

# Humanitarianism and National Security Conundrum: A Systematic Review on Bangladesh's Refugee Policy Dilemma, More Owes to Displaced Rohingyas

Shah Jahan Shuvo<sup>1</sup>, Jamal Uddin<sup>2</sup>, Mahbbat Ali<sup>3</sup>

<sup>1</sup>The University of Alabama, Tuscaloosa, AL, USA

<sup>2</sup>Cornell University, Ithaca, NY, USA

<sup>3</sup>Social and Policy Research Institute (SPRI), Madison, WI, USA

Email: mshahjahan@crimson.ua.edu

**How to cite this paper:** Shuvo, S. J., Uddin, J., & Ali, M. (2024). Humanitarianism and National Security Conundrum: A Systematic Review on Bangladesh's Refugee Policy Dilemma, More Owes to Displaced Rohingyas. *Open Journal of Social Sciences*, 12, 483-510.

<https://doi.org/10.4236/jss.2024.1210033>

**Received:** September 18, 2024

**Accepted:** October 27, 2024

**Published:** October 30, 2024

Copyright © 2024 by author(s) and Scientific Research Publishing Inc. This work is licensed under the Creative Commons Attribution International License (CC BY 4.0).

<http://creativecommons.org/licenses/by/4.0/>



Open Access

---

## Abstract

This systematic review studies how the absence of a concrete policy could seriously threaten a refugee-prone country as the global displaced population has significantly increased. This study focuses explicitly on Bangladesh's refugee policy dilemma regarding the displaced Rohingya population (DRP). After the 2017 genocide and mass displacement in Myanmar, over a million DRPs live in Bangladesh with uncertainty since the host country is unwilling to provide them with refugee status and the impossibility of returning to their home in Rakhine due to the intensified war situation. Bangladesh has undoubtedly proved its sincerity and humanitarianism by opening the border for the persecuted DRPs, providing them with primary care and shelter. However, procrastination in formulating any concrete policy for determining management strategy and the future of these additional people in an overpopulated country undermines Bangladesh's efforts and ultimately endangers its national security. The policy gap was reflected in Bangladesh's failure to implement various major initiatives of repatriation and relocation. Bangladesh, one of the top 10 refugee-hosting countries, has no comprehensive refugee or related policies. This study aims to comprehensively document and review how Bangladesh's policy dilemma not only deprives Rohingya refugees but also jeopardizes the country's refugee management programs, which ultimately pose a threat to national security. This study attempts to develop some policy suggestions upon reviewing the existing literature, which could serve as a foundational guideline for refugee management in Bangladesh and ensure human rights-related issues for the DRPs. This study analyzes existing refugee policy-related scholarly articles

---

---

and scrutinizes some gray articles to understand refugee policies and best practices for management. The Rohingya issue became more complicated as the various infighting minority groups announced establishing their government in Myanmar, renouncing any affiliation with the ruling Army administration. At this stage, Bangladesh discovered itself under a double-edged sword of maintaining communication with both parties. So, this study found that Bangladesh could be an example of how a policy dilemma ultimately leads a country to a national security concern. 2017's genocide and its aftermath incidents made the Myanmar crisis worse, which also made Bangladesh's repatriation-only solution more complex.

## Keywords

Refugee Policy, Refugee Management, Policy Dilemma, Rohingya, Genocide, National Security

---

## 1. Introduction

The Southeastern part of Bangladesh, which is the temporary home of over a million violent fleeing Myanmar's Rohingya people, has been witnessing severe turmoil due to ongoing frictions in its surrounding regions (Sadat al Sajib, Islam, & Sohad, 2022: p. 92). Dwellers of the world's largest refugee camps spend their days in fear and insecurity in highly surveilled and confined environments (Ansar & Khaled, 2021: p. 9). The host country and other non-governmental organizations' combined efforts provide immediate solace and humanitarian support to the exodus upon facing genocide in Myanmar's Rakhine State in 2017. After around seven years of forced displacement, recent incidents have also killed and displaced thousands (UNHCR, 2024); a bleak future awaits the Rohingya people, as no sustainable immediate solution is yet to be visible. With the Rohingya's statelessness, the host country, Bangladesh, puts itself in real danger as almost all its endeavors to solve this crisis failed due to a proper and practical policy guideline (Najmus Sakib, 2023: p. 6). The dilemma-prone Bangladesh is about to face more pressure due to inadequate preparedness and not having enough diplomatic interventions to deal with the refugee issue, with the gradual worsening of the Myanmar crisis as various groups fight for independence (Milton et al., 2017: pp. 6-7).

The 2017 genocide forced over 0.7 million Rohingya people to cross the border into Bangladesh's Cox's Bazar District (Riley et al., 2020: p. 2). With this migration, the district's overall number of displaced Rohingya population (DRP) reached over 0.9 million; some sources said the actual number could be over a million, making it one of the world's fastest-growing forced displacement crises (HRW, 2021: p. 60). Bangladesh has been dealing with Rohingya refugees who have been here for decades with an ad hoc policy. Bangladesh had no refugee policy until the 1980s as President Ziaur Rahman's government had to make an ad hoc policy to deal with the Myanmar military junta and was able to send back

around 200,000 Rohingya refugees who arrived in the country in 1978. The second wave of around 250,000 refugees arrived in the country in 1991 and 1992 was dealt with a policy focusing on quick and safe return. Of which, 230,000 were sent back to their home country by 1997 and the rest of them stayed in the country with refugee status under the collaboration of UNHCR. In 1992, Bangladesh formed the Refugee Relief and Repatriation Commissioner (RRRC) under the Ministry of Disaster Management and Relief (MODMR) aiming to deal with the relief activities of the refugees and send back them to their origin country. However, the successive government has denied refugee status to the newly arrived people and considered them undocumented immigrants.

In 2013, the government adopted a Rohingya refugee strategy titled “National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals” focusing on five imperative issues: surveying the officially designated refugees and undocumented Myanmar nationals in Bangladesh; provisions of their basic needs; strengthening the Bangladesh-Myanmar border management; stronger diplomatic engagement with Myanmar at the bilateral and multilateral levels; and formation inter-ministerial and inter-agency level coordination committee at the national and local levels to deal with the Rohingya crisis in Bangladesh.

In 2017, Bangladesh witnessed a massive influx of Rohingya refugees close to one million, which was an immense pressure for the country to deal with such a large volume of undocumented immigrants by taking different measures under the collaboration of various local and international organizations and agencies. Therefore, the capacity of RRRC was also increased from 4 to 40 and support staff from a dozen to over 300. Also, a taskforce was also formed combining officials different ministries and agencies from the local and national levels to monitor with the Rohingya refugee issues.

After the arrival of around 200,000 Rohingya refugees in 1979, the Bangladesh government formulated an ad hoc policy aiming at repatriation as the ultimate goal, which later dealt with two refugee influxes in 1991 and 1992 on the same ad hoc basis.

The 2017 Rohingya influx, which Bangladesh accepted from a humanitarian ground, was an enormous pressure for the host to deal with such a large volume of DRPs. Bangladesh took different measures by collaborating with various local and international organizations to manage the persecuted Rohingyas. Among the measures, Bangladesh increased the capacity of the existing Rohingya management committee. It formed a task force combining officials from different ministries and agencies at the local and national levels to monitor the issue. With a combined effort from all parties together, Bangladesh was able to provide basic support to the Rohingya refugees. However, Bangladesh’s Rohingya management strategy faced serious setbacks when all three major steps, repatriation, relocation, and assimilation, failed, with a worsening Myanmar war situation. The host country fell under immense pressure and had no proper direction to deal with the crisis.

Bangladesh, one of the top 10 refugee-hosting countries, has no comprehensive refugee or related policies (Khan & Rahman, 2020). The absence of a comprehensive guideline created various problems in refugee management, misunderstanding with the donor agencies, and posed a threat to its sovereignty, as Bangladesh has already witnessed a war threat from neighboring Myanmar (Paul & Ganguly, 2024; Rahman, 2023). Bangladesh has so far used the advantage of not being a signatory to the 1951 Refugee Convention and its 1967 Protocol; however, it has obligations to listen to the donor agencies due to various other legal bindings and funding dependency on international actors (Mohammad et al., 2012: p. 151). This situation is similar to Jordan's experience of hosting Syrian refugees without being a signatory of the 1967 protocol (Al Qaralleh & Salameh, 2022: p. 2). With that, Bangladesh is a unique example of a refugee host who is under serious security threat and diplomatic conundrum due to a power struggle between Myanmar rebels and the ruling Army administration (Alam & Ripon, 2024). Many studies (i.e. Ayoub, 2019; Basok, 1996; Maley, 2016; Wasem, 2020) focused on developed countries' refugee acceptance policy and their accommodation. However, few studies (i.e. Al Qaralleh & Salameh, 2022; Gordenker, 1983; Kaiser, 2005) focus on refugee management policy for a country with limited resources or developing country perspectives. Moreover, Bangladesh's experiences of dealing with DRPs and its gradual worsening situation are worth a proper study.

Our primary findings show that the Bangladesh government is always in a dilemma regarding adopting a concrete refugee policy. The host initiated a project to formulate a national refugee policy in 2013, which they canceled later, blaming a fund shortage. Subsequently, it started taking on big projects for relocation and repatriation without much discussion with experts, stakeholders, and other parties involved in refugee management, even the Rohingyas. This systematic review discussed the issue explicitly in the later part of the study. This study aims to comprehensively document and review how Bangladesh's policy dilemma not only deprives Rohingya refugees but also jeopardizes the country's refugee management programs, which ultimately turns into a national security threat. We have some specific queries based on the rationale to understand the issue more deeply. We try to comprehend how a concrete refugee policy is necessary to decide the best practices in refugee acceptance, denial, and management. Second, what kind of measures should a developing country like Bangladesh take to deal with a large number of refugees? Finally, what are the appropriate ways to engage people in deciding important issues of refugee management, diplomacy, and national security initiatives? The subsequent sections of this study strive to address these questions by reviewing the existing literature and developing some policy suggestions.

## 2. Method

### 2.1. Search Strategy

This study will analyze the existing refugee policy-related scholarly articles

focusing on Australia, Brazil, Canada, Germany, Jordan, and the United States of America (USA) and scrutinize gray articles to understand refugee policies and strategies of some lower-middle-income countries. We define *policy* as text (Ball, 1993: p. 11), meaning a comprehensive written guideline on overall refugee management. This systematic review was designed according to the 2015 Preferred Reporting Items for Systematic Reviews guidelines (Moher et al., 2015) and considered both peer-reviewed and gray literature (Mahood et al., 2013). Five electronic bibliographic databases were thoroughly searched using a list of pertinent text words and/or matching controlled vocabulary based on each database: Google Scholar, ProQuest, Semantic Scholar, Baidu Scholar, and Ref Seek. We used the following combinations of subject headings and keywords: Refugee Policy; Refugee Policy and Human Rights; Refugee and Human Rights; Rohingya Refugees and Policy; Rohingya Refugees and Human Rights; Rohingya Refugees, Refugee Policy and Bangladesh; Bangladesh and Refugee Policy; and Bangladesh, Refugee Policy and Human Rights.

Furthermore, keywords were also utilized to search grey literature on the websites of important organizations, such as the Ministry of Food and Disaster Management (MoFDM) of Bangladesh, Ain o Salish Kendra (ASK)—A Legal Aid and Human Rights organization, Amnesty International (2016), Asian Human Rights Organization, Bangladesh Red Crescent Society, International Committee of the Red Cross (ICRC), Food and Agriculture Organization (FAO), Médecins Sans Frontières (MSF), Human Rights Watch, and International Organization of Migration (IOM), Internal Displacement Monitoring Center, among other UN agencies including the United Nations High Commissioner for Refugees (UNHCR), United Nations International Children's Emergency Fund (UNICEF), and World Food Program (WFP). We looked through Google Scholar further to see any missing reports and articles. Every document's reference lists were also reviewed for pertinent reports and articles.

## 2.2. Inclusion and Exclusion Criteria

This study primarily included peer-reviewed articles, reports, working papers from various organizations and institutions, and theses and dissertations written in English. We focused on scholarly articles on international refugee policy and regional and country-level legal best practices. In grey articles, we focused mainly on Bangladesh, Rohingya refugees, and measures and strategies for managing DRPs. Our selection criteria were two layered—first, we wanted to provide a series of solid examples of how international organizations, developed and non-developed countries take policy initiatives to manage the refugee crisis, and our second goal was to provide scenarios from the field, how experts emphasize for a concrete policy and how the Bangladesh government seldom listen to that. So, we thought that both scholarly articles and grey articles would provide enough foundation of corpus for this systematic review. We specifically emphasize the corpus published between 1960 and May 2024, emphasizing international refugee policy,

country policy, and Bangladesh's legal framework for dealing with the Rohingya refugee crisis and how the absence of a concrete policy obstructs rights and opportunities for both the victims and the host country. We did not include editorials, opinion articles, books, book reviews, and papers in languages other than English. As Bangladesh and Rohingya refugees are the main focus areas of the study, we strived to narrow the focus areas from universal policy framework to developed country practices to most refugee-prone countries to Bangladesh. We chose 1960 as the baseline year because Rohingya refugees began to migrate to Bangladesh in 1962 as a result of the military takeover of Myanmar, where they were being persecuted and their human rights violated. They had to flee Burma, which later became Myanmar, to find safety in Bangladesh, India, Malaysia, and Thailand.

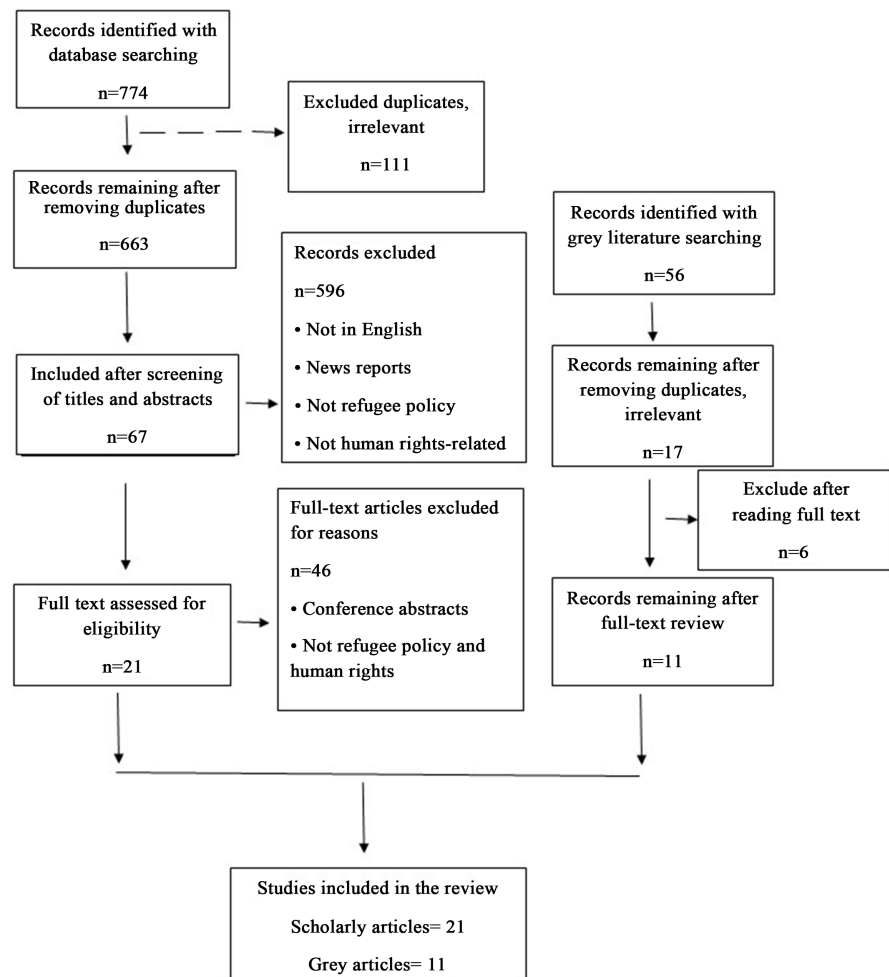
### 2.3. Study Selection Process

The researchers used a multi-stage approach in the screening process to determine the inclusion eligibility criteria. First, we eliminate any duplication of the corpus by screening the titles of the collected articles. Then, we eliminate any blatantly irrelevant studies, and last by abstract to make sure the studies were eligible and relevant. The researchers found 863 articles, 774 of which were scholarly and 56 of which were grey. The study selection process is summarized in **Figure 1**. After primary scrutiny based on repetitive articles, titles, and abstracts, the researchers found 663 articles. The total number of articles reached 67 after excluding non-English, unclear sources, and news reports unrelated to refugee policy and human rights. The final scrutiny was based on the conference abstract; the researchers found 21 scholarly articles. Regarding grey articles, the researchers found 56 in their primary search. Out of that, the number came down to 17 after scrutiny based on the complete refugee policy and human rights report. After reading the full text of the selected articles, the researchers found 11 for final review.

The selection criteria were independent and multi-layered. Two researchers, Shah Jahan Shuvo (SJS) and Jamal Uddin (JU), worked collaboratively to search, scrutinize, and finalize the articles. The third researcher, Mahbbat Ali (MA), reviewed the articles and provided further scrutiny.

### 2.4. Data Extraction and Synthesis

One researcher (SJS) primarily independently extracted the data and saved it in a Google Drive folder, whereas the other two researchers (JU and MA) also screened the articles. A piloted form was used to extract data. The following information was taken from the data: study aims and objectives; study characteristics (such as sample setting and population); study details (such as author name, year of publication, study design, and intervention). The primary researcher (SJS) used similar details to extract grey literature, which was then reviewed by two other researchers (JU and MA).



**Figure 1.** Study selection process.

## 2.5. Analysis

The selected studies were reviewed and reread to familiarize with the data and spot themes and patterns in each study. The information was taken out of every study verbatim to ensure no crucial information was lost (Fereday & Muir-Cochrane, 2016: p. 90). That was verified by going over the study's objectives again. That procedure made it easier to discover the themes and sub-themes of each study, which were typically present in the study's findings section. Each thematic analysis was contrasted to ascertain the relationships between the researchers. Even though there was a lot of research ( $n = 32$ ), the findings of the studies had characteristics that helped to establish common categories for the relationships between the studies. A few examples of such elements are structural, social, political, and economy-related. We conducted a comparative analysis of the themes and sub-themes found in each study and vice versa. Translation involves matching and comparing themes from different articles to ensure that the major research topics are included. These actions were carried out by the principal investigator (SJS) in close coordination with the other researchers (JU and MA). The process of translating research findings from one study to another was succeeded

by fresh data interpretation and argument development. The group developed a line of reasoning and created a model (Figure 2) that described the results.

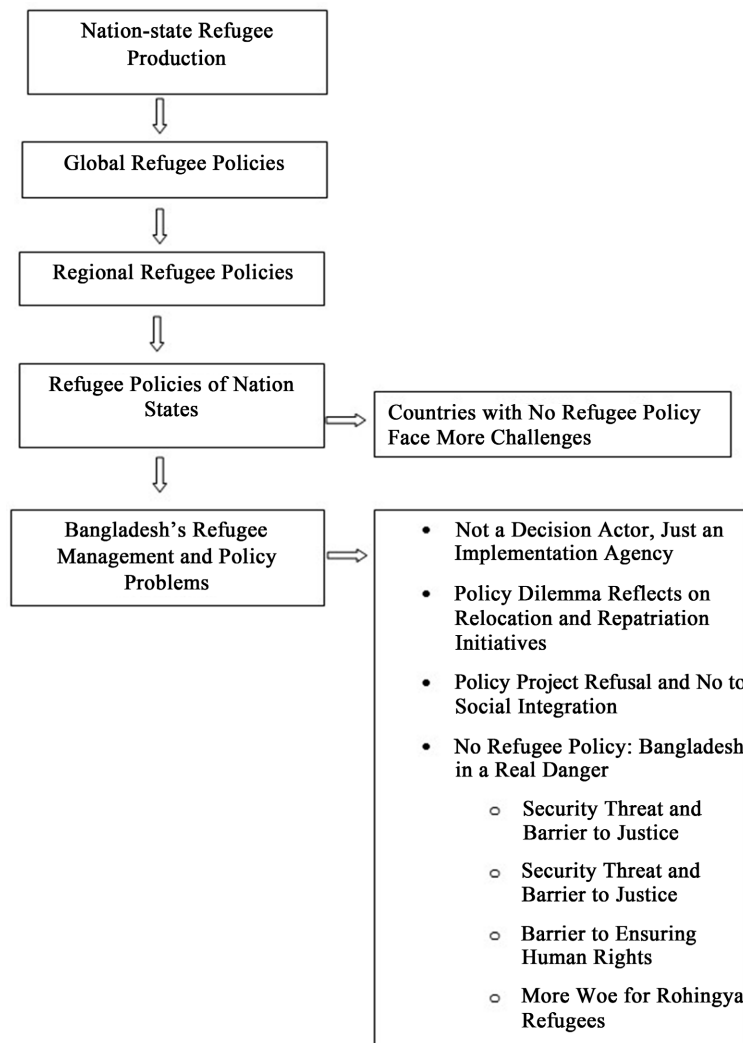


Figure 2. Descriptions of findings.

### 3. Results

A total of 21 articles and 11 reports were included in the final review, as shown in Figures 3 and Figures 4. Most of the studies included here were qualitative. This research emphasizes the refugee policy perspective and how policy-related dilemmas and indecisiveness could harm the displaced/refugees and the host countries. The grey articles included in this study were primarily annual reports, studies on the human rights scenario of the Rohingya refugees in Bangladesh, and independent analyses conducted by human rights organizations, United Nations (UN) affiliated organizations, and other non-governmental organizations (NGOs). This study also provides a historical background of how nation-state formation necessitates the production of refugees and how various legal and policy initiatives were initiated to uphold human rights and safe and secure resettlement of the displaced

people globally. The 1951 UN Convention on Refugee Protection and its later protocol for ensuring refugee rights and how states formulate policies are discussed to provide a complete idea of refugee policy (Janmyr, 2021: p. 189). This study also found how various countries accept or deny refugees and how no refugee policy countries like Bangladesh become clueless about dealing with refugees/displaced people in terms of accepting, rejecting, and/or playing a vital role with other international organizations to resolve a crisis.

Authors	Publication Year	Title	Journal	Research Design	Data Collection Method	Data Analysis	Location
1 Arne Niemann, & Natascha Zaun	2017	EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives.	JCMS: Journal of Common Market Studies, 56(1), 3–22.	Empirical Theoretical Analysis	Systematic Analysis of the EU Refugee Crisis and Theoretical Implication	Qualitative analysis	Germany & UK
2 A. S. M. Ali Ashraf	2021	Humanitarianism, national security, and the Rohingya refugee policy of Bangladesh	Strategic Analysis, 45(3), 184–206.	Case Study	Qualitative Case Study	Qualitative analysis	Bangladesh
3 Charles B. Keely	1996	How nation-states create and respond to refugee flows	International Migration Review, 30(4), 1046–1066.	Policy Analysis	Reviewing Existing Legal and Policy Documents	Qualitative analysis	USA
4 Deasy Sitya Sari, Taufiq Hidayat, & Aiyana Pratiwi	2018	Indonesian Government Policy on Rohingya Refugees	Andika Journal of International Studies (AJIS), 7(1), 1.	Policy Analysis	Indonesian Legal System and Refugee Policies	Qualitative analysis	Indonesia
5 Hassan Faruk Al Inan, Md Nannu Mian	2014	The Rohingya Refugees in Bangladesh: A Vulnerable Group in Law and Policy	Journal of Studies in Social Sciences, 8(2), 226–233	Policy Analysis	Bangladesh Legal and Policy Framework	Qualitative analysis	Bangladesh
6 Ishrat Hossain	2020	After Humanitarianism: Bangladesh's Evolving Rohingya Policy.	JSTOR. <a href="https://www.jstor.org/stable/resrep27059">https://www.jstor.org/stable/resrep27059</a>	Comparative Policy Analysis	Bangladesh, Malaysia and Indonesian Refugee Policies	Qualitative analysis	Bangladesh
7 James Milner	2014	Introduction: Understanding global refugee policy	Journal of Refugee Studies, 27(4), 477–494	Review Article	A Conference and Workshop Proceedings	Qualitative analysis	Canada
8 Jobair Alam	2020	The Status and Rights of the Rohingya as Refugees under International Refugee Law: Challenges for a Durable Solution	Journal of Immigrant & Refugee Studies, 1–14	Policy Analysis	Bangladesh Legal System and Policy Framework	Qualitative analysis	Bangladesh
9 Julia Bertino Moreira	2017	Refugee policy in Brazil (1995–2010): Achievements and challenges.	Refugee Survey Quarterly, 36(4), 23–44.	Policy Analysis	Brazilian Refugee Policy	Qualitative analysis	Brazil
10 Marie Lacroix	2004	Canadian Refugee Policy and the Social Construction of the Refugee Claimant Subjectivity: Understanding Refugeeness.	Journal of Refugee Studies, 17(2), 147–166	Interview-based Exploratory Study	Interviewing Refugees	Qualitative analysis	Canada
11 Maysa Abbas Ayoub	2019	Understanding Germany's response to the 2015 refugee crisis	Review of Economics and Political Science, 8(6), 577–604.	Case Study	Germany's Refugee Policy and Legal Framework	Qualitative analysis	Germany
12 Md Shauful Islam	2019	Understanding the Rohingya Crisis and the Failure of Human Rights Norm in Myanmar: Possible Policy Responses.	Jadavpur Journal of International Relations, 23(2), 158–178.	Policy Analysis	Bangladesh's Legal and Policy Framework	Qualitative analysis	Bangladesh
13 Nour Mohammad	2012	Refugee Protection Under the Constitution of Bangladesh: A Brief Overview	Refugee Watch, 39.	Policy Analysis	Bangladesh Legal System and Policy Framework	Qualitative analysis	Bangladesh
14 Ruth Ellen Wiseman	2020	More than a Wall: The Rise and Fall of US Asylum and Refugee Policy	Journal on Migration and Human Security, 8(3), 246–263.	Multi-method Approach	Historical, Statistical Data and Policy Framework	Mixed Method	USA
15 Sarvander S. Juss	2005	The Decline and Decay of European Refugee Policy	Oxford Journal of Legal Studies, 25(4), 749–792.	Comparative Policy Analysis	Refugee Policies of European Countries	Qualitative analysis	UK
16 Sultana Yesmin	2016	Policy towards Rohingya refugees: A comparative analysis of Bangladesh, Malaysia and Thailand	Journal of the Asiatic Society of Bangladesh (Hum.), 61(1), 71–100.	Comparative Analysis	Policy papers/text	Qualitative analysis	Bangladesh
17 Syeda Rozana Rashid	2019	Finding a durable solution to Bangladesh's Rohingya refugee problem: Policies, prospects and politics	Asian Journal of Comparative Politics, 7(2)	Secondary Data Analysis	Journal, News Articles, Conference Paper, Books	Qualitative analysis	Bangladesh
18 Tanya Basak	1996	Refugee policy: Globalization, radical challenge, or state control?	Studies in Political Economy, 50(1), 133–166.	Policy Analysis	Canadian Refugee Law and Policies	Qualitative analysis	Canada
19 Thomas Gammeltoft-Hansen	2014	International Refugee Law and Refugee Policy: The Case of Deterrence Policies	Journal of Refugee Studies, 27(4), 574–595.	Critical Case Study	International Refugee Law and National Policies	Qualitative analysis	Denmark
20 Thomas Gammeltoft-Hansen, & Nikolas F. Tan	2017	The End of the Deterrence Paradigm? Future Directions for Global Refugee Policy	Journal on Migration and Human Security, 5(1), 28.	Critical Analysis	International Refugee Law and National Policies	Qualitative analysis	Denmark
21 William Maley	2016	Australia's refugee policy: domestic politics and diplomatic consequences	Australian Journal of International Affairs, 70(6), 670–680.	Policy Analysis	Australian Refugee Policies	Qualitative analysis	Australia

Figure 3. List of scholarly articles.

Institution(s)	Publication Year	Title	Aims	Data Collection Method	Data Analysis	Location
1 Council of Europe	2019	Human rights aspects of immigrant and refugee integration policies	Examines how selected Council of Europe member states are handling the integration of immigrants and refugees, considering human rights standards	Comparative Socio-legal Analysis	Qualitative Analysis	France
2 Government of Bangladesh, World Bank, WFP	2019	Emergency Multi-Sector Rohingya Crisis Response Project (EMCRP): Resettlement Policy Framework	Emergency Policy Formulations	N/A	N/A	Bangladesh
3 Human Rights Watch	2023	Bangladesh: Spiraling Violence Against Rohingya Refugees: Protect Community From Killings, Abductions, Torture	Contextual Analysis of Bangladesh's Treatment of Rohingya Refugees	Interview, Observations, and Document Analysis	N/A	Thailand
4 Human Rights Watch	2021	"An Island Jail in the Middle of The Sea": Bangladesh's Relocation of Rohingya Refugees to Bhasan Char	Provide a Situational Analysis of Bangladesh's Relocation Project of Rohingya Refugees	Interview	Qualitative Analysis	Bangladesh
5 International Crisis Group	2023	Crisis Mounts for Rohingya Refugees in Bangladesh	Analysis of deteriorating conditions of Rohingya refugees, security breakdown, and deteriorating Myanmar turmoil	Situational and Policy Analysis	Qualitative Analysis	Belgium
6 Relief Web	2018	Asia Refugee Policy Analysis	Overview of Regional Refugee Policies and Case Study on Bangladesh	Global and Regional Refugee Policies	Qualitative Analysis	Malta
7 UNHCR	2011	States of denial: A review of UNHCR's response to the protracted situation of stateless Rohingya refugees in Bangladesh	Reviewing the UNHCR's measures in response to the Rohingya refugees in Bangladesh	Reviewing Refugee Policies	Qualitative Analysis	Switzerland
8 UNHCR	2022	Annual Results Report: Bangladesh	Evaluation of the Progress of Rohingya Refugees Protection as well as Local Environmental Safety Measures	Situational Analysis	Mixed Methods	Switzerland
9 World Bank Group	2021	Refugee Policy Review Framework: Technical Note	To enhance humanitarian interventions by addressing displacement's medium-term socioeconomic impacts on refugees and their host communities	Policy Analysis	Qualitative Analysis	Bangladesh
10 World Bank Group	2023	Integrating refugees: Lessons from Germany since 2015-16	Evaluation of German Government's measures during Syrian refugee influx in 2015-2016	Policy Analysis	Qualitative Analysis	Germany
11 Xcept, Center for Peace and Justice, The Asia Foundation	2023	Governing at the Margins: A Patchwork of Policies and Practices in the Rohingya Refugee Response in Bangladesh	Analysis of Bangladesh's ad hoc policies on Rohingya refugees	Interview, Observations, and Document Analysis	Qualitative Analysis	Bangladesh

Figure 4. List of grey articles.

### 3.1. Nation-State Refugee Production

Keely (1996) described the reasons for refugee production based on the dynamics of the nation-state. For example, European states such as Germany and Italy are

rooted in cultural and religious identity. To keep the harmony of the majority population, European countries' nation-building process was followed by the expulsion of Muslims from Spain, Jews from Germany, and Protestants from the French. In particular, Islam was viewed as problematic in Europe in terms of the separation of religion from the state structure. On the other hand, in the nineteenth century, language became a core element of national identity. For example, France and Germany took the initiative to spread their languages and promote their culture by taking massive programs in writing history, founding museums, and recovering folktales and folk music—the recent trend of getting recognition as hyphenated nations such as the USA and Canada.

Political disagreements in a nation-state create chaos, which ultimately produces refugees. Some other forms of refugee production are if a state attempts to establish a supranational identity and if a nation-state focuses on developing a national identity based on the dominant group's culture and tries to eliminate the ethnic/minority groups. Usually, ethnic cleansing turns into genocide. People flee from a country when violence erupts, and a particular group of people feels that they are on the other side or wrong side politically, culturally, religiously, ethnically, and ideologically. For example, European refugees are mostly displaced from their countries because of political repercussions by the communist government, primarily in the 1940s and 50s. In such a situation, the need for a global policy regarding refugees and other displaced people initiated by the United Nations High Commissioner for Refugees (UNHCR).

### 3.2. Global Refugee Policy: A Universal Safeguard

Scholars defined the global refugee policy from the ground of safety and security to the vulnerable community. James Milner described the global refugee policy as “a formal statement of any proposed course of action in response to a problem relating to protection, solutions, or assistance for refugees or other populations of concern to the global refugee regime. It is discussed and approved within UNHCR's governing structures” (Milner, 2014: p. 480). Milner showed a conceptual framework for understanding refugee policy as a product and process. The ‘product’ of global refugee policy is the formal statement of a problem relating to protection, solutions, or assistance for refugees or other populations of concern to the global refugee regime. The ‘process’ is the essential question that must be addressed, as it diverts resources away from investments in protection, assistance, and solutions for the forcibly displaced. A more systematic understanding of the process of global refugee policy could ensure that these scarce resources are directed in the most effective way possible. As mentioned above, global refugee policy may be studied as a product, namely, the formal policy document. How are specific examples of global refugee policy created? Who are the actors that influence the agenda-setting and deliberation stages? Where are decisions made? How are these decisions influenced by the interests and beliefs of various actors, both formally within the decision-making process and outside the formal process?

Also, the global refugee policy may be studied as a process. Approaching policy as a process encourages a focus on the meaning and impact of global refugee policy once created. How does the meaning of global refugee policy translate from formulation to implementation? What are the factors that affect the implementation of global refugee policy? Is there variation in implementing particular examples of global refugee policy in different contexts? What explains this variation, and what does this variation tell us about the nature and claims of global refugee policy? What role does global refugee policy play in explaining outcomes in different contexts and policy areas relative to other regional, national, and local factors?

Milner defined different key institutions involving global refugee policy as ‘actors.’ These ‘actors’ are primarily the states and UNHCR but may also include NGOs and other members of the research and advocacy communities. At the domestic level, there are five stages of policy formulation, according to [Howlett and Giest \(2013\)](#), which are i) agenda setting, ii) policy formulation, iii) decision making, iv) policy implementation, and v) policy evaluation.

On the other hand, [Gammeltoft-Hansen \(2014\)](#) analyzed global refugee policy from the perspective of the interdisciplinary relationship between international relations (IR) and international legal theory. The relationship between law and politics in this area is thus better characterized as a process of coevolution where legal interpretation and refugee policy have each developed through mutual action and reaction. In the last 25 years, a trend of increasingly restrictive refugee policies from humanitarian approaches has been seen in traditional and new asylum countries. Among the different restrictive measures, deterrence policies have been introduced legally or physically to prevent refugees from accessing asylum.

[Gammeltoft-Hansen & Tan \(2017\)](#) provided a future direction for global refugee policy, asking questions about the end of the deterrence paradigm. The study said that as the migration and refugee crisis has recently grown, developed countries have responded to the crisis with the deterrence policy measure. This has produced a distorted refugee regime globally, which is fundamentally based on the principle of deterrence rather than human rights protection. A crucial statistical fact shows the truth of this situation, presently, 86 percent of the world’s refugees reside in a low- or middle-income country, whereas 20 years ago, it was 70 percent ([UNHCR, 2015](#)). [Gammeltoft-Hansen & Tan \(2017\)](#) argued that the current “crisis,” more than a crisis regarding refugee numbers and global protection capacity, should be seen as a crisis in terms of the institutionalized responses pursued by states. Refugee law, policy, and international laws are very much matters of politics. During the Cold War, international refugee law came to play a crucial role in legitimizing the politics of the West. Following the end of the Cold War, receiving refugees no longer served an ideological agenda. At the same time, globalization has made knowledge of faraway destinations and transcontinental transportation more readily available.

### 3.3. Refugee Policy and Regional Cooperation

Regional cooperation is one of the critical ways of managing refugees and policy intervention. The supporting initiatives of the Council of Europe (CE) member states in 2015 after the arrival of a large number of refugees from Middle Eastern countries provided us with a recent successful collective venture. The 2015-2016 refugee influx in the European countries unfolded the systematic deficiencies in the European Union (EU) in managing such a crisis (Niemann & Zaun, 2018: p. 12). Refugee policies in this region have had numerous ramifications since countries have yet to decide on any common agenda regarding asylum and other similar issues (Juss, 2005: p. 792). EU countries took various steps, including reforming laws and policies to accommodate newcomers. CE's initiatives in formulating policy for accepting and integrating refugees were applauded among many successful interventions as "previously existing deficits and accentuated the structural limitations of domestic asylum systems across several European countries" (CE, 2019: p. 5). The CE, an 11-member regional cooperative organization, formulated a policy paper to assist its member states in creating and implementing integration policies that protect immigrants' and refugees' fundamental freedoms and human rights according to the European Convention on Human Rights.

However, the situation regarding refugee intervention differs among the South and Southeast Asian regional organizations. Most of the governments in this region have frequently disregarded the condition of Rohingya refugees, breaking their international commitments to return no one to a location where their life or freedom would be in danger (HRW, 2021: p. 7). The South Asian Association for Regional Cooperation (SAARC), an eight-member country organization, has always been silent about the flights of the Rohingya population. On the other hand, the Association of Southeast Asian Nations (ASEAN), another 10-country regional organization, stayed quiet after some discussion on the Rohingya refugees. Regarding the Rohingya problem, the ASEAN Intergovernmental Commission on Human Rights (AICHR) did not say much to put pressure on Myanmar. In mid-2018, while visiting the AICHR website, not a single word was found on Myanmar's state atrocities against the Rohingya (Islam, 2019: p. 11). It is also important to note that "after Burma joined the ASEAN, the plight of the Rohingya was conveniently forgotten" (Parnini, 2013, as mentioned in Islam, 2019: p. 11).

According to Islam (2019), China and India were significant regional investors in Myanmar and had cordial ties with the government. Thus, among various factors, the Rohingya issue needed to be connected appropriately because insufficient political opportunities were available on a national, regional, and global scale. Major nations like China, India, and Russia said nothing. In the UN Security Council, China and Russia exercised their veto power over a resolution about Myanmar. On the other hand, Yesmin's (2016) comparative study on the refugee policy of Bangladesh, Malaysia, and Thailand found that all these regional destinations of Rohingya refugees were enacting more authoritarian policies for accepting persecuted Myanmar

nationals since killing and torture have become a regular phenomenon without any sustainable solutions to the crisis.

### **3.4. Nation-State Refugee Policy: A Light-Bearer for Both Host and Victims**

Countries manage the flow of displaced people differently based on their national policy or other legal framework. The global refugee crisis is not new; however, recent natural and artificial crises have increased it. Developed countries are more careful and cautious about accepting refugees due to resource scarcity, internal politics, and socio-cultural reasons. The war on terror and the Middle Eastern refugee influx in various European countries was an excellent example of that. Except for Germany, most of the developed countries refused to accept Middle Eastern refugees. However, among the destinations of the displaced people, the United States (US) has been one of the tops since World War II due to its liberal approach to granting the victims of political, racial, and religious (Wasem, 2020: p. 248). The US adopted different policies to receive and manage the refugee population at different times. In general, the US has an immigration policy of receiving a certain number of immigrants from across the world annually. Thus, receiving refugees sometimes fits into their general immigration policy. For example, in 1945, President Harry Truman ordered the issuance of 39,000 visas from their unused immigration quota relative to all faiths, creeds, and nationalities of the European displaced persons to reduce human suffering. Later, the country passed the Displaced Person Act in 1948 and received many refugees who were persecuted by the communist government or the victims of antisemitism.

On the other hand, Canadian refugee policy is influenced by international humanitarian organizations and domestic human rights groups (Basok, 1996: p. 133). Canada was involved with the UN effort from the very beginning to settle the European displaced people after World War II. Canada received around 40,000 European refugees from 1945 to 1952. However, it had no formal refugee policy until the 1976 Immigration Act, effective in 1978. Their refugee definition was also in line with the UN concept. Lacroix (2004) discussed the theoretical framework of the refugee claimants of Canada based on two questions: i) What is the impact of the refugee policy on the refugee claimants, and ii) How does the refugee determination process alter their subjectivity? This study also shows the impact of gender on refugee life. The refugee determination process in Canada is lengthy and complicated as different steps are involved in this determination process.

Similar to Canada and the USA, Australia has a long-term tradition of receiving refugees from different countries with the collaboration of UNHCR, especially people who fled their home countries following political persecution (Maley, 2016: p. 677). The country received Hungarian refugees in 1956 following the aggression of the communist government. In 2015, the Australian government received 12,000 Syrian refugees, being influenced by public criticism for drowning

a 3-year-old refugee child seeking to reach Europe. However, asylum seekers who arrive in the country by boat without a valid visa face strict application of laws, such as detention, and are sent back to their home country. Australia's refugee receiving strategy is one of the components of its annual immigration intake, 190,000. Australia made several refugee policies at different times, including its first refugee policy in 1951 to fix refugee protection and their rights, amended in 1954, 1967, and 1973. The revised law focused on not forcing the refugees back to their countries. Germany set an example of how a country's base policy could need to be revised to face a sudden influx of refugees. Ayoub (2019) studied Germany's prompt and constructive reaction to the 2015 refugee crisis by making a solid, quick revision of the existing base policy. Then, German Chancellor Angela Merkel intervened and initiated an executive order to accept Syrian refugees as the EU's Dublin declaration obstructed immigrants regarding registration issues. According to the Dublin declaration, refugees were required to register first and then be allowed to enter. With a bold statement of "Wir schaffen das" or "We can do this," describing her decision as a 'national duty,' (Dockery 2017b as mentioned in Ayoub, 2019: p. 580), Merkel allowed the refugees to enter the country first, provided them with primary support, and then proceeded with other procedures.

Nevertheless, Brazil's refugee policy is rooted in historical context and has changed over time due to socio-political reasons (Moreira, 2017: p. 26). In 1945, Brazil's immigration policy welcomed people from European countries to contribute to its development, especially in the growing industrial and modern agricultural sectors. With this spirit, Brazil signed agreements with international refugee organizations in 1947 and welcomed around 40,000 European refugees. However, Brazil's immigration policy underwent revisions during the military regime (1964-1985) as authorities perceived immigrants as potential security threats. In 1977, UNHCR and religious organizations collaborated with the government to allow South American refugees in Brazil under an agreement where refugees would be relocated within six months of their entry, with UNHCR taking responsibility for their protection. However, local organizations, such as the Justice and Peace Commission affiliated with the Catholic Church, opposed the military regime's strict conditions for refugee settlement. Brazil's refugee policy became more liberal by reestablishing the country's democratic political system. During the Cardoso government (1995-2002), efforts were made to improve Brazil's international image by addressing human rights issues domestically and cooperating with international organizations.

However, the experiences of refugee management and policy interventions in Asian countries are different. For instance, Sari (2018) discussed the Indonesian government's policy on handling the migration wave of Rohingya refugees by the end of 2015. This study shows that though Indonesia officially did not allow Rohingya migration and to have their refugee status, government officials and local people showed a humanitarian view to them. The Indonesian Army Force Commander gave orders to help the Rohingya refugees by sending food and water to

the ship that had been floating for a long time in the waters of the Malacca Straits. As Indonesia and Myanmar are both members of ASEAN, Indonesia, in addition to conducting bilateral diplomacy, brought the Rohingya issue to ASEAN. An emergency ASEAN meeting was held in May 2015 in Putrajaya, Malaysia, to discuss the Rohingya refugee issue, which Myanmar did not attend.

### 3.5. Countries with No Refugee Policy Face More Challenges

Studies found that countries with no concrete refugee policy to manage a sudden influx of refugees and try to deal with the crisis based on ad hoc or any other temporary legal framework ultimately usher in a long-term crisis. Historically, many refugee problems have been solved without or with minimal legal framework due to proper diplomacy, charismatic leadership, and/or the root cause. For instance, around 10 million Bangladeshi refugees were sheltered in India during Bangladesh's War of Independence in 1971. After a nine-month war, Bangladesh gained independence, and most refugees were returned to Bangladesh (Murshid, 2011: p. 59). However, this kind of decision could also bring long-term problems if the root cause of the crisis is not resolved. The Rohingya issue is an appropriate example of such a problem, which Bangladesh has been carrying since 1978. Bangladesh had plenty of time to formulate a concrete policy to deal with the Rohingya crisis without carrying it out all the years, which became a major issue after the large amount of DRPs in 2017. Moreover, Bangladesh has not experienced a security threat from Myanmar before, both from infighting revolutionaries and the ruling Army Administration, being a neighbor and host of millions of Rohingya population. So, Bangladesh is now shielding a double-edged sword and needs to keep ties with both parties for a sustainable solution to the crisis. Bangladesh primarily thought repatriation would be the only solution to the Rohingya problem without considering a holistic approach. Bangladeshi policymakers seemed ignorant that refugee protection and national security should be viewed as complementary, not conflicting. As Kerwin (2016) pointed out, three vital points of how refugee protection and national security are connected. Kerwin said 1) refugee protection could enhance human and state security with 2) possibilities of benefiting a state, such as increased vitality, economic prosperity, diversity, preservation of core values, and even bolstering military strength. Finally, 3) refugee protection and national security strategies are mostly in agreement rather than considering them separately. The Middle Eastern country Jordan faced a similar experience to Bangladesh by hosting millions of Syrian refugees. Being a non-signatory of the UN Convention and without a concrete refugee policy, Jordan became clueless, having a sudden influx of refugees (Al Qaralleh & Salameh, 2022: p. 2). Though Bangladesh and Jordan's experiences have similarities regarding the size of the immigrants, the Rohingya crisis is deeper than the Syrian refugees for many reasons.

The majority of DRPs are unwilling to return to the Myanmar battlefield as the conflict and casualties are still an everyday phenomenon over there. In addition

to their unwillingness, the Rohingya have a legitimate fear of being persecuted based on their race and religion. On the other hand, Bangladesh does not accept the Rohingya as refugees due to the shaky binding power of international refugee law for non-state parties, fractured global and regional emotions, and geopolitical interests. They even meet the requirements of Article 1 A (2) of the Convention to qualify as refugees. The Rohingya refugees are entitled to rights and safeguards under the Convention despite manipulation on a global and regional scale. As a nonparty State to the Convention but a significant home to Rohingya refugees, Bangladesh's legal approach toward the Rohingya is equivocal in the subject of recognizing their refugee status. Bangladesh, on the other hand, is a member of the ExCom and is widely known throughout the world for housing Rohingya refugees. Bangladesh has made an effort to protect the rights of the Rohingya under customary international law and other international human rights treaties to which it is a party, albeit in the absence of treaty commitments. While Bangladesh has primarily fulfilled its commitment to refrain from returning refugees, it has not yet fulfilled its commitment to provide other rights, such as work, healthcare, and education. Bangladesh's provision of "protection space" should be applauded. However, there is still a need for more focus on controlling aid allocation and coordinating service delivery (Alam, 2019: p. 11).

#### 4. Bangladesh's Refugee Management and Policy Problems

Ashraf (2021) explained Bangladesh's refugee policy following the two features of Jacobsen's framework, which are legal and bureaucratic response and attitude toward international relief organizations. Bangladesh had no refugee policy until the 1980s as President Ziaur Rahman's government had to make an ad hoc policy to deal with the Myanmar military junta and was able to send back around 200,000 Rohingya refugees who arrived in the country in 1978. The second wave of around 250,000 refugees arrived in the country in 1991 and 1992, and a policy was implemented focusing on quick and safe return. Of these, 230,000 were sent back to their home country by 1997, and the rest stayed in Bangladesh with refugee status under the collaboration of UNHCR. In 1992, Bangladesh formed the Refugee Relief and Repatriation Commissioner (RRRC) under the Ministry of Disaster Management and Relief (MODMR), aiming to deal with the relief activities of the refugees and send them back to their country of origin. However, successive governments have denied refugee status to the newly arrived people and considered them undocumented immigrants.

In 2013, the government adopted a Rohingya refugee focusing on five imperative issues: surveying the officially designated refugees and undocumented Myanmar nationals in Bangladesh, provisions of their basic needs; strengthening the Bangladesh-Myanmar border management; more robust diplomatic engagement with Myanmar at the bilateral and multilateral levels; and formation inter-ministerial and inter-agency level coordination committee at the national and local levels to deal with the Rohingya crisis in Bangladesh. After the 2017 influx of DRPs,

Bangladesh took different measures under the collaboration of various local and international organizations and agencies. Therefore, the capacity of RRRC also increased from 4 to 40, and the support staff increased from a dozen to over 300.

#### **4.1. Not a Decision Actor, Just an Implementation Agency**

Bangladesh was not so active in refugee management programs rather than behaving as an implementing agency. Financial deficiency could be one of the significant reasons why Bangladesh is not playing a proactive role in the refugee resettlement program. However, the lack of legal and administrative guidelines impedes Bangladesh from being proactive. Findings show that Bangladesh works with various organizations as a host/local counterpart to fulfill the requirements of development partners/donor agencies without thinking about formulating any distinct refugee policy or dealing mechanisms. For instance, the Emergency Multi-Sector Rohingya Crisis Response Project (EMRCRP) was implemented by the Ministry of Disaster Management and Relief (MoDMR) of Bangladesh with two other government organizations (RPF, 2019). To implement this project, the government of Bangladesh (GoB) formulated a guideline for implementing agencies and non-government organizations (NGOs) titled Resettlement Policy Framework (RPF).

#### **4.2. Policy Dilemma Reflects on Relocation and Repatriation Initiatives**

Findings revealed that the repatriation deal, which was signed between Bangladesh and the Myanmar government, was a wrong approach to resolving the present refugee problem, given the ongoing threat of violence and the refugees' refusal to return. The governments of Bangladesh and Myanmar signed the ambitious repatriation agreement in November 2017, with a commitment to take back 1500 refugees to their homes per week. According to the Bangladesh Foreign Ministry, all "eligible" Rohingya should be returned to their home country within two years. Nevertheless, the scope of this bilateral agreement is limited to migrants who entered Bangladesh after October 2016. From October 2016 to March 2018, 793,751 migrants entered Bangladesh, indicating that deporting them all would take more than ten years (Relief Web, 2018: p. 5).

Bangladesh started relocating refugees to Bhasan Char of Hatiya Island to control criminal activities and save the tourism hub of Cox's Bazar. However, this initiative stumbled due to fund shortages and allegations of various human rights violations (HRW, 2021). Bangladesh devised a plan to ease refugee pressure in overcrowded Cox's Bazar camps and relocate around 100,000 refugees to Bhasan Char, roughly 60 kilometers from the mainland, in late 2020. Bhasan Char means a floating island, a newly formed silt island in the Bay of Bengal built in the last 20 years (Hossain, 2020: p. 4). The program halted after relocating around 27,000 Rohingya refugees as the UN and other humanitarian agencies expressed concern over such an initiative due to severe life risks from flood, cyclones, and storms, with a massive concern of confining refugees in a distant land terming it as "an

island jail middle in the sea” (HRW, 2021: p. 23). Findings show that humanitarian specialists have warned about safety since infrastructure building on Bhasan Char began in 2017. Later, the Bangladesh government dropped the relocation program, alleging a funding crisis (HRW, 2021).

### 4.3. Policy Project Refusal and No to Social Integration

With complexities in relocation and repatriation, Bangladesh is strict with no social integration of the DRPs. The host has declined a Refugee Policy Review Framework (RPRF) project proposal, saying that the social integration of refugees would bring more harms than good. The World Bank (2019) proposed RPRF project aims to provide additional support for establishing socioeconomic development opportunities for refugee and host populations in the host country, thoroughly examining refugee policy and institutional contexts. Bangladesh authority rejected the proposal in mid-2021 after consulting internally and concentrating on the repatriation-only solution. However, it is surprising that Bangladesh initiated a project in 2017 to formulate a refugee policy, which they abandoned due to fund shortages. Findings show that the World Bank (2019) sponsored the proposed RPRF project with detailed directions for formulating an integrated refugee policy. The RPRF talked about three long-term refugee options—resettlement, local integration, and voluntary repatriation, where Bangladesh considers only the last option. Bangladesh stepped in for resettlement, for instance, Bhasan Char, which was canceled after the rights organization found severe human rights violations. Bangladesh declined the RPRF proposal without properly discussing it with the respective bodies (The Daily Star, 2021).

### 4.4. No Refugee Policy: Bangladesh in a Real Danger

It is not an exaggeration to say that the current Rohingya refugee crisis is unique for Bangladesh from previous influxes in 1978, 1991, and 1991. During previous incidents, Bangladesh took immediate steps, terming those situations as humanitarian crises, and undertook executive orders to provide refuge to the victims (Relief Web, 2018). The incumbent governments simultaneously provided humanitarian assistance to refugees with cooperation from international agencies and continued consultations with the Myanmar government about repatriation. However, the present crisis has several ramifications regarding Bangladesh’s handling of DRPs. First off, Bangladesh is unable to resolve the present Rohingya crisis as it did before due to the vastness of the crisis, government indecision, and lack of diplomatic negotiations. Bangladesh resolved previous incidents with a government executive order to provide immediate humanitarian assistance and repatriation by developing a diplomatic consensus with the Myanmar government. Moreover, Bangladesh’s push-back and blocking of international agencies’ initiatives also failed as persecuted Rohingya people flooded its Southeastern border. So, it proves that arbitrary and transitive decisions ultimately backfire and threaten the overall administrative and diplomatic process. Second, the absence

of a legally binding framework/guideline provides the host country with a gray area in fulfilling the requirements of the refugee community that need to be sufficiently met. This has resulted in haphazard and slow policy development. Bangladesh initiated formulating a national strategy for handling the mounting crisis of Rohingya refugees in 2017, which was abandoned later due to a funding crisis. The country has now prioritized short-term assistance over longer-term absorption into Bangladeshi society.

#### 4.5. Policy Absence: Security Threat and Barrier to Justice

The continuous pressure from DRPs in the bordering areas put Bangladesh in a real crisis with a war situation in Myanmar. Bangladesh security forces have already found a series of allegations that both its nationals and Rohingya refugees were joining with the infighting rivals, which put the host country under serious security threat. During several raids in the Hill-track districts, security forces recovered advanced firearms and ammunition left by the infighting groups. Without a policy guideline and fruitful discussion with its neighbors, Bangladesh fears a war threat, which ultimately puts the country under a sovereignty threat. Moreover, the spiral of criminal offense and violence in the Rohingya camps and its surrounding areas put the population of the locality in danger (Al Imran et al., 2014: p. 238; Hossain, 2020: p. 2). Murder, shooting, abduction, rape, and sexual assault become a common phenomenon. For instance, a 2023 investigation by Human Rights Watch (2023) documented 26 cases of violence against Rohingya, including murder, kidnapping, torture, rape and sexual assault, and forced marriage. Victims report encountering multiple obstacles to receiving police, legal, and medical support and the authorities' inability to offer safety and security or bring charges against those in charge. Law enforcement agencies continue their efforts to punish the offenders. However, Bangladesh's criminal justice system and policy are inadequate for handling many criminal cases (HRW, 2023: p. 2; Mohammad et al., 2012: p. 148).

The present Rohingya crisis proved Bangladesh's projection of repatriation as the ultimate solution wrong. The nature and gravity of the current problem are far different from previous incidents for various reasons (ICG, 2023: p. 11). First, the size of displaced people is over a million, which is still an increasing number due to severe turmoil in the Rakhine and surrounding states of Myanmar as various groups are fighting against the junta-backed government. So, repatriation to Myanmar became uncertain. Bangladesh and Myanmar governments signed a pact in 2017 to repatriate Rohingya, which was canceled in mid-2023 before sending a single refugee back due to security concerns and the unwillingness of refugees to return to Myanmar. Humanitarian organizations and donor agencies also urged the Bangladesh government to scrape such initiatives as it will throw the refugees in further danger. Second, the human rights organizations and donor agencies urged Bangladesh to provide refugees with civil facilities and access to various rights like healthcare, education, and employment. Bangladesh's authority considers such an

initiative impossible for a densely populated country with a large unemployed population. Rights organizations expressed their concern that the current refugee treatment in Bangladesh is below human rights standards as Rohingyas are confined in camps with minimal basic facilities. However, Bangladesh's authorities see no possibility of providing complete civil facilities to the DRPs. Third, the Bangladesh government has employed nearly all its energy to combat the immense political turmoil in recent years. So, the Rohingya issue is almost out of discussion in the government agenda (ICG, 2023: p. 27).

Furthermore, the spontaneous reaction lends a feeling of temporariness to the refugee environment (Manzur & Prova, 2023: p. 14). The study of Manzur and Prova (2023) indicated three components work together to produce the ad hoc approach to governance: first, there is no national legislation on refugees; second, the government is adamant that repatriation is the only viable long-term answer for the Rohingya population residing in Bangladesh; and thirdly, rash decisions and inconsistent enforcement of policies. Stressing a comprehensive national policy, the study concluded that though the ad hoc approach may not be adequate to control such massive DRPs, there is no quick fix for the protracted issue. Any short-term agenda could rather exacerbate tensions in the refugee camps. Since the Rohingya refugees in Bangladesh are protected by domestic law, a more cohesive system could be built on increased responsibility-sharing among all parties involved (Manzur & Prova, 2023: p. 5).

## 5. Discussion

Bangladesh's political landscape witnessed a significant change recently due to a mass uprising that ousted the Sheikh Hasina regime. However, the DRP issue did not show any positive results. Instead, more displaced Rohingyas entered the Bangladesh camps. Chief advisor of Bangladesh's interim government, Dr. Muhammad Yunus, committed to finding sustainable solutions to the DRP crisis. Dr. Yunus previously stressed a concrete plan and global cooperation to resolve the humanitarian crisis.

The interim government should begin its journey where the previous administration made a gridlock. Experts found severe flaws in Bangladesh's previous efforts to repatriate the Rohingya people to the battlefield of Myanmar, where more uncertainty awaits the vulnerable group. The relocation project to Bhasan Char also faced serious criticism as it will put the DRPs in "a floating jail," and most of the Rohingyas are not interested in moving there. Bangladesh's helplessness became visible as the budgetary allocation for the Rohingya started shrinking in 2022 after the Russian invasion of Ukraine. The Israel-Palestine conflict pushed the Rohingya issue to the margin of international discussion.

Moreover, residents of the Southeastern parts of Bangladesh, including the DRPs in camps, are at risk due to the atrocities in surrounding areas. Bangladesh administration fears an assumed attack from Myanmar as several incidents have already happened that were seen as war instigations. So, the present war-like

situation is an addition to Bangladesh's ongoing struggle to manage the Rohingya refugees. However, it seems like the Bangladesh authority took the situation lightly and solved it on an ad-hoc basis. Internal and global experts emphasized the need for a concrete refugee policy with proper directions to accept, relocate, resettle, and repatriate the refugees. The Rohingya crisis has become more complicated as there are multiple authorities in Myanmar now. So, Bangladesh must maintain communication with all parties to stay safe.

This systematic review showed how various countries take steps to accept and manage the refugee crisis. Hundreds of studies were conducted to investigate how a concrete refugee policy helps nations face crises diligently and take practical actions to use the crisis as an opportunity. Bangladesh has tremendous opportunities to gain experience from the best global policy practices. It is evident that the refugee crisis is not a new phenomenon; many countries have been dealing with such a problem for a long time. The UNHCR and other international organizations have also assisted in solving the crisis. The examples of refugee management in developed and non-developed countries also provide significant lessons on dealing with and resolving a problem. Experts suggested Bangladesh could do the same with proper diplomatic interventions and strategic communication against Myanmar's allegations that the Rohingyas are illegal immigrants from Bangladesh. Surprisingly, the Bangladesh government seldom listens to these and concentrates on ad-hoc policy or supporting basic humanitarian projects. Bangladesh government's role in the Rohingya issue once again comes back to the discussion as the anti-military revolutionaries are about to win the war. Experts fear that unless the Bangladesh government can maintain a balanced communication with both the revolutionary and the Army administration regarding the displaced Rohingya's safe return to their homes. Specialists already asked the Bangladesh government to start a serious diplomatic mechanism for ensuring the homeless Rohingyas return to their homes.

## 6. Policy Recommendations

As [Rashid \(2019\)](#) mentioned, experts recommend a durable solution for Rohingya, including restoration of their civil and political rights in Myanmar, political and economic burden sharing by developed countries, and capacity building for Rohingya. Voluntary repatriation, local integration, and third-country resettlement are the three tenets of durable solutions. According to [Cuenod \(1989\)](#), as mentioned in [Rashid \(2019\)](#), five variables that influence the solution of a refugee crisis are a) the attitude of the refugees themselves, b) the attitude and policy of the country of first asylum, c) the attitude and policy of resettlement countries, d) the attitude and policy of the country of origin; and e) hidden factors. This study found that all variables were negatively active in resolving the Rohingya crisis. Though Bangladesh welcomed the persecuted Rohingya, it is unwilling to do anything else except repatriation. The Myanmar situation closed the door of repatriation with Bangladesh's no to social integration. The third-country resettlement

of Rohingya will ultimately fulfill the hidden desire of the Myanmar state actors as they want to remove the ethnic minority from the Rakhine.

This systematic review developed some policy recommendations based on the existing literature, keeping a durable solution to the Rohingya crisis in mind. These recommendations will provide sufficient guidelines for managing the refugee crisis. Various socio-political reasons are undoubtedly responsible for a crisis like the Rohingya genocide. However, it is unique due to its longevity, repetitiveness, and severity. Our policy recommendations are as follows.

### **6.1. To the Bangladesh Government**

First, Bangladesh should develop a global discourse against the Myanmar government's labeling of Rohingyas as 'illegal immigrants from Bangladesh.' This is an old allegation which Bangladesh did not address properly. Indeed, the Rohingya minority's language, religion, and some other socio-cultural practices are similar to neighboring Cox's Bazar people. There is no evidence that Rohingyas migrated from Bangladesh. However, the Bangladesh government never talks about this issue, which provides ground to the Myanmar authorities.

Second, the government should be involved in decision-making sectors in the refugee management process with other stakeholders. The present Myanmar war situation made the DRP problem more than a mere refugee crisis. Bangladesh should move away from being just an implementation agency. There should be programs for collaborating with international organizations, aid agencies, and DRPs to delineate the best possible options.

Third, Bangladesh should form a Rohingya emergency cell with a core body of experts from different sectors, including lawyers, diplomats, security experts, civil society members, and academicians. An expert body must assess all sides of a program before finalizing it.

Fourth, the host should formulate a detailed security plan both for Bangladesh and the Rohingya refugees as the war situation has been worsening. As Bangladesh's existing legal framework does not cover various new security issues, the host could invite foreign experts to figure out possible security options.

Fifth, Bangladesh needs a more comprehensive program beyond humanitarian aid and shelter. It is wise for Bangladesh to maintain good communication and a collaborative environment with its stakeholders to increase Rohingya refugees' access to livelihood programs and educational opportunities until their repatriation. Bangladesh's unemployment rate is high, and there are resource limitations. So, the host could engage the UNHCR and other international organizations in this process.

Sixth, Bangladesh should initiate a multi-party diplomatic program to stay afloat of the crisis. Based on the proper discussion and recommendations from the experts, the host country should develop communication as the looming/upcoming political development in Myanmar will ensure a safe, sustainable, and dignitary return of the Rohingya refugees.

## 6.2. To the Aid Actors and NGOs

First, take the initiative to minimize the aid gap for the DRPs. The DRPs' aid amount has declined since late 2022 after the humanitarian crisis started worldwide. So, the DRP aid money has come to a bare minimum level.

Second, DRPs need a strong collective voice to ensure the quality of their education and vocational training programs. Aid agencies and NGOs could play a significant role in this issue.

Third, with education and training, international organizations could initiate income-generating activities for skilled and non-skilled DRPs, which would also help minimize the aid gap for refugees.

## 6.3. To All Other Parties

First, strategic communication should be initiated to engage all relevant parties and experts in formulating sustainable policy recommendations. A disorganized set of rules and procedures would not be adequate to sustain the Rohingya refugees in Cox's Bazar and Bhasan Char until a safe and widespread return is feasible (Manzur & Prova, 2023: p. 20).

Second, collaborate with Bangladesh authorities to ensure more significant benefits for the Rohingyas through properly implementing the projects and aid programs.

Finally, make a consorted effort to pressure the Myanmar authorities and the possible new regional administration to take back the DRPs and provide them with proper citizenry rights and facilities.

This study is not out of limitations; rather, it lacks some of the required components. A systematic review can accumulate existing research and be based on that. This study does not meet this limitation. Second, the Rohingya issue is an ongoing problem, and more incidents happen every day, and more research is also coming on this issue. So, it was difficult for us to provide a holistic scenario of the Rohingya crisis in this study. Future research should focus on an empirical study combining perspectives of both the host country actors and the genocide survival Rohingyas.

## 7. Conclusion

Bangladesh has undoubtedly proved its sincerity by opening the border for the persecuted DRPs. The humanitarian approaches of the Bangladeshi policymakers were applauded due to the bold decision to host a large number of refugees in an overpopulated country. However, the host country's procrastination in formulating any concrete policy undermines its efforts and ultimately endangers national security. The policy gap was reflected in its failure to implement various major initiatives of repatriation and relocation, depriving the DRPs of other basic rights.

## Acknowledgements

Thanks to the anonymous reviewers of the AEJMC 2024 who gave feedback on

the extended abstract of this article.

## Conflicts of Interest

The authors have no conflicts of interest to declare that are relevant to the content of this article.

## References

- Al Imran, H. F., & Mian, M. N. (2014). The Rohingya Refugees in Bangladesh: A Vulnerable Group in Law and Policy. *Journal of Studies in Social Sciences*, 8, 226-253. <https://doi.org/ISSN%202201-4624>
- Al Qaralleh, A. S. (2022). Jordan and Syrian Humanitarian Refugees' Dilemma: International Law Perspective. *Heliyon*, 8, e09377. <https://doi.org/10.1016/j.heliyon.2022.e09377>
- Alam, J. (2019). The Current Rohingya Crisis in Myanmar in Historical Perspective. *Journal of Muslim Minority Affairs*, 39, 1-25. <https://doi.org/10.1080/13602004.2019.1575560>
- Alam, S., & Ripon, T. M. (2024). Rohingya Forced to Fight Alongside Myanmar Army Tormentors. *The Japan Times*. <https://www.japantimes.co.jp/news/2024/05/29/asia-pacific/rohingya-myanmar-army-tormentors/>
- Amnesty International (2016). *Bangladesh Pushes Back Rohingya Refugees amid Collective Punishment in Myanmar*. <https://www.amnesty.org/en/latest/press-release/2016/11/bangladesh-pushes-back-rohingya-refugees-amid-collective-punishment-in-myanmar/>
- Ansar, A., & Khaled, A. F. (2021). From Solidarity to Resistance: Host Communities' Evolving Response to the Rohingya Refugees in Bangladesh. *Journal of International Humanitarian Action*, 6, Article No. 16. <https://doi.org/10.1186/s41018-021-00104-9>
- Ashraf, A. S. M. A. (2021). Humanitarianism, National Security, and the Rohingya Refugee Policy of Bangladesh. *Strategic Analysis*, 45, 184-206. <https://doi.org/10.1080/09700161.2021.1918953>
- Ayoub, M. A. (2019). Understanding Germany's Response to the 2015 Refugee Crisis. *Review of Economics and Political Science*, 8, 577-604. <https://doi.org/10.1108/reps-03-2019-0024>
- Ball, S. J. (1993). What Is Policy? Texts, Trajectories and Toolboxes. *Discourse: Studies in the Cultural Politics of Education*, 13, 10-17. <https://doi.org/10.1080/0159630930130203>
- Basok, T. (1996). Refugee Policy: Globalization, Radical Challenge, or State Control? *Studies in Political Economy*, 50, 133-166. <https://doi.org/10.1080/19187033.1996.11675339>
- Council of Europe Publishing (CE) (2019). *Human Rights Aspects of Immigrant and Refugee Integration Policies*. <https://edoc.coe.int/en/migration/7908-human-rights-aspects-of-immigrant-and-refugee-integration-policies.html#>
- Cuenod, J. (1989). Refugees: Development or Relief? In G. Loescher, & L. Monahan (Eds.), *Refugees and International Relations* (pp. 219-254). Oxford University Press.
- Fereday, J., & Muir-Cochrane, E. (2016). Demonstrating Rigor Using Thematic Analysis:

- A Hybrid Approach of Inductive and Deductive Coding and Theme Development. *International Journal of Qualitative Methods*, 5, 80-92.  
<https://doi.org/10.1177/160940690600500107>
- Gammeltoft-Hansen, T. (2014). International Refugee Law and Refugee Policy: The Case of Deterrence Policies. *Journal of Refugee Studies*, 27, 574-595.  
<https://doi.org/10.1093/jrs/feu030>
- Gammeltoft-Hansen, T., & Tan, N. F. (2017). The End of the Deterrence Paradigm? Future Directions for Global Refugee Policy. *Journal on Migration and Human Security*, 5, Article No. 28. <https://doi.org/10.14240/jmhs.v5i1.73>
- Gordenker, L. (1983). Refugees in Developing Countries and Transnational Organization. *The Annals of the American Academy of Political and Social Science*, 467, 62-77.  
<https://doi.org/10.1177/0002716283467001005>
- Hossain, I. (2020). *After Humanitarianism: Bangladesh's Evolving Rohingya Policy*. (GIGA Focus Asien, 6). GIGA German Institute of Global and Area Studies, Institut für Globale und Regionale Studien, Institut für Asien-Studien.  
<https://nbn-resolving.org/urn:nbn:de:0168-ssoar-70322-4>
- Howlett, M., & Giest, S. (2013). *Routledge Handbook of Public Policy*. Routledge.  
<http://ndl.ethernet.edu.et/bitstream/123456789/26874/1/131.Eduardo%20Araal%2C%20Scott%20Fritzen%2C%20Michael%20Howlett%2C%20M.%20Ramesh%2C%20Xun%20Wu.pdf>
- Human Rights Watch (HRW) (2021). *An Island Jail in the Middle of the Sea*.  
<https://www.hrw.org/report/2021/06/07/island-jail-middle-sea/bangladeshs-relocation-rohingya-refugees-bhasan-char#:~:text=The%2058%2Dpage%20report%2C%20E2%80%9C>
- Human Rights Watch (HRW) (2023). *Bangladesh: Spiraling Violence against Rohingya Refugees*.  
<https://www.hrw.org/news/2023/07/13/bangladesh-spiraling-violence-against-rohingya-refugees#:~:text=Bangladesh%20authorities%20are%20failing%20to>
- ICG (2023). *Crisis Mounts for Rohingya Refugees in Bangladesh*.  
<https://www.crisisgroup.org/asia/south-asia/bangladesh/355-crisis-mounts-rohingya-refugees-bangladesh>
- Islam, M. S. (2019). Understanding the Rohingya Crisis and the Failure of Human Rights Norm in Myanmar: Possible Policy Responses. *Jadavpur Journal of International Relations*, 23, 158-178. <https://doi.org/10.1177/0973598419862482>
- Janmyr, M. (1951). The 1951 Refugee Convention and Non-Signatory States: Charting a Research Agenda. *International Journal of Refugee Law*, 33, 188-213.  
<https://doi.org/10.1093/ijrl/eeab043>
- Juss, S. S. (2005). The Decline and Decay of European Refugee Policy. *Oxford Journal of Legal Studies*, 25, 749-792. <https://doi.org/10.1093/ojls/gqi036>
- Kaiser, T. (2005). Participating in Development? Refugee Protection, Politics and Developmental Approaches to Refugee Management in Uganda. *Third World Quarterly*, 26, 351-367. <https://doi.org/10.1080/0143659042000339155>
- Keely, C. B. (1996). How Nation-States Create and Respond to Refugee Flows. *International Migration Review*, 30, Article 1046. <https://doi.org/10.2307/2547603>
- Kerwin, D. (2016). How Robust Refugee Protection Policies Can Strengthen Human and National Security. *Journal on Migration and Human Security*, 4, 83-140.  
<https://doi.org/10.1177/233150241600400304>
- Khan, B. U., & Rahman, M. M. (2020). *Country Fiche BANGLADESH*.

- [https://www.asileproject.eu/wp-content/uploads/2021/03/Country-Fiche\\_Bangladesh\\_Final\\_Pub.pdf](https://www.asileproject.eu/wp-content/uploads/2021/03/Country-Fiche_Bangladesh_Final_Pub.pdf)
- Lacroix, M. (2004). Canadian Refugee Policy and the Social Construction of the Refugee Claimant Subjectivity: Understanding Refugeeeness. *Journal of Refugee Studies*, 17, 147-166. <https://doi.org/10.1093/jrs/17.2.147>
- Mahood, Q., Van Eerd, D., & Irvin, E. (2013). Searching for Grey Literature for Systematic Reviews: Challenges and Benefits. *Research Synthesis Methods*, 5, 221-234. <https://doi.org/10.1002/jrsm.1106>
- Maley, W. (2016). Australia's Refugee Policy: Domestic Politics and Diplomatic Consequences. *Australian Journal of International Affairs*, 70, 670-680. <https://doi.org/10.1080/10357718.2016.1220494>
- Manzur, S., & Prova, T. K. (2023). *Governing at the Margins a Patchwork of Policies and Practices in the Rohingya Refugee Response in Bangladesh*. [https://www.xcept-research.org/wp-content/uploads/2023/10/Bangladesh\\_Governing-at-the-margins\\_EN.pdf](https://www.xcept-research.org/wp-content/uploads/2023/10/Bangladesh_Governing-at-the-margins_EN.pdf)
- Milner, J. (2014). Introduction: Understanding Global Refugee Policy. *Journal of Refugee Studies*, 27, 477-494. <https://doi.org/10.1093/jrs/fe032>
- Milton, A., Rahman, M., Hussain, S., Jindal, C., Choudhury, S., Akter, S. et al. (2017). Trapped in Statelessness: Rohingya Refugees in Bangladesh. *International Journal of Environmental Research and Public Health*, 14, Article 942. <https://doi.org/10.3390/ijerph14080942>
- Mohammad, N. (2012). *Refugee Protection under the Constitution of Bangladesh: A Brief Overview*. [http://www.mcrg.ac.in/rw%20files/RW39\\_40/12.pdf](http://www.mcrg.ac.in/rw%20files/RW39_40/12.pdf)
- Moher, D., Shamseer, L., Clarke, M., Ghersi, D., Liberati, A., Petticrew, M. et al. (2015). Preferred Reporting Items for Systematic Review and Meta-Analysis Protocols (PRISMA-P) 2015 Statement. *Systematic Reviews*, 4, Article No. 1. <https://doi.org/10.1186/2046-4053-4-1>
- Moreira, J. B. (2017). Refugee Policy in Brazil (1995-2010): Achievements and Challenges. *Refugee Survey Quarterly*, 36, 25-44. <https://doi.org/10.1093/rsq/hdx014>
- Murshid, N. (2011). India's Role in Bangladesh's War of Independence: Humanitarianism or Self-Interest? *Economic and Political Weekly*, 46, 53-60. <https://www.jstor.org/stable/41719989>
- Najmus Sakib, A. B. M. (2023). Rohingya Refugee Crisis: Emerging Threats to Bangladesh as a Host Country? *Journal of Asian and African Studies*.
- Niemann, A., & Zaun, N. (2018). EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives. *Journal of Common Market Studies*, 56, 3-22. <https://doi.org/10.1111/jcms.12650>
- Paul, R., & Ganguly, S. (2024). Myanmar Border Guards Flee to Bangladesh amid Clashes with Rebels. *Reuters*. <https://www.reuters.com/world/asia-pacific/myanmar-border-guards-flee-bangladesh-amid-clashes-with-rebels-2024-02-05/>
- Rahman, M. H. (2023) *The Rakhine Conundrum: How Should Bangladesh Respond to Operation 1027?* thediplomat.com <https://thediplomat.com/2023/12/the-rakhine-conundrum-how-should-bangladesh-respond-to-operation-1027/>
- Rashid, S. R. (2019). Finding a Durable Solution to Bangladesh's Rohingya Refugee Problem: Policies, Prospects and Politics. *Asian Journal of Comparative Politics*, 5, 174-189. <https://doi.org/10.1177/2057891119883700>

- Relief Web (2018). *Asia Refugee Policy Analysis—Bangladesh*.  
<https://reliefweb.int/report/bangladesh/asia-refugee-policy-analysis#:~:text=In%20Malaysia%20and%20Nepal%2C%20for>
- Resettlement Policy Framework (RPF) (2019). *Emergency Multi-Sector Rohingya Crisis Response Project* (EMCRP). Government of the People's Republic of Bangladesh.  
[https://dphe.portal.gov.bd/sites/default/files/files/dphe\\_por](https://dphe.portal.gov.bd/sites/default/files/files/dphe_por)
- Riley, A., Akther, Y., Noor, M., Ali, R., & Welton-Mitchell, C. (2020). Systematic Human Rights Violations, Traumatic Events, Daily Stressors and Mental Health of Rohingya Refugees in Bangladesh. *Conflict and Health*, 14, Article No. 60.  
<https://doi.org/10.1186/s13031-020-00306-9>
- Sadat al Sajib, S. M., Islam, S. A. M. Z., & Sohad, M. K. N. (2022). Rohingya Influx and Socio-Environmental Crisis in Southeastern Bangladesh. *The International Journal of Community and Social Development*, 4, 89-103.  
<https://doi.org/10.1177/25166026211067604>
- Sari, D. S. (2018). Indonesian Government Policy on Rohingya Refugees. *Andalas Journal of International Studies*, 7, 1-13. <https://doi.org/10.25077/ajis.7.1.1-13.2018>
- The Daily Star (2021). WB's Refugee Policy Review Framework: Not Based on 'One-Size-Fits-All'.  
<https://www.thedailystar.net/news/bangladesh/news/wbs-refugee-policy-review-framework-not-based-one-size-fits-all-2144976>
- UNHCR (2015). *Global Trends Forced Displacement in 2015*.  
<https://www.unhcr.org/ph/wp-content/uploads/sites/28/2017/03/Global-Trends-Report-2015-1.pdf>
- UNHCR (2024). *UNHCR: Urgent Action Needed to Address Dramatic Rise in Rohingya Deaths at Sea*.  
<https://www.unhcr.org/us/news/briefing-notes/unhcr-urgent-action-needed-address-dramatic-rise-rohingya-deaths-sea>
- Wasem, R. E. (2020). More than a Wall: The Rise and Fall of US Asylum and Refugee Policy. *Journal on Migration and Human Security*, 8, 246-265.  
<https://doi.org/10.1177/2331502420948847>
- World Bank (2019). *Documents & Reports—Temporary Redirects*.  
<https://documents1.worldbank.org/curated/en/>
- Yesmin, S. (2016). Policy towards Rohingya Refugees: A Comparative Analysis of Bangladesh, Malaysia and Thailand. *Journal of the Asiatic Society of Bangladesh*, 61, 71-100.