in Burma and if you don't belong to indigenous races of Burma, we also cannot be taken as indigenous races of Burma."[8] Before independence and particularly after independence, there have been a number of Muslim Member of Parliament and always two Muslim ministers were in the cabinet till 1962 military coup. But during the army regime from 1962 to 1995, not a single Muslim was appointed as a minister or even as deputy minister.[9]

On November, 4, 1959, the Supreme Court of Burma had issued orders to release Hasan Ali and Mahar Ali who were arrested on citizenship ground. It had been observed by the court that in Union of Burma, there were races who couldn't speak the Burmese language and who nevertheless were citizen of the Union of Burma.[10] To say 'Rohingyas' are not citizen of Myanmar denying historical records and evidences is nothing but a blatant lie. Myanmar's history and the elected government's statement unambiguously and unequivocally prove that the 'Rohingyas' constitute one of the indigenous races of Myanmar living in Arakan and other parts of the country. In the first democratic constitution of

1947-48, in Burma, there was no mention of indigenous group. Those who lived in Burma during eight of the last ten years, have been provided with full citizenship of Burma. So, the question of citizenship in 1948 independent Burma was based on residence, there was no question of ethnicity, whether they lived in Burma or not.[11] The conclusion can be drawn that Rohingyas are, by all parameters, not only nationals of Myanmar but an indigenous ethnic group as well. Culture, tradition and history of Rohingyas are quite enough to support that they are as much citizens of Myanmar as anyone else in the country. They had been acknowledged as such by the preceding elected governments having members from Rohingya in parliament and cabinet.

6. Aggression upon Rohingya: Genocide or Not?

Genocide is understood to be the greatest crime against humanity. It is the mass extermination of a whole group of people, an endeavor to wipe them out of subsistence. If we look at the history of the term 'genocide', we would see that it is the union of Greek word 'genos' (race, people) and Latin term 'cide' (act of killing). The term was coined in 1943 by the Jewish-Polish lawyer Raphael Lemkin. After experiencing the diabolical consequences of the Holocaust in which all members of his family except his brother were murdered, Dr. Lemkin campaigned to have genocide acknowledged as offence under international law. The bone-chilling and horror stories streaming from months of Rohingya Muslim fleeing Myanmar's Rakhaine state reveal that mass killings and gang rapes are going on in this state. Not only that, from media report, we came to know that teenagers are executed with rifles, babies are drowned in rivers, villages of Rohingyas are set ablaze by armed forces and Buddhist militias, dead bodies of Rohingya Muslims are burnt to conceal evidence and most importantly, Rohingyas are facing indiscriminate use of bullets, bayonets, firing from helicopter gunships and their homes, hearths livestock, crops are being snatched away by their Rakhaine cohorts.[12] In several national and international newspapers, untold horror stories of Rohingya have been narrated and it appears to be barbaric carnage led by Myanmar armed forces. Satellites have identified images of such whole villages burnt to the ground. Bangladeshi Foreign Minister, Abul Hasan Mahmood Ali has mentioned the oppression of Myanmar government upon Rohingya as "crime of all crimes". If we take into consideration the Myanmar governments systematically oppressive policies

and practices in regards to the Rohingya from the 1980's onwards, a very clean picture emerges of intent to eradicate this group.

Article-2 of the Convention on the Prevention and Punishment of the Crime of Genocide (1948) defines genocide as- "any of following acts committed with the intent to destroy in whole or in part, a national, ethnic, racial or religious group as such a) killing members of the group b) causing seriously bodily or mental harm to members of the group c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, d) imposing measures intended to prevent births within the group and e) forcibly transferring children of the group to another group". In the light of the above definition of genocide, acts of man killing and gang rapes of ethnic Rohingya Muslims by Myanmar army only for their ethnicity patenty amounts to genocide. As the Myanmar military is engaged in committing genocide and crimes against minority, therefore an international legal war should be declared by the International Criminal Court against the perpetration of this crime to uphold international justice. The UN Convention introduced international law to declare international legal war against the perpetrations of genocide to prevent and punish genocide. Article-1 of the UN Convention on the Prevention and Punishment of the Crime of Genocide provides- "The contracting parties confirm that genocide whether committed in time of peace or war, is a crime under international law which they undertake to prevent and punish."

7. Aggression on Rohingya- a Text Book Example of Ethnic Cleansing:

The exodus of Rohingyas since the pre-colonial (1799) and colonial (1942) periods and more importantly since 1978, causing their infinite pain, pangs and plight in term of fundamental need of life or human rights is a multi-dimensional issue- humanitarian, racial, regional and global in globalized world. The oppressive and bloody exodus has been generated and geared up by some zealot Buddhist monks and savage armed forces of the communal and racist Myanmar government by dislocating, torturing and murdering the civilian Rohingyas what the international community has been witnessing over the years. The world has not experienced such feral atrocities upon any ethnic groups, sections or races before in world history throughout centuries, even in pre-historical ages perhaps. Systematic human abuses by the military forces by Myanmar over the past years were designed to instill terror in the mind of the

Rohingyas and compelled them either to live in fear of death or to leave everything simply to survive.

Ethnic cleansing is a phrase populated in 1990s and it was first widely used to mention on the actions of the Bosnian Serbs against Muslim during the Bosnian war. Ethnic cleansing indicates the mass expulsion or killing of a certain ethnic or religious group in an area by another, be it the apparatus of the state like army or police or a private militia group. In November, 2017, prime minister of UK, Thresa May said about Myanmar tragedy, "This is a major humanitarian crisis which looks like ethnic cleansing".[13] At the end of a four-day visit to Bangladesh Andrew Gilmour, The UN Secretary General for Human Rights said, "The ethnic cleansing of Rohingya from Myanmar continues. I don't think we can draw any other conclusion for what have been seen and heard in Cox's bazar." He further said "The nature of the violence has changed from the frenzied blood-letting and mass rape of last year to lower intensity campaign of terror and forced starvation that seems to be designed to drive the remaining Rohingya from their homes".[14]

The Myanmar government claims that the Rohingyas are responsible for recent crisis as a group of Rohingya militants invaded security forces which left 12 troops dead. The Myanmar government's clarification is not fully true. A number of evidences collected for years proves that recent assault on Rohingya is completely premeditated, an "orchestrated campaign" which is planned in advance.[15] In September, 2017, in the midst of the operation, Myanmar military chief Min Aung Hlaing publicly referred the Rohingya issue as a threat "a long-standing one which has become as unfinished job" a job it deems that he and his fellow officers were determined to complete once.[16] Now, it appears that the Myanmar military is determined to finish the unfinished job by forcibly expelling the remaining Rohingya from the territory of Myanmar. Journalists have provided one of the most thorough accounts of the military's advanced preparation for its efforts to drive the Rohingya out of Myanmar. The reporters found proof that the military had already deployed its most feral infantry divisions across the Arakan province by 10th August, 2017, well before the insurrectionist invasions. The divisions sent had already earned dark reputation for their ruthless counter insurgency campaigns against other ethnic minorities.[17]

8. Roots of Ethnic Conflict and Civil Unrest in Rakhaine State:

The matter of utmost concern as to Myanmar is the deteriorated human right situation. The Rohingya crisis is a human rights crisis having humanitarian consequences. In 2013, the special adviser of secretary general on the prevention of genocide warned that failing to address the immediate consequences and root causes of violence between Rakhaine Buddhist and Rohingya Muslim could have 'serious consequences which are solemnly promised to prevent'.[18] Nothing has remarkably been changed since democracy has come back. No one can change the fate of the ill-fated Rohingya until the root causes of the conflict are addressed and initiative are taken to solve this issue. These words are also echoed from the mouth of Noble laureate Aung San Suu Kyi in a fine afternoon of June 2012, at the time of delivering Noble lecture and uttered the very fundamental truth of any conflict, "whenever suffering is ignored, there will be the seeds of conflict, for suffering degrades and embitters and enrages". The leading reasons for the conflict in Myanmar can be discussed under following heads:

8.1. Arbitrary deprivation of nationality:

The right to nationality is a fundamental human right.[19] A state's prerogative to grant or remove nationality is constrained under international law. The 1982 citizenship law is discriminatory and contravenes the prohibition of arbitrary deprivation of nationality. It violates the right of every child to acquire nationality.[20] The narrative of Myanmar is that the Rohingyas are not sons of the soil and illegal immigrants from Bangladesh. The crux of the crisis lies here and the systematic discrimination against them has been continuing since the promulgation of the 1982 Citizenship Law.

8.2. Forced displacement:

Looking at the fleeing of tens of thousands of Rohingya's young, old and new born, men and women only to save their lives from bloody Myanmar Army, one may argue if we have come away from the age of Halagu Khan. To materialize displacement of Rohingyas state sponsored violence has been happening since independence of Myanmar. In pursuance of Rohingya elimination plan, notorious operation named 'Nagarnin' or 'King Dragon Operation' has been carried out in 1978 to intimidate the Muslims and compel

them to leave Myanmar. Such kind of heinous activities to displace or eliminate Rohingya by Myanmar government have been witnessed by the world over the years.

8.3. Restriction of Myanmar and policy to control population:

To control population growth of Rohingya, a law for Rakhaine state has been passed in 1990 to get permission for marriage. Though the law is for all people of Rakhaine, it is enforced only against Muslim people of the state inreality.[21] The worse scenario of the law is that men and women must maintain the rules to gain marriage license which conflict with their religion's belief. Since 2005, the government has been allowing marriage license to the couples if only they agree to have not more than two children and who dare not to abide by the law, they are subjected to imprisonment up to tenyears.[22]

8.4. Forced labor:

Though Myanmar has taken some significant initiatives to stop forced labor, the practice is yet existing in Rakhaine state. The Nasaka, a security force, forces Rohingya either to pay a weekly fee to avoid work, a fee that many Rohingya cannot afford or to perform manual labor such as construction work, agriculture work, pottering or serving asguards.[23]

Denial of citizenship has led the Rohingyas to the deprivation of many other rights as follows:

a) Unable to take the opportunity of government jobs.

b) Subject to strict restrictions in case of movement within Myanmar and even in inter- cities or intracity.

c) Compelled to live in campus and ghettos.

d) Unable to access basic human needs for instance education and healthcare.

e) No right to take part in politics and to exercise right to franchise.

f) No right to claim protection of life and liberty.

g) No right to own land.

9. Response of Bangladesh in the Crisis:

Bangladesh has been on the receiving end of the Rohingya crisis for decades. Since 1978, several waves of refugees from Myanmar, have come in Bangladesh for shelter. With the continued in flux of Rohingya refugees, this has become a humanitarian catastrophe of gargantuan proportions with far reaching economic, political and social implication for Bangladesh. Despite fragile economy and critical level of population density, Bangladesh has always demonstrated positive gesture in this regard and signed an agreement with Myanmar in 1992 with the involvement of the United Nations High Commissioner for Refugees (UNHCR) where Myanmar agreed to allow the return of Rohingyas to Arakan.[24] Unfortunately, the Myanmar government never showed due respect to the agreement. Consequently the current Rohingya situation in Bangladesh has become one of the most protracted labyrinths in the world. The longer this crisis lingers, the greater the possibility of radicalization of some members of this displaced community. As the most affected country, Bangladesh has to take the lead and national interest demands robust action as soon as possible. The recent diplomatic initiative is a welcome development. But Bangladesh has to develop a careful strategy in this regard bearing in mind that no one will do the bidding for Bangladesh. Prime Minister of Bangladesh, Sheikh Hasina has tabled five-point solution at the UN General Assembly to resolve the long-standing manmade problem in Rakhaine state. Those are:

a) Myanmar must unconditionally stop the violence and ethnic cleansing in Rakhaine state immediately and permanently.

b) Sending an investigating team of the United Nations Secretary General to Myanmar immediately.

c) Ensuring safety for all the citizens, irrespective of race and religion, and building a security zone in Myanmar under the supervision of UN.

d) Make sure the safe return and rehabilitation of all Rohingyas, who were forced to drive out from Rakhaine state, safely and securely with dignity.

e) Unconditional implementation of the Kofi Annan Commission recommendations.[25]

10. International Response in the Crisis:

Rohingyas are friendless and hopeless within Myanmar and only international pressure can save them now. So the Prime Minister of Bangladesh, Sheikh Hasina, rightly solicited to international community to move beyond the rhetoric and act as a body to save lives of the Rohingyas in Myanmar and to speak in one voice to help end the policy of forced displacement. Fortunately, the world leaders, with a very few unfortunate exceptions, have condemned Myanmar government. The United Nations unequivocally recognized the recent killings as ethnic cleansing, France has recognized it as genocide, OIC leaders urged Myanmar to show respect to human rights, few Muslim-majority countries, especially Turkey, Malaysia and Indonesia, not only expressed their serious concerns but tried to rally support as well, ASEAN has spoken out about the Rohingya situation, UN Human Rights chief Zeid Ra'ad al Hussein urged Myanmar to halt its brutal security operation against the Rohingya in Rakhine, calling it a "textbook example of ethnic cleansing." Regrettably, the deafening silence of the Myanmar's two close neighbors, India and China, is disappointing. Russia is also steadfast booster of the current regime. In December, 2016, like many other earlier occasions, both China and Russia vetoed the United Nations Security Council motion to censure Myanmar. Despite this gloomy picture, Bangladesh as the affected country, must keep the UN Security Council fully involved in solving the problem permanently and peacefully. It would be a folly if Bangladesh attempts to resolve this issue bilaterally with Myanmar since Myanmar is reluctant to comply with 1992 bilateral agreement with Bangladesh in this regard. The international community could take into account activating the possibility of UN Security Council Resolution, 1674, are iteration of the "Responsibility to Protect" (R2P) people who are undergoing human rights abuses from their own government. On November 11, 2019, the Gambia filed a case against Myanmar in the International Court of Justice under article- 9 of the Convention on the Prevention and Punishment of the Crime of Genocide seeking provisional measures to protect against further irreparable harm to the rights of Rohingyas.[26] In response, the Court directed the government of Myanmar to "take all measures within its power" to prevent the commission of acts defined in the Genocide Convention.[27]

11. Kofi Annan's Commission and Rohingya Crisis:

Myanmar government under severe pressure from the world community, formed the "Rakhine Advisory Commission" mostly consisted of Myanmar citizens, chaired by former UN chief Kofi Annan. The Commission, popularly known as "Annan's Commission" made its recommendations in 63-page report titled "**Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine**" after one year of consultations held throughout Rakhine State as well as in other parts of the country. The Commission urges concerted action by the government and all sectors of society to implement the following recommendations:

a) **Socio-economic development**: The Commission recommends the government invest in infrastructural fields such as electricity, drinking water, roads and internet access for socio-economic development of Rakhine State.

b) **Create a path to citizenship for the Rohingya**: The Commission urges Myanmar to review the Citizenship Law. It suggests bringing it into line with international standards, re-examining the current linkage between citizenship and ethnicity and considering provisions to allow for the possibility of acquiring citizenship by naturalization. The Commission also recommends greater political representation for ethnic minority groups, stateless and displacedcommunities.[28]

c) **Enhance freedom of movement**: The Commission suggests the government to ensure freedom of movement for all irrespective of religion, ethnicity and citizenship.

d) **Instigate a calibrated approach to security**: The Commission also urges for a calibrated approach which combines political, developmental, security and human rights approaches that address the root causes of violence and reduce inter-communal tensions.

e) **Dialogue between communities**: The Commission also calls for

fostering talks between all communities in Rakhine State and activities which have positive impact to generate environment for such dialogue.

The Kofi Annan's Commission has painstakingly worked out to search a realistic path for restoring peace in Rakhine State between two conflicting groups. Now the world will be watching, to what extent, Myanmar pays heed to the recommendations of this Commission it said at the time of forming the Commission.

12. Conclusion:

It is naive to say that laws of the land should always be respected as sacrosanct and violence in all forms should be shunned. If the country abuses its authority in the name of law and suppress its own people, the laws lose their sanctity. The Citizenship Act, root of ongoing crisis, is nothing but a tool in the mighty hand of the government to oust the Rohingya Muslims ignoring their past history of origin. The present situation signifies that the crisis can't be solved overnight but at the same time, the abject condition can't be allowed to go on furthermore. Farsighted initiatives must have to be adopted by major or influential global as well as regional actors to exert pressure on Myanmar government not only to bring back the Rohingyas but also to ensure human rights of the Rohingyas as well as other minorities following special criterion under the United Nations R2P framework. It is now well perceived by all stakeholders that routine statements by different countries and organizations won't resolve the crux. Rather, the international community should exert pressure on Myanmar government so that state-sponsored violence on the Rohingya community stops once and for all. The situation claims that something out of the conventional method is to be done to intimidate Myanmar authority. It may be the right time for the United Nations to step in and find out a durable and amicable solution based on its experiences of analogous circumstances in the other parts of the world. Annan's Commission recommendations should be taken into account

and Rohingyas must have their legal rights as citizens of Myanmar among other things restored. Altogether, victims of Myanmar tragedy should be given a chance to see justice being brought upon perpetrators of genocides. It is high time for international community to echo in the outcry of conscience and humanity before it becomes too late.

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