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The Rohingya Crisis: Genocide, Ethnic Cleansing and Failure of the International System of Protection

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Abstract

Rohingya crisis is one of the defining atrocities happened in 21st century and it is included in the history of starkest failure of post 1945 protection architecture of international system. This paper examines historical traces and root causes of "clearance operations" which led to homelessness and statelessness of over 740k people moving them towards Bangladesh. United Nations, ASEAN and other international community responded with and highlights the protection vacuum also examining unresolved issue in the form of Gambia vs Myanmar. The case was heard before ICJ following military coup in 2021 and escalation in Raphine State in 2024-26.

***Keywords**: Genocide, Statelessness, United Nations, ICJ.*

Introduction

The attack by Arakan Rohingya Salvation army on police and Myanmar, in response to which Myanmar military organized a campaign involving violence against the Rohingyas which UN cited as an example of ethnic cleansing (UN, 2017).

More than 700k Rohingyas were displaced within meals involving men, women and children who fled across borders into Bangladesh. This has included hundreds of thousands of since 1970s (UNHCR, 2026). The atrocities were so severe as it led to burning of whole villages, massacre of entire community, and women and children are the worst sufferers and specifically girls being subjected to systematic sexual violence. The UNHRC set up Independent International Fact-Finding Mission in 2018 which concluded that campaign named Tatmadaws carried out with the intent of genocide as persecution was called out by top general's of Myanmar involving commanders in chief Senior General Min Aung Hlaing (OHCHR, 2018).

This Rohingya crisis can be studied as a case study and also as catastrophe of humanitarian ground showcasing limits of international system designed after the Holocaust and Genocide Convention of 1948. The document shows overwhelming incident of mass killing, displacement by force, and institutionalized persecution, which responded by international community through fragmented diplomacy, selective sanctions, and lack of timely action by security council.

This paper highlights the systematic failure of system which came across in the form of Rohingya crisis. The failure occurred at three levels: domestic ground, regional ground, and global ground. On the domestic front, statelessness and discrimination of preconditions for atrocity. Secondly, on regional level where geopolitical interests are concerned.

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Historical Background: Statelessness and Institutionalised Discrimination

The region where Rohingya Muslim as an ethnic minority, inhabited Rakhine (Arakan) region which is now western Myanmar for generations. Rohingya's historical claims over the territory was denied by Myanmar's government portraying them as illegal immigrants from Bangladesh as notion of historical disputes (Ibrahim, 2016). In 1982 citizenship laws, legal foundation was laid down for the exclusion of Rohingya excluding Rohingyas altogether leading to most of the group stateless (Human Rights Watch, 2020). This has led to compounded existing patterns involving discrimination, restrictions on freedom of movement, marriage, childbirth and so on. The most notable conditions break in 2012 when riots of inter-communal clashes in Rakhine occurred leading to more than 140k Rohingya into internal displacement camps (Green & McManus, & de la Coure Venning, 2015).

Argument have been put forward by scholars who studied genocide highlights decades - long process of bureaucratic, economic and social exclusion, it should be taken seriously inconsistent with Gregory Stanton's model of stages of genocide where classification, dehumanization and organization precede eventual level of extermination (Green et al., 2015).

The first academic analyser named Countdown to Annihilation published by International State Crime Initiative in 2015, argued that treatment given to Rohingyas by Myanmar met the legal levels of genocide years before 2017, clearance operations where state already engaged in identification, segregation, and systematic weakening of Group (Green et al., 2015). To understand the events of 2016–2017, historical context play significant role as events are interconnected which led to violence culminated into long-term state directed process of exclusion.

The 2016-2017 Clearance Operations

The operations against Rohingyas began in October 2016, and that to on a large scale military operations, followed by attacks on border posts to ARSA, this has led to escalated dramatic tensions after a second wave of attacks by ARSA on 25 Aug. 2017. In this response Tatmadaw, it also supported by local Rakhine militias, terming "clearance operations." Human Rights Watch analysed through satellite imagery showing 390 villages burned, while testimony survived collected by UN Fact Finding Mission highlighting mass shootings, people were burnt alive and widespread sexual violence used as weapon in war (OHCHR, 2018). The 440 page report released by Fact Finding Mission in September 2018, found that villages in Rohingya had been "rendered unrecognisable, dewiest of all structures, trees and vegetation" and violence being a result of institutionalised oppression (OHCRH, 2018).

Within the first months of 2017 operations, displacement was very huge, approximately over 500k who crossed Bangladesh and by the end of year figure extended to 700k, leading to fastest growing refugee crisis (OCHA, 2017). The people who were displaced arrived at Cox's Bazar district forming those refugees who were previously displaced and became a part of most densely populated displacement. The conclusion derived by Fact Finding Mission was rejected by Myanmar government analysing inquiry as biased and showcasing ARSA's own attack during reports (VOA, 2018). This pattern of denial and non-cooperation by Myanmar posture towards international scrutiny for the following decade.

Legal Characterization: Genocide, Crimes Against Humanity, and Ethnic Cleansing

Ethnic cleansing, genocide and crimes against humanity are three overlapping legally distinct characterizations which have been applied to violence happened against Rohingyas. Ethnic cleansing is a term widely used in international criminal law to describe forceful displacement of population on ethnic or religious ground from their own territory. UN High Commissioner for Human Rights used the term by Zeid Ra'ad Al Hussein describing military campaign as "a textbook example of ethnic cleansing" (United Nations, 2017). Rome Statute described "crimes against humanity" as widespread and systematic attacks against civilian population constituting murders, deportation, torture, and rape. This was documented by both subsequent Independent Investigate Mechanism for Myanmar and Fact Finding Mission set up by Human Rights Council in 2018 to collect evidence for prosecutions in future (IIMM, 2026).

The most legally and politically consequential, proven by genocide determination. According to Article II of 1948 Genocide Convention, which provides requirement for genocide as commissions of specified acts (bodily or mental harm on the serious note, killing, conditions to impose calculated move to destroy a group etc.) and dolus specials in whole or part. There was enough information to warrant investigation and prosecution of senior officials in Tatmadaw chain of command by UN Fact Finding

Mission concluded in 2018 for genocide, dehumanizing rhetoric to target Rohingya identity and systematic nature of sexual violence against females as evidence of genocidal intent (OHCHR, 2018).

Genocide was happening, nothing has changed fundamentally, reiterated by mission chair Marzuki Darusman as population of Rohingya who are still in Myanmar are suffering (Darusman, cited in Press TV, 2018). International Court of Justice supported these conclusions by ordering provisional measures required to take by the government of Myanmar to prevent the genocidal acts occurring against Rohingya, as claimed by applicant (ICJ, 2020).

The history of ethnic cleansing in international law and diplomacy gained popularity during Balkan wars of 1990s due to forced displacement of Bosnian and Croat populations by Serbian forces. Application it on Rohingya's circumstances has a great symbolic and political weight signalling to the creation of International Criminal Tribunal for the generation of former Yugoslavia. Though NATO intervention and UN backed tribunals built some accountability, but Rohingya's atrocities are beyond explanation as it shares no comparison to international enforcement (Kipgen, 2019).

The International Response and its Structural Failures

There are visible constraints in the response of international system towards the atrocities faced by Rohingyas due to regional and global level restrictions. The regional factors as Association of Southeast Asian Nations (ASEAN) of which Myanmar is member built around non-interference principle as sovereignty being a factor to not intervene in internal affairs of member states. The reason behind this principle is to protect stability of the region preventing ASEAN from opting any collective action limiting response (Kipgen, 2019).

This overwhelming burden of absorbing displaced population was borne by Bangladesh hosting close to 1 mn Rohingya refugees after being Bangladesh not a party to 1951 Refugee Convention. Although it restricted full local integration and trying unsuccessful repatriation agreements with Myanmar alongside relocating them on flood prone BhasanChar island (UNHCR, 2026).

The primary responsible body of peace and security is UN Security Council unable to reach on any binding action. Efforts have been made by country's such as China and Russia showcased readiness to veto resolutions targeting Myanmar but it also highlights reluctance of Beijing as its economic and strategic interests lies in Myanmar and also hesitation, prevailing among permanent members in establishing precedents for Council intervention in matters of internal affairs (Human Rights Watch, 2020).

The Resolution 2669 was unanimously adopted by Council in December, 2022 as first resolution against Myanmar in over 70 years. To end violence and release of political prisoners were main demands but it explicitly omitted any reference to genocide and lack there was no legal binding to proceed enforcement (UN Security Council, 2022).

The UN General Assembly in 2005 endorsed doctrine of Responsibility to Protect (R2P) to highlight situations where state's unwillingness and inability to protect its population from mass killings, genocide, war crimes, crimes against humanity. The first pillar of R2P for state to protect its own population was clearly violated by Myanmar and third pillar to generate timely and decisive international response was triggered, even there was no authorization of Chapter VII ever. Scholars argued that R2P's continued dependence on UNSC consensus in Myanmar case exposed Rohingyas into vulnerability and geopolitical paralysis and other responses to mass atrocity situations from Syria to Sudan comes into question (Global Centre for the Responsibility to Protect, 2026).

Accountability Mechanisms: The ICJ, The ICC, and Universal Jurisdiction

Accountability efforts were channeled through alternative legal avenues because of the absence of Security Council's action, describing ingenuity and limitations of existing systems. On behalf of 57-member Organisation of Islamic Cooperation, Gambia filed application alleging Myanmar. The application filed in International Court of Justice citing violations of human rights under Genocide Convention. The case was based on erga omnes parties meaning that any state can file the complaint irrespective of being directly injured (IIMM, 2026).

Between 12th to 29th January 2020, on the merits of case, court held three weeks of hearing to hear from witnesses or expert testimony to provide deliberative final judgment where first time in the history ICJ held directly any state accountable and liable for the commencement of genocide rather than merely a failure of preventing it (Global Centre for the Responsibility to Protect, 2026; East Asia Forum,

2026). The jurisdiction was asserted on cross border by ICJ of deportation of Rohingyas into Bangladesh, a state which is party to Rome Statute and in 2019 a formal investigation opened into crimes against humanity with respect to deportation of Rohingyas even though Myanmar not being a member to Rome Statute. In 2018, consolidated and analysed evidences was collected by Independent Investigative Mechanism to use it in future proceedings before national, regional or international courts (IIMM, 2026).

This exemplifies both resilience and fragmentation of international justice without the backing of Security Council. Only a part of the picture were addressed as state responsibility was adjudicated by ICJ without having authority of influencing individuals.

A Protracted and Deepening Crisis: 2021-2026

Since 2017, instead of resolving Rohingya crisis, it has deepened as on February 2021, military coup by Myanmar overthrowing civilian government of Aung Sung Su Ki leading broader civil dispute between Tatmadaw and range of ethnic armed organisations including resistance forces from Rakhine State. A fresh wave of displacement as UNHCR reported targeted violence and persecution displacing 150k additional Rohingyas. These displaced population entered into Bangladesh making it largest new influx of 2024 since 2017 as bringing total of 1.2 million registered Rohingyas into Bangladesh by mid-2026 (UNHCR, 2026; Dhaka Tribune, 2026).

The clearance operation of 2017 was not eliminated yet but a continuation of structurally ongoing atrocities without any relief being given through ICJ's 2020 measures, diplomatic engagement. Myanmar, Bangladesh and China provided repatriation as durable solution but these were no virtual attempts as refugees refused to return fearing statelessness, atrocities, insecurity and absence of citizenship guarantees (Kipgen, 2019).

There needs to be a separate emphasis given to this humanitarian dimension of protracted failure as conditions of camps in Cox's Bazar due to lack of funding have been deteriorated. The refugee response funding has considerably fallen short of appeals which results in cuts in food rations periodically. There are also cuts in funding for healthcare and education programmes in the camp. Also incidents of outbreak of disease such as diphtheria and monsoon damage due to periodic cyclone resulting damage to shelters. This has threatened camp as it is catering dense population confined to roughly 24 sq km (OCHA, 2017; UNHCR, 2026).

The relocation of tens of thousands of refugees by Bangladesh in BhasanChar island is not sufficient as it is flood-prone region and flood prone site island in Bay of Bengal. Human rights activist criticizes over restraints on movement and limited refugee consultations resulting in isolation and marginalization of Rohingyas.

The Rohingya crisis highlights a blot on international system showing huge gap between normative architecture of protection mechanisms of international system. The Gambia v. Myanmar case which is pending gave some hope for legal system prevailing internationally and a hope to bring binding judgment and hold responsibility for genocide.

References

1. Dhaka Tribune. (2026, May 13). Bangladesh sees fresh Rohingya influx of nearly 150,000.
2. Global Centre for the Responsibility to Protect. (2026, February 10). The concluding stage of the Gambia v. Mayanmar genocide case before the International Court of Justice.
3. Green, P., MacManus, T., & de la Cour Venning, A. (2015). Countdown to annihilation: Genocide in Myanmar.International State Crime Initiative, Queen Mary University of London.
4. Human Rights Watch. (2020). "An open prison without end": Myanmar's mass detention of Rohingya in Rakhine State.
5. Ibrahim, A. (2016). The Rohingyas: Inside Myanmar's hidden genocide. Hurst & Company.
6. Independent Investigative Mechanism for Myanmar [IIMM]. (2026). ICJ - The Gambia v. Myanmar.United Nations Human Rights Office.
7. International Court of Justice [ICJ]. (2020). Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar): Order on provisional measures, 23 January 2020.
8. Kipgen, N. (2019). The Rohingya crisis: The centrality of identity and citizenship. Journal of Muslim Minority Affairs, 39(1), 1-18.

9. Office for the Coordination of Humanitarian Affairs [OCHA]. (2017). Rohingya refugee crisis situation report.

10. Office of the United Nations High Commissioner for Human Rights [OHCHR]. (2018, September 18). Myanmar: UN Fact-Finding Mission releases its full account of massive violations by military in Rakhine, Kachin and Shan States.

11. Press TV. (2018, October 24). Myanmar army still committing genocide against Rohingya Muslims, UN says.

12. The Conversation. (2026, September 27). The ICJ prepares a landmark ruling on the Rohingya genocide case against Myanmar.

13. United Nations. (2017, September 11). UN human rights chief points to “textbook example of ethnic cleansing” in Myanmar. UN News.

14. UN Security Council. (2022). Resolution 2669 (2022), S/RES/2669.

15. UNHCR. (2026). Operational overview: Rohingya refugee response, Bangladesh.

16. Voice of America [VOA]. (2018, August 29). Myanmar rejects UN report on Rohingya crisis.

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