

## **The UN Convention on Genocide and recent persecution of the Rohingyas: A review**

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**[Abstract:** The UN has termed Rohingyas as the most persecuted ethnic group of the world. Rohingya is an ethno-religious group which mostly lived in the Rakhine state of Myanmar. Though they have a long history of inhabitation there, Myanmar authority labeled them as ‘illegal migrants’ from neighboring Bangladesh. After the independence of Burma (now Myanmar), Rohingyas faced a series of difficulties created by the state. Amid violence in different phases, hundreds of thousands of Rohingyas fled to Bangladesh as refugees. In 2017, Myanmar authority launched a ‘counter terrorist’ operation, and drove away Rohingyas to the Bangladesh border. There are lots of controversies which respect to these actions. The UN has termed the Myanmar activities against the Rohingyas as ‘the textbook example of ethnic cleansing’. Many other academics and Journalists claimed that what is happening in Rakhine state should be considered as genocide. In this paper, I have tried to find out the nature of the latest atrocities and violence against the Rohingyas in Rakhine state and diagnosed, whether the Myanmar Authority committed genocide or not in the light of the UN Convention on Prevention and Punishment of the Crime of Genocide (1948).]

### **Introduction**

Genocide has long been considered as one of the most disgraceful crimes of human society. From the very beginning of the rise of civilization the humankind has been experiencing the bloodshed of genocide at the different points of time. From ancient age to modern era, the world has suffered from several big scale genocides. Every part of the earth faced the violent actions of genocide. But, it was only in the near past that the term Genocide has been placed in the dictionary of international law. In 1944, a Polish lawyer and author Raphael Lemkin coined the term Genocide in his seminal work, ‘The Axis rule in Occupied Europe: Laws of Occupation, Analysis of Government and Proposal for Redress.’ Lemkin himself was a witness of the terror and barbarization of the Second World War. He was in Poland during the German aggression there, and then he fled to the United States. The United Nations used the word genocide in its Resolution 96(1) after which the term got official status. In 1948, the UN had organized a Convention on Prevention and Punishment of crime of Genocide. This Convention has defined the term genocide and identified the genocide actions. The Convention declared that perpetrating genocide or trying to perpetrate genocide shall be considered as crime.

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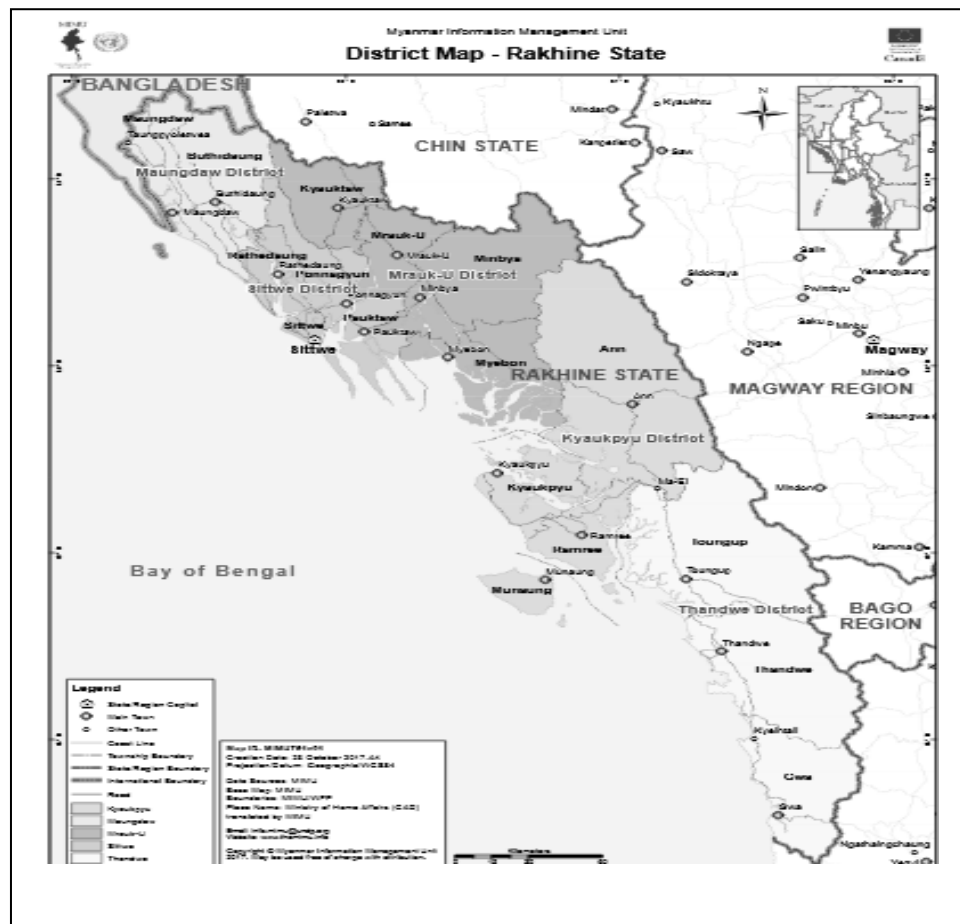
Though the sorrows and sufferings of the Second World War shocked the humanity and raised the voice against the atrocity of genocide, the world leaders failed to keep their promises. Soon after the end of the Second World War the global political arena got divided in two spheres. Sporadic conflicts and violence broke out in various parts of the world. Some of these regional conflicts were getting worse as they experienced genocide. In Cambodia, 1.5-3 million people had died under the Khmer Rouge regime. Dissolution process in Yugoslavia in the late twentieth century caused genocide and significant number of Bosnians had died. Another ferocious conflict was erupted in Rwanda in 1994, when Hutu led militia groups committed genocide against the Tutsi population and death toll exceeded 800000 only in three months. The aforesaid incidents clearly show that genocide is a regular phenomenon in the post war era. The twenty first century is certainly not free from the curse of genocide. Burma's (now Myanmar) Rohingya ethno-religious group has faced violence and atrocities from the very beginning of the independence of Burma. At the second decade of the twenty first century, they experienced the fiercest atrocities conducted by the Myanmar government. These atrocities raise a relevant question: should Myanmar's brutal action against the Rohingyas be called genocide or not?

Rohingya is an ethnic minority of South East Asian state, Myanmar. They mainly live in the Rakhine state formerly known as Arakan. Rakhine state is situated in the western region of Myanmar and bordered by Bangladesh. They have been considered as the most persecuted minority of the World. Rohingya people claimed that they are the descendants of Arab and Persian Muslims, who came to Myanmar (former Burma) many generations ago. But Myanmar authority repeatedly denied the claim and labeled them 'illegal immigrants from Bangladesh'. Since the independence of Myanmar from the British rule, the Rohingyas have faced various types of systematic discrimination imposed by the state. In 1982, the Myanmar authority passed the citizenship law but unfortunately they did not include the Rohingyas in the list of 135 recognized ethnic minorities of the country. Atrocity on the rohingya minority became a regular phenomenon after the military took over the power, but the recent persecution and torture have crossed all the limits. Violence broke out in August 2017 when the so called Rohingya militant group 'Arakan Rohingya Salvation Army (ARSA)' hit the security outpost and killed 12 government troops. In response the authority launched a cleansing operation and killed at least 1000 Rohingyas and forced near one million people to flee their home. Buddhist extremist militia groups also joined the violence and vandalized rohingya houses, looted, raped and tortured the unarmed people. Hundreds of thousands of Rohingyas fled and entered Bangladesh as refugees. The United Nations warned Myanmar authority and described the atrocities as the 'textbook example of the ethnic cleansing'.

The aim and objectives of this research are to analyze the recent atrocities on Rohingyas and identify whether the atrocities are genocidal according to the UN Convention on genocide or not. The paper divided in to three parts. In chapter one the historical existence of Arakan state as a sovereign political entity has been described. This chapter shows coming of the Muslims in Arakan, the etymology of the name 'Rohingyas' and how did an ethno religious identity has formed. The second chapter discusses about the hostility between the ethno religious Rohingyas and the Buddhist Burman led Burma state. This chapter also describes a chronological evidence of Rohingya persecution in different phases. The final chapter analyzes the latest atrocities on Rohingyas in the light of the UN Convention on genocide.

### Sovereign Arakan and the Arrival of the Muslims

The persecuted Rohingya Muslims are the inhabitants of Arakan state of Myanmar which is currently known as Rakhine state. Arakan is situated in the south western part of modern Myanmar and bordered by Bangladesh in the west, Chin state in the north. It has a long costal line with the Bay of Bengal at western part. The Yoma Mountain at the eastern border of Arakan separates it from the rest of the Myanmar. Arakan's total land area is about 52000 square kilometers (Arakanhrdo, 2019). There are two major ethnic groups in Rakhine: Buddhist Rakhine and Muslim Rohingya. Few numbers of Hindu, Chakma, Mro, and Bamar are also living in Arakan.



Map of Arakan (Rakhine), *Source: Myanmar Information Management Unit, 2017.*

Arakan had an independent political existence for thousands of years. Arakan's ancient name was 'Rakhaing' a name derived from the name of a tribal group (Karim, 2016:17). Neighbor Bengal was ruled by the Muslim Sultans for several hundred years. The Muslims pronounced Rakhaing as 'Arkhang' or 'Rakhang'. In the coin of the Sultan Shams-ud-din Ghazi dated 1555 A.D, the name was mentioned as Arakan (Karim, 2016:17). Arakan has a bright presence in Bengali literature. Many prominent Bengali

poets were patronized by the Arakanese court. In various Bengali scripts the place Arakan is mentioned as 'Roshang' and often 'Rokam'. People of Roshang were called as 'Roshangi' or 'Rohangi'.

There is another explanation with respect to the origin of the name of Arakan. It is said that the name Arakan is derived from the Persian/Arabian word Al-Rukun (Alam, 1999:5). British writer and explorer Relph Fitch mentioned about the region as 'Rokon' in 1586 (Alam, 1999:5). Another important evidence of Arakan is the account of the Scottish Physician, geographer, traveler Francis Buchanan. Buchanan stated that "The Mohammedans who have long settled at Arakan called the country as 'Rovingaw' and called themselves as 'Rohinga' or native Arakan."

### **Who are the Rohingyas?**

Rohingya is an ethno religious group which mostly lives in Rakhine (former Arakan) state of Myanmar. Their religion is Islam and they speak in Rohingya or Ruaingga which is by origin an Indo- Aryan language. It is widely believed that the early Muslim dwellers of Arakan were the descendants of the Arab and Persian mariners. In fifteenth century, Bengal was ruled by the Muslim sultans. A significant number of Muslims entered Arakan from Bengal during this time. The Maugh and Portuguese pirates took many Muslims from coastal area of the Bay of Bengal and other parts of India as captives and sold them in Arakan. British authority also brought a huge number of Indian Muslim labour in Arakan after they annexed it to British India. In brief, the modern Rohingya population is a mixture of various Muslims who entered in Arakan in different phases and for different purposes.

### **Rohingyas in Independent Burma**

Myanmar is a multi ethnic and multi cultural country, but it has no good reputation in dealing with the ethnic or religious minorities. Inter-ethnic, inter-religious conflict is a regular issue in country's history. In spite of the variation in demography, Myanmar has failed to form a pluralistic society. In Rakhine state there are two major ethnic groups: Rakhine and Rohingyas. Rakhines are Buddhist and the Rohingyas are Muslim in religion. Rakhine (former Arakan) was annexed with Burmese kingdom led by Baumar king Bodawpaya in 1785. After the Burmese independence in 1948 Arakan become a part of the newly formed state. In new state, the communal hostility between the Muslim Rohingya and the Buddhist Rakhine and Bamar had continued. However, Bamar led Burma was also hostile towards the ethnic Rakhine of the Arakan. Both Burma and Arakan were renamed respectively as Myanmar and Rakhine in 1989.

On the eve of the Japanese invasion in Burma, under the leadership of General Aung San Burma Independent Army was formed. But the Arakan battalion remained out of Aung San's command (Maung Lu, 1989:28). Burma was occupied by Japan in May, 1941. Burmese nationalist welcomed the Japanese invasion there but the Rohingya Muslim leaders were stood beside the British force. British authority promised Rohingyas for establishing their own land; but they did not keep the promise. Burma got independence from Britain in 1948. Arakan remains as a part of newly formed Burma nation state which was being dominated by the Buddhist Burmese majority. The Burmese military Junta grabbed power in 1962 by a coup.

Hostility and atrocities against the Rohingya people is not a new phenomenon. Though in independent Burma, the military regime especially intensified the hostility, there was evidence of violence in Arakan (now Rakhine) during the British colonial rule. A large scale fury exploded in the turmoil of the Second World War between Rohingyas

and the Buddhist majority. The conflict was communal in nature (Green, 2015:7). Buddhist Rakhine people joined with the Japanese occupational forces and jointly razed the entire Rohingya settlement in Arakan province. In this incident, about forty thousand Rohingyas fled to the Chittagong of the British India (now Chittagong division of Bangladesh).

The second wave of atrocity against Rohingya people struck in 1962 when General Ne Win took the power. Military junta was trying to swept away Muslims from administration and political sphere. Army posed great threat to the basic rights of the Rohingya people. They were expelled from Army, Police, and various government positions.

The military regime launched a national drive to register citizen in 1978. The operation was named as 'operation Naga Min' or 'Dragon King'. At that time, Rohingyas had been declared officially as 'illegal migrants' (Allard K., 2015:8). In this drive, Burmese Army allegedly killed civilians, tortured, raped Rohingya women. At least 200000 Rohingya people entered Bangladesh as refugees (Allard K., 2015:8). Though Burmese authority tried to deprive Rohingyas of citizenship of newly formed country, they received citizenship or identification cards from the government. The Union Citizenship Act, 1948, allowed people to apply for citizenship whose families had lived at least for two generations in Burma. The government completely stopped granting any citizen rights to the Rohingya people at beginning from the late 70s.

Though Rohingyas have a long history of living in Rakhine, they had to face several state owned violence and discriminations after the independence of Burma. Military coup in 1962 worsened the situation. We can identify the State's injustice to Rohingyas as follows:

- (a) Myanmar government refused to recognize the term 'Rohingya'. They completely ignored the roots of Rohingya in Rakhine state (then Arakan).
- (b) National Citizen Law, 1982 excluded Rohingya from the list of 135 recognized ethnicities of Myanmar.
- (c) Military crackdown against the Rohingyas has been operating in a regular interval since the Junta captured the power. In each crackdown, a significant number of Rohingyas were displaced from their homes and forced to cross the border.
- (d) Military, NaSaKa Para military (Now abolished), Border Guard Police, the Buddhist fundamentalists have been frequently troubling the daily life of Rohingya.
- (e) Rohingyas have been deprived of state support and various citizen rights. Myanmar stopped to issue birth certificates to Rohingya newborns, restrict Rohingyas from entering government job, restricts Rohingya travelling outside their township etc.
- (f) Myanmar authority interfered in the Personal and family life of the Rohingyas. They tried to control marriages of Rohingya and imposed restrictions on birth within the group.
- (g) Myanmar tried to injure the religious freedom and restrict the religious activities of Rohingyas. State owned violence destroyed many Mosques, Madrasa and other religious sites.

### **Persecution of Rohingyas and Genocide**

In 1948, the United Nations organized a Convention on prevention and punishment of crime of Genocide. This Convention has defined the term 'Genocide' and identified the genocide actions. The Convention declared that perpetrating genocide or trying to perpetrate genocide shall be considered as crime. The convention said, in the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such (Treaties.UN, 2017):

- (a) Killing members of the group;
- (b) Causing serious 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;
- (e) Forcibly transferring children of the group to another group.

Myanmar government launched a crackdown in Rakhine state in August 2017. They said that the drive was carried out against the Islamist terrorist group. Before the August 2017 crackdown, at least one million Rohingya have been living in Bangladesh. By the latest violence, a huge number of Rohingya flowed into Bangladesh. After 25 August 2017, at least, 723000 Rohingya crossed the border. Majority among the refugees are women and children and 40% of them are under twelve years of age (UNHCR, 2019). After the Rwandan genocide (1994), the Rohingya exodus is considered as the most rapid and intense refugee crisis (McNaughton, 2018). According to March 2019 estimate, there are 909000 Rohingya refugees who reside in various camps in Ukhya and Teknaf upozila of Cox'sbazar (UNOCHA, 2019). As the scenario depicts, Bangladesh is now a host of World's largest refugee camp.

The United Nations Human Rights Council has formed an independent international fact finding mission on Myanmar on 24 March of 2017. The mission's main responsibility was to investigate the human rights violation in Rakhine state for couple of years. However, Myanmar refused to give entry to the investigators and denied any sort of human rights violation in Rakhine state. The investigators could manage a significant number of victims in the refugee camps in Bangladesh. The victims told about their recent experience of atrocities. Mission has interviewed 875 Rohingya people in Bangladesh, Malaysia, Thailand, Indonesia, and, the UK (Hughes, 2018). The investigators checked the victim's statement in various ways and they also took help from the satellite images of the violence prone areas of the Rakhine state. Primarily they found (Hughes, 2018):

- a. 392 villages in Northern Rakhine were partly or completely destroyed.
- b. 40 % of households was affected.
- c. 80 % of the houses was burned within the first three weeks of the military operation.

After 2017 evacuations, about 250000-400000 Rohingyas are still living in Myanmar. In October 2018, the UN mission claimed that Myanmar military was still carrying out their cruel action and genocide is taking place against the remaining Rohingyas (The Guardian, 2018).

Chairman of the UN fact finding mission on Myanmar is Mr. Marzuki Darusman. He is from Indonesia and his two co-fellows are Ms. Radhika Coomaraswamy (Sri Lanka) and Mr. Christopher Dominic Sidoti (Australia).

It's a matter of great sorrow that Nobel laureate and Myanmar's pro democratic leader Aung Sung Suu Kyi remains reluctant to the violence in Rakhine state. As she is the current leader of the civilian government of Myanmar, she has been facing immense criticism for her silence over the Rohingya annihilation. Myanmar government abstains from allowing any international investigation in Arakan. Though the fact finding mission claims that heinous crimes like genocide and crimes against humanity have been committed in Rakhine state, Suu Kyi has rejected the UN investigator's report led by Marzuki Darusman.

The UN investigators reveal the brutality of military and state owned terror in Arakan. The report mentioned that the most serious crimes under international law have been perpetrated there and said that (The Guardian, 2018):

"Right now, it's an apartheid situation where the Rohingyas are still living in Myanmar. The camps, the shelters, the model villages that are being built, it's more of a cementing of total segregation or separation from the Rakhine ethnic community."

Investigators have found out following atrocities (BBC News, 2018):

1. Indiscriminate killing
2. Villages burned to the ground
3. Assault on children
4. Rape and torture on women

Public International Law and Policy Group (PILPG) is one of the prominent bodies which has been investigating the atrocity in Rakhine state. PILPG has prepared a report for the US State Department in September 2018. To prepare the paper, they have interviewed 1024 Rohingya victims now living in Bangladesh refugee camps. PILPG in their report strongly argued that what is happening in Rakhine state in August-September should be considered as genocide (Finnegan, 2019). The report also confirmed that Myanmar military perpetrated war crimes, and crimes against humanity. Myanmar military allegedly used excessive force against the ARSA rebels. The reports specifically found the following brutal actions done by military (Finnegan, 2019):

- (a) They have brutally assaulted on Rohnigyas
- (b) Arson villages
- (c) Indiscriminately Killed the Rohingyas
- (d) Rapes, gang rapes
- (e) Mutilate the pregnant women and newborns
- (f) Burnt and drowned the children
- (g) Destroyed religious sites
- (h) Destroyed homes and food stocks

As the UN Genocide Convention focused on the 'intention' of the perpetrator, it is necessary to examine whether the crimes aimed to destroy partly or whole any ethnic, racial, religious, national group or not. The PILPG said-

“The scale and severity of the attacks and abuses...suggest that, in the mind of the perpetrators, goal was not just to expel, but also exterminate the Rohingya.”

The report also said that the atrocities in Northern Rakhine was “well-planned, widespread, systematic, and aimed at terrorizing the Rohingyas, rendering them defenseless, and ensuring their removal from Myanmar-whether by displacement or death.”

### **Casualties**

The real number of casualties in latest violence is unknown. There is very little freedom of media in Myanmar and despite the formation of a civil government in 2012, suppression on media and free thinking remains the same as in the junta regime.

Myanmar authority has tightened control over Rakhine state since the atrocity began. They don't allow any international investigators, journalists in violence prone region. Sometimes they have stopped the rescuers, relief workers and humanitarian activists. So collecting data and information of violence and find out real number of casualties has become very tough. Two notable Reuter's journalists Wa Lone and Kyaw Soe Oo were held by Myanmar authority in December 2017. They were covering the atrocity committed by the security forces in Rakhine since August 2017. Myanmar accused them of sharing state secret to 'foreign agent'. The pair were investigating killing of 10 Rohingya Muslim in the military operation by forces and the Buddhist mob in Rakhine (Reuters, 2019). A Myanmar court has sentenced seven years of prison of each journalist. However, amid protest from human rights activists around the world, two journalists were freed after staying for 500 days in jail.

Main source of data and information of 2017 violence are journalists in anonym, international medical team, human rights activists and humanitarian organizations who have been working in Rakhine state. Another source of information is the victimized Rohingya people who have fled to Bangladesh and now living in various refugee camps in Cox'sbazar District.

A report of the United Nations Secretary General to the Security Council in April 2018 unfolds the overall feature of a brutal, heinous crime and showed a gravest violation of humanity that has been going on in Rakhine state. The report mentioned the following atrocities perpetrated by the Myanmar security force (The UN Report, 2019):

- Humiliating, terrorizing and collectively punishing the Rohingya community.
- Forced displacement.
- Rape, gang rape, enforced nudity, abduction of girls, sexual slavery.
- Looting valuables of Rohingyas
- Vandalised the houses
- Razed and burned Rohingya villages.
- Invasive body searches of Rohingya women by male security personnel.
- Sexual harassment during routine security search.

The United Nations has indentified as well as verified six specific cases which unfold sexual violence in Rakhine state (The UN Report, 2019):

1. Seven women raped in Buthidaung, Rakhine by Myanmar security personnel.
2. 32 Rohingya women and one girl raped by Myanmar security personnel and member of the Border Guard Police in Buthidaung.



3. One girl raped by a Myanmar soldier in Maungdaw.
4. 30 girls suffered from sexual assault by Myanmar in Maungdaw.
5. A 16 year old girl and her elder sister raped by Myanmar soldiers in Maungdaw.
6. Rape of several women in village of Maung Nu in Buthidaung.

In December 2017, Doctors Without Border, released a report on violence in Rakhine state. The report reveals a horrendous account of atrocity on Rohingya people by Myanmar forces and local militia groups. According to the report, at least 9000 Rohingya people in Rakhine state died between August 25 and September 24. Most of them died from the ongoing violence. At least 6700 Rohingya have been killed and among them there were 730 children of less than five year of age (Doctors Without Border, 2019).

### Analysis

As the UN convention mentioned, genocide is a systematic destruction (in whole or in part) of a defined or protected collectivity (ethnic, racial, religious, national group) it could take long period to be committed. Physical annihilation or mass killing might be the final stage of the process of genocide. Lemkin mentioned (Green, P. MacManus, T., de la Cour Venning, 2015: 7):

“Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aimed at the destruction of essential foundations of the life of the national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.”

Rohingya people have a long history of experiencing atrocity by the Burmese authority and the persecution is systematic in nature. The whole persecution occurred by following steps:

Phase	Nature of atrocity/action	Period
Hostility towards Rohingya	Communal	Under the Konbaung dynasty and British Colonial rule
Riot and first displacement of Rohingyas from Arakan (Rakhine)	Communal, Anti Indian, Nationalist	The Second World War (1942-43)
Refrained Rohingyas from Government job, police, military service	Ethnic, religious hatred	Ne Win's Military regime (1962)
Labeled Rohingyas as Outsider, illegal immigrants, Massive Crackdown and displacement.	Ethnic, religious hatred, state owned terror	Ne Win's Military regime (1977-78)
Deprived Rohingyas from citizenship rights officially.	Ethnic, religious hatred,	Ne Win's Military regime (1982)
Military crackdown against the Rohingyas, huge displacement.	Ethnic, religious hatred, state owned terror	Under the <u>State Law and Order Restoration Council</u> (SLORC) regime (1991-92)
Imposed measures on Rohingyas to restrict their birth, forced them to registered marriage to border immigration office stopped issuing birth certificates to Rohingya children.	Ethnic, religious hatred, state owned terror	Under the <u>State Law and Order Restoration Council</u> (SLORC) regime (1993-94)

Wanton destruction of Mosques, Madrassas, and other religious sights.	Communal, religious hatred.	Buddhist fundamentalists (2001)
Eruption of violence between Muslim Rohingyas and Rakhine Buddhist	Communal, Riot	Buddhist fundamentalist (2012)
Clearance Operation, indiscriminate killing of Rohingyas, Rape, Gang rape, Sexual violence, Abduction, Arson, Rohingya exodus	Ethnic, religious hatred, state owned terror	Under the so called civil democratic government led by National League for Democracy where Nobel laureate Aung San Suu Kyi is the de facto leader. (2017)

There are some prerequisites for considering an action as crime of genocide. The UN Convention has marked the following facts:

- (a) Persecuted group of people must be characterized as a protected group of people.
- (b) At least one of the five described actions to be committed.
- (c) Intention of the actions is to be destroyed the group in whole or in part.
- (d) Actions must be carried out by known perpetrator.

Aforesaid preconditions are applied to the Rohingya persecution:

Precondition	Applied in Rohingya persecution
Protected group	Rohingya is an ethno religious group in Rakhine, Myanmar.
Actions perpetrated	Killing, Sexual violence, preventing birth within the group, inflicting group conditions of life, forced displacement, destroying villages.
Intention	Extermination of the Rohingya ethno religious group. Myanmar military chief Min Aung Hlaing has openly declared their intention to solve (The Guradian, 2019) "the long-standing Bengali problem".
Perpetrator	Tatmadaw elements (more specifically Min Aung Hlaing, commander-in-chief of the Tatmadaw.), Ashin Wirathu (a radical Buddhist Monk)

## Conclusion

There has been a long history of persecution of Rohingyas. Burma got her independence from Britain in 1948. In independent Burma, Burmese nationalism mixing with Buddhist radicalism became dominant political line. When military took over Burmese power in 1962 they repeatedly denied the Rohingyas as their citizen. Junta government called Rohingyas as illegal Bengali immigrants from Bangladesh. Myanmar authority deprived the Rohingyas from citizenship, lawful jobs, health care, education and other basic rights. In August 2017 Myanmar government started a clearance operation against the Rohingyas and pushed them to the Bangladesh border. At least 7000 Rohingyas are killed and hundreds of thousands of them entered to Bangladesh as refugees. The real figure of casualties remains unknown, because Myanmar government does not allow any international media or journalist since the violence started. They have tightened control over the Rakhine state. International community condemned Myanmar for perpetrating such atrocities. The UN has mentioned the Myanmar actions as the textbook example of ethnic cleansing. But soon after the cleansing begun it is gradually unveiled that Myanmar has perpetrated genocide against the Rohingya people. United Nations formed an independent international investigation mission for Rakhine violence. The PILPG on behalf of the US state department also working to reveal the truth while voluntary organization like Doctors Without Border, Medical San Frontiers, many persons in anonym provide important information on violence. Rohingya victims in Bangladesh refugee camps are important source of information. All of the investigation reports revealed a horrendous account of barbaric, brutal efforts of Myanmar. They killed indiscriminately, razed the villages, tortured and committed serious sexual assault on Rohingyas. As Rohingyas are members of particular ethno religious group, they

obviously posses status of a protected or defined collectivity mentioned in the UN genocide convention. So, there is no doubt about that genocide has been perpetrated on Rohingyas in Northern Rakhine state of Myanmar.

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[সার-সংক্ষেপ: জাতিসংঘ রোহিঙ্গাদের বিশ্বের সবচেয়ে নিপীড়িত জনগোষ্ঠী হিসেবে অভিহিত করেছে। রোহিঙ্গা হল মায়ানমারের রাখাইন রাজ্যে বসবাসরত একটি জাতিগত-ধর্মীয় জনগোষ্ঠী। যদিও রোহিঙ্গাদের রাখাইনে বসবাসের সুদীর্ঘ একটি ইতিহাস আছে; তারপরও মায়ানমার কর্তৃপক্ষ তাদেরকে বাংলাদেশ থেকে আসা অবৈধ ‘অভিবাসী’ হিসেবে দাবি করে। বার্মার (অধুনা মায়ানমার) স্বাধীনতার পরে রোহিঙ্গা জনগোষ্ঠী রাষ্ট্র কর্তৃক আরোপিত বেশকিছু সমস্যার মুখোমুখি হয়। বিভিন্ন সময়ে ব্যাপক সহিংসতার মুখে হাজার হাজার রোহিঙ্গা শরণার্থী হিসেবে বাংলাদেশে পালিয়ে এসেছিল। ২০১৭ সালে মায়ানমার কর্তৃপক্ষ ‘সন্ত্রাসবিরোধী’ অভিযানের নামে রোহিঙ্গাদের বাংলাদেশ সীমান্তের দিকে ঠেলে দেয়। এই অভিযান নিয়ে ব্যাপক বিতর্কের সূত্রপাত হয়। জাতিসংঘ মায়ানমারের এরূপ আচরণকে জাতিগত নিধনের টেক্সটবুক নজির হিসেবে আখ্যায়িত করে। অনেক গবেষক এবং লেখক রাখাইনে সংঘটিত এই নির্যাতনের ঘটনাকে গণহত্যা হিসেবে বিবেচনা করার কথা বলেন। এই নিবন্ধে রাখাইনে সংঘটিত নিপীড়ন ও সহিংসতার প্রকৃতি অন্বেষণ করা হয়েছে এবং রোহিঙ্গা জনগোষ্ঠীর উপর মায়ানমার কর্তৃপক্ষ গণহত্যা চালিয়েছে কিনা সেই বিষয়টি জাতিসংঘের গণহত্যা বিষয়ক কনভেনশনের আলোকে নিরীক্ষা করা হয়েছে।]