

EXTERNAL (for general distribution)

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SECTIONS ARE ASKED TO SEND UP TO FIVE FAXES/TELEXES EACH. PLEASE ALSO BRING THIS ACTION TO THE ATTENTION OF THE REFUGEE COORDINATOR IN YOUR SECTION.

EXTRA 49/92

Fear of Refoulement

14 May 1992

BANGLADESH/MYANMAR: Burmese Muslim refugees in Bangladesh

Amnesty International is deeply concerned at announcements made by the Government of Bangladesh that on 15 May 1992 it intends to begin the repatriation of some of the 250,000 Burmese Muslim refugees, sometimes known as Rohingyas, who have fled to Bangladesh from the Rakhine (Arakan) State of Myanmar. Amnesty International believes that refugees who are returned to Myanmar risk becoming victims of grave human rights violations, including torture and extrajudicial execution.

Over 100 refugees from the Rakhine State were interviewed by Amnesty International during February and March 1992. They all said they had fled from their homes in the Maungdaw and Buthidaung township areas of the Rakhine State to escape a wide range of human rights violations at the hands of the Myanmar security forces, including ill-treatment, deliberate killings, and arrests on religious and political grounds.

Many of these human rights violations occurred in the context of forced portering, after Myanmar soldiers had forced Muslims to carry loads of ammunition or food or to work on road and building projects for periods varying from a few days to several months. These human rights violations are part of a general pattern of repression by the Myanmar security forces against Muslims in the Rakhine State. Troops have entered Muslim villages, occupied and closed mosques, confiscated farmers' livestock and crops, seized villagers for forced labour, and evicted them from their houses.

According to recent press reports, 1,500 Muslim refugees were continuing to flee to Bangladesh from Myanmar each day, indicating that this pattern of human rights violations against the Muslim minority continues.

BACKGROUND INFORMATION

Reports of human rights abuses against Muslims in the Rakhine State by Myanmar security forces rose sharply in early 1991, and they began to leave Myanmar in the thousands to seek asylum in neighbouring Bangladesh. Those numbers increased dramatically in late 1991 and early 1992, with some 250,000 now believed to be in Bangladesh.

Over half of these refugees are in 12 government-sponsored refugee camps, and the rest are scattered throughout the border area. The United Nations High Commissioner for Refugees (UNHCR), as well as Western and Bangladeshi non-governmental organizations, have access to the camps and have been providing aid to the refugees together with the Bangladesh Government.

On 28 April 1992 the Bangladesh Government and the State Law and Order Restoration Council (SLORC), Myanmar's ruling military authority, signed a bilateral agreement

to repatriate all the refugees over a six month period beginning three weeks from the date of the agreement. Reportedly at the SLORC's insistence, the UNHCR will not be involved in the resettlement process, although the two governments have agreed to seek UNHCR's help if needed.

The agreement also reportedly stated that no refugee would be forced to return to Myanmar, and the Bangladesh authorities have given assurances, which Amnesty International has welcomed, that it will not forcibly return any refugees.

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However, the agreement does not provide any mechanisms to ensure that repatriation is voluntary, to assess the situation in Myanmar, or to monitor refugees' safety upon their return. The agreement further states that the SLORC will take all necessary measures to halt the exodus of refugees and encourage those who have already left to return voluntarily and safely. However, Burmese Muslims continue to flee to Bangladesh in large numbers, and there are no grounds to believe that conditions in the Rakhine State have yet improved for the Muslim population.

The two governments signed another bilateral agreement on 7 May which sets out the means by which the refugees would actually be repatriated. It says that 5,000 refugees will be returned to Myanmar every other day from ten transit camps located on Bangladesh's southeast border with Myanmar. Burmese immigration officials will receive the returning refugees at five border camps and provide them with a few days' rations before their return home. The Bangladesh Government has reportedly submitted almost 200,000 names of refugees to the SLORC to assist them in receiving refugees.

Amnesty International believes that until a mechanism is in place which guarantees that the decision to return to Myanmar is genuinely voluntary, and until the SLORC can conclusively demonstrate that human rights conditions in the Rakhine State have improved, and that all returned refugees will be effectively protected from further violations, no refugee should be returned.

RECOMMENDED ACTION: Please send telexes/faxes immediately:

- welcoming the assurances given by Government of Bangladesh that no refugees will be forced to return to Myanmar against their will;
- expressing concern at reports that the Government of Bangladesh is to begin the repatriation of Burmese Muslim refugees on 15 May 1992, despite the fact that Burmese Muslims continue to flee from Myanmar;
- urging that the Government of Bangladesh postpone the repatriation of Muslim refugees until a mechanism is in place which includes the full participation of UNHCR and will ensure that refugees who return have made a genuinely voluntary decision to do so;
- urging that in addition, no refugee be returned to Myanmar until the Myanmar authorities can conclusively demonstrate that human rights conditions in the Rakhine State have improved, and that all returned refugees will be effectively protected from further violations.

APPEALS TO

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Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

diplomatic representatives of Bangladesh in your country

PLEASE SEND APPEALS IMMEDIATELY TO ARRIVE IN BANGLADESH BY 19 MAY 1992.