

Human Rights Abuses against the Rohingya in Myanmar: Exploring the Role of Transitional Justice

Abstract

Due to recurring incidents of ethno-religious persecution involving human rights abuses and atrocities, members of Myanmar's Rohingya community have been forcibly deported to numerous countries, including neighboring Bangladesh. According to the United Nations High Commissioner for Refugees, the largest violence against the Rohingya population began on 25 August 2017, with over 969,719 people seeking shelter in Bangladesh's Cox's Bazar region by 30 November 2023. As a result, with a pre-existing population of around 300,000 Rohingya in Cox's Bazar who came to Bangladesh at various times beginning in the 1970s, the territory is now under constant threat from more than a million Rohingya. The huge growth in the population of Rohingya in refugee camps in Bangladesh, combined with Myanmar's continuous pattern of denialism of atrocities and impunity for those involved, propelled the Rohingya crisis to the forefront of human rights concerns. A key issue for the Rohingya and their future is the protection of their legal and historical identity, and the manifestation of their demands for justice and needs as victims, including repatriation to and reconciliation in their homeland in Rakhine State, Myanmar.

Thus, the purpose of this study is to investigate the role of transitional justice in addressing human rights violations and atrocities committed against the Rohingya population in Myanmar. In light of the current Rohingya situation, this study focuses on four core mechanisms of transitional justice – namely, (a) “truth-seeking” intended for establishing truth and combating denialism of atrocity incidents; (b) “prosecution” targeted at voicing out the demand for justice and legal recognition of victimhood; (c) “reparations” designed for identifying victims' needs covering both repatriation and reconciliation; and (d) “institutional reforms” aimed at guaranteeing non-repetitions of the human rights violations. This study also seeks to identify policy implications for Myanmar's development of human rights-based policy frameworks for the Rohingya population, with the cooperation of Bangladesh and the international community. It recommends promoting a holistic approach to address human rights violations, including the implementation of transitional justice measures for the Rohingya community.