

**“We are like a soccer ball,
kicked by Burma,
kicked by Bangladesh!”**



**Rohingya refugees in Bangladesh
are facing a new drive of involuntary repatriation**

June 2003

Report by:

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FORUM-ASIA

FORUM-ASIA is a regional network of human rights and development organizations in Asia. It was established in Manila, Philippines in 1991. It strives to promote, on the basis of global perspective, a regional initiative towards the protection of human rights, development and peace in the region through collaboration of human rights and development NGOs and peoples' organizations in Asia.

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Note:

The title of this report is a quote from a Rohingya refugee from Nayapara Camp, 2003

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The Online Burma Library is the best source of online reports on Burma, and in particular on the Rohingya. Most of the reference material quoted in this report can be found in the Online Burma Library section "Burmese Refugees in Bangladesh" at: <http://www.burmalibrary.org/show.php?cat=463&lo=d&sl=0>.

EXECUTIVE SUMMARY

About 21,500 Rohingya refugees are sheltering in two camps, Kutupalong and Nayapara, in southern Bangladesh. This group remains from the mass exodus of 1991-92, when 250,000 Rohingya refugees fled from Burma to escape brutal repression against the Muslim population in Northern Rakhine State. A mass repatriation programme overseen by UNHCR took place in 1994/95, which was far from voluntary. Since then, and until September 2002, repatriation from the camps had mostly stalled.

These 21,500 refugees under UNHCR protection are only the visible side of the crisis. Since 1996, thousands of Rohingya, both repatriated refugees and new arrivals, have continued to flee to Bangladesh, but as access to the camps was denied to them, they became invisible refugees labeled as economic migrants.

The root causes of the continuous influx of Rohingya into Bangladesh are found in the Burmese government's policies of exclusion and discrimination against this Muslim population. The conditions in Northern Arakan State have hardly changed over the last decade. The Rohingya continue to be stateless under Burma's 1982 Citizenship Law and are subject to severe restrictions of movement, forced labour, land confiscation, arbitrary taxation, extortion such as high fees for marriage or the economic oppression of the business licence system.

In May 2003, the number of refugees being repatriated rose dramatically (704 people in May against 93 in April). At the same time, disturbing reports denouncing forced repatriation, intimidation and coercion suddenly began pouring out of the two Rohingya refugee camps in Bangladesh. Such complaints had started filtering out in October 2002, decreased for a while, then began shooting up again in May 2003. This sharp increase in incidents follows the announcement, earlier this year, of a UNHCR plan to phase out its responsibilities for the camps and to disengage from the repatriation process after 30 June 2003. As a result, the Bangladesh authorities are now speeding up the repatriation of refugees cleared by the Burmese Immigration, regardless as to whether they are willing or not.

This report attempts to give a voice to the Rohingya refugees in the camps and includes 57 refugee accounts illustrating the types of abuses used by the camp authorities to enforce repatriation. These testimonies denounce 26 acts of forced repatriation itself, usually involving detention in the camp followed by a forceful removal to the transit camp and back to Burma (18 in May 2003 alone), and also expose different types of mental and/or physical pressure to induce repatriation.

Refugees unwilling to repatriate have been arrested and then given the choice of signing up for repatriation or going to jail (7 cases of threats and 5 cases of actual transfer to jail). Families have had their ration book seized until they agreed to repatriate (6 cases of deprivation of food). Other incidents have involved physical ill

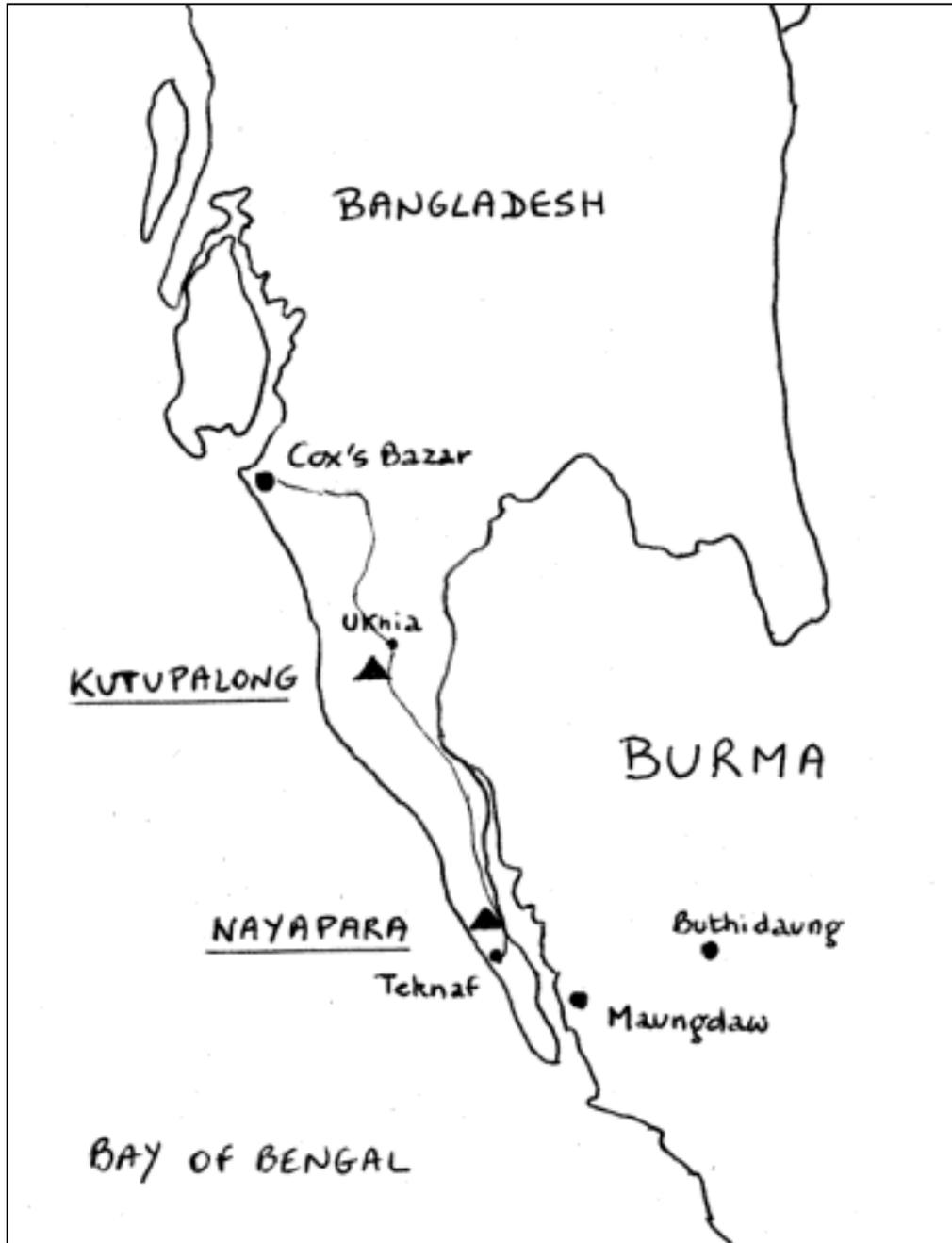
treatment (17 cases of beatings), sudden transfer to other sections of the camp (6 cases), destruction of housing (2 cases). The consequences have been particularly dramatic when families have been divided, when children have been separated from their parents, wives from their husbands, old people left behind and sick refugees abandoned (19 cases of family separation). As a result of these pressures, many refugees fled from the camp to avoid repatriation. Often, the male head of the household runs away, leaving women and children vulnerable in the camps (1 rape case reported). These accounts seriously challenges the voluntary character of the ongoing repatriation exercise. And, thus far, UNHCR has remained rather quiet.

The UNHCR proposal also promotes self-sufficiency within the local host community pending return. The UNHCR initiative of promoting “temporary local integration’ raises many questions with regard to protection and feasibility of self-reliance in an already tense and saturated environment. The Government of Bangladesh has not endorsed the proposal, and yet the UNHCR is already moving into the implementation phase.

FORUM-ASIA calls upon the UNHCR and the Government of Bangladesh to immediately halt these forced repatriations and ensure that the principle of voluntariness is respected. In particular, we call on the UNHCR to continue to provide effective protection and humanitarian assistance to the Rohingya refugees in the camps until a durable solution emerges.

MAP

Bangladesh-Burma border and location of the refugee camps¹



¹ A UNHCR map of the area is available at: http://www.unhcr.ch/cgi-bin/texis/vtx/rsd/+NwwBmeXml_swwwnwwwwwwwtFqrTOWDMwGcFqo-uPPyER0MFmqDFqm7y-dFqhT0yfE3zmhwwwwwwGFqmTT2BFqzuNlg2TE7l/rsddocview.pdf

INTRODUCTION

In May 2003, disturbing reports denouncing forced repatriation, intimidation and coercion suddenly began pouring out of the two Rohingya refugee camps in Bangladesh. At the same time, the number of refugees being repatriated rose dramatically. Complaints about abuses in the camps and forced repatriation started filtering out in October 2002, decreased for some time, before shooting up again in May 2003. This sharp increase in incidents follows the announcement, earlier this year, of a UNHCR plan to phase out its responsibilities for the camps and to disengage from the repatriation process after 30 June 2003.

The purpose of the present report is primarily to give a voice to the distressed Rohingya refugees, who are totally ignored in the decision making process concerning their future and safety. Between October 2002 and early June 2003, Forum-Asia has received reports of more than 200 incidents, 40% of them in May alone². These refugee stories provide overwhelming evidence of coercion and intimidation in the camps and seriously challenge the voluntary nature of the repatriation process. They corroborate the findings of Refugees International's bulletin, "Lack of Protection plagues Burma's Rohingya Refugees in Bangladesh" released on 30 May 2003.

Forum-Asia is deeply concerned by these alarming reports of harassment and forced repatriation, and seeks to alert the international community so that it may act to ensure that these abuses cease immediately, and that UNHCR uphold its mandate by providing effective protection and assistance to the Rohingya refugees.

This report first provides a background to the Rohingya refugee crisis and examines the root causes of the exodus found in the policies of exclusion and discrimination practised by the Burmese military regime. With no durable solution in sight for the refugees in Bangladesh, it reveals and questions the UNHCR plan to phase out its presence in the camps and hand over its responsibilities to the Bangladesh authorities. It then addresses the dire consequences for the refugees, exposing the involuntary character of the current repatriation exercise. Finally, it suggests recommendations to guarantee adequate protection and assistance to the Rohingya refugees in Bangladesh. A selection of refugee testimonies and letters received from Kutupalong and Nayapara refugee camps has been annexed to make their voices heard and to substantiate our claims.

² Forum-Asia received reports from various sources, which include about 100 refugees' accounts collected by our own research partners in Bangladesh. The 57 stories attached have been selected from these 100 reports, from which we have discarded testimonies not directly related to the repatriation process (such as corruption in the camps) as well as incomplete or unclear accounts.

THE ROHINGYA REFUGEE EXODUS AND ITS ROOT CAUSES IN BURMA

Today, about 21,500 Rohingya refugees are sheltering in two camps, Kutupalong (about 8,500) and Nayapara (about 13,000), located between Cox's Bazar and Teknaf in southern Bangladesh near the border with Burma. This group remains from the mass exodus of 1991-92, when 250,000 Rohingya refugees had fled from Burma to escape brutal repression against the Muslim population in Northern Rakhine State³. A mass repatriation programme overseen by UNHCR took place in 1994/95, which was far from voluntary⁴. Since then, repatriation from the camps had mostly stalled.

The 21,500 refugees in the Nayapara and Kutupalong camps under UNHCR protection are only the visible side of the crisis. Since 1996, thousands of Rohingyas, both repatriated refugees as well as new arrivals, have continued to trickle back from Burma into Bangladesh⁵. They have been denied access to the refugee camps, and have joined the more than 100,000 undocumented Rohingyas living outside the camps, often surviving in extreme poverty in villages or slums around Cox's Bazar and Teknaf. Local sources estimate that, in 2002, more than 10,000 Rohingyas crossed the border illegally to seek sanctuary in Bangladesh. They became invisible refugees, being labeled as economic migrants by the Bangladesh authorities.⁶

Rohingyas who have settled outside the camps regularly face arrests, deportation or eviction. In November 2002, the local Teknaf administration launched an eviction campaign against illegal migrants in the District, leaving thousands homeless and under threat of deportation. With nowhere to go, they set up a makeshift settlement in Teknaf where today more than 4,000 Rohingyas are still camping out in extremely precarious conditions without assistance, adequate water and sanitation⁷.

³ The 1991/92 crisis was the second mass exodus of Rohingya refugees over two decades. The first one also involving 250,000 refugees took place in 1978. The number of refugees represents over a quarter of the total Rohingya population of Northern Arakan State.

⁴ Médecins sans Frontières, MSF France, "The Rohingyas: Forcibly Repatriated to Burma", 22 September 1994, and MSF Holland, "Awareness Survey: Rohingya Refugee Camps, Cox's Bazaar District, Bangladesh", 15 March 1995.

⁵ Human Rights Watch, "The Rohingya Muslims, Ending a cycle of Exodus?", September 1996, <http://www.ibiblio.org/obl/docs/ROHINGYA.cycle.htm> and "Rohingya refugees in Bangladesh, The search for a lasting solution", Aug 1997, <http://www.hrw.org/hrw/reports/1997/bangladesh/>

⁶ Chris Lewa, FORUM-ASIA, "The exodus has not stopped: Why Rohingyas continue to leave Myanmar", Paper delivered at the Médecins Sans Frontières Conference: "10 Years for the Rohingya Refugees: Past, Present and Future", Dhaka, 1 April 2002, available at <http://www.ibiblio.org/obl/docs/MSF-Lewa-2002.htm>.

⁷ FORUM-ASIA Press Release, "Persecuted Muslims Fear Deportation to Military Burma", Bangkok, 3 December 2002.

Root Causes in Burma

The root causes of the continuing influx of Rohingya lie across the border in Burma. As a result of the Burmese regime's policies of exclusion, the Rohingya Muslims are stateless under the 1982 Citizenship Law⁸. They are subjected to severe restrictions of movement, which affect their ability to trade and to seek employment as well as limit their access to health care and education. They need to obtain a travel permit even to visit a neighbouring village and, following the communal riots in Sittwe in February 2001, travel authorisations were no longer issued for Rohingyas to go beyond Maungdaw and Buthidaung. Sittwe is now totally off limits to them.

Arbitrary confiscation of land without compensation continues, either to provide land for new Buddhist settlers or to build and enlarge military camps, including plantations to grow crops for the military for their own food as well as for commercial purposes. In 2002, at least two new "model village" for Buddhist settlers were established in Maungdaw Township and several military camps have been constructed or expanded to consolidate the border between Burma and Bangladesh in the aftermath of the September 11 attack and the global anti-terrorist campaign⁹.

As documented by the ILO in early 2003¹⁰, forced labour is far from being eradicated in Northern Arakan State, even though there has been a significant reduction in the practice over the last decade after UNHCR and WFP [World Food Program] took over responsibility for building local road infrastructure. Compulsory labour continues to be exacted by the military and the NaSaKa¹¹ for camp maintenance, construction of military facilities, as well as for plantation work in fields confiscated from the villagers. Villagers are also forced to build and repair the houses of Buddhist settlers. Sentry duty is routinely demanded from villagers, and porters are regularly recruited in remote areas. Other types of labour are also requisitioned for the commercial benefit of the military and NaSaKa -- work such as shrimp farm maintenance, collecting bamboo and wood for sale, brick baking, etc. The poor cannot pay bribes to avoid forced labour and are thus compelled to perform not only their own stint of work, but also that of those who had paid off the authorities. The related loss of income deprives them of their daily earnings and greatly contributes to food insecurity. During the first quarter of 2003, new allegations of forced labour for rehabilitation of roads and military facilities as well as for brick baking have been reported.

⁸ For details on the Citizenship Law, see Human Rights Watch, "The Rohingya Muslims, Ending a cycle of Exodus?", September 1996, <http://www.ibiblio.org/obl/docs/ROHINGYA.cycle.htm>

⁹ For the impact of the 9/11 attack on the Muslim population in Burma, see Human Rights Watch, "Crackdown on Burmese Muslims", July 2002, http://hrw.org/backgrounders/asia/burmese_muslims.pdf

¹⁰ In relation to ILO Liaison Officer's visit to Northern Arakan State in January 2003, the ILO Governing Body report GB.286/6 stated in paragraph 7: "*While it is her impression that there is probably less use of forced labour in central parts of Myanmar, the situation in areas near to the Thai border where there is continuing insecurity and a heavy presence of the army, as well as in northern Rakhine State, is particularly serious and appears to have changed little.*"

¹¹ The NaSaKa is the Border Administration Force and comprises five different government agencies: the police, military intelligence (MI), Lone Htein (riot police), customs, and immigration.

Illegal taxation and extortion are widely and increasingly reported. In particular, Rohingya need to obtain permission to get married, and the large fee demanded is beyond the means of many. The tactic of arresting people for minor offences or just for being out after dark and demanding high bribes in return for their release appears to have become common practice recently. Moreover, the military control over the local economy, both directly through collection of taxes at checkpoints and from the border trade, and indirectly through a monopoly system on local commodities based on business licences granted in exchange for high bribes, forbids any free-enterprise initiative and hampers any economic development.

The Rohingya in Northern Arakan State continue to face constant humiliation and systematic discrimination, and are subject to widespread human rights violations. They are living in a climate of fear and oppression. Despite the presence of UNHCR and international agencies, conditions have hardly improved. As one NGO representative in Rangoon recently stated: "The presence of UNHCR and some international NGOs has only provided limited relief, but not a structural change."

Political will on the part of the military junta is required to end these policies of exclusion and discrimination and to improve the lot of the Rohingya people. But as long as the SPDC considers the Muslims in Arakan State as illegal immigrants from Bangladesh¹², there is little hope of a significant betterment of their status and living conditions. These conditions can hardly be qualified as being "conducive for a return in safety and with dignity" of the Rohingya refugees from Bangladesh. This explains why the majority of Rohingya refugees in the camps in Bangladesh do not agree to repatriate voluntarily.

¹² In response to UNHCR, Secretary-1 wrote in 1998, *"this issue is essentially one of migration, of people seeking greener pastures" [...] "these people are not originally from Myanmar" [...] "they are racially, ethnically, culturally different from the other national races in our country. Their language as well as religion is also different"*.

THE UNHCR PLAN FOR THE CAMPS: PROMOTING SELF-SUFFICIENCY PENDING VOLUNTARY RETURN

Life in the refugee camps in Bangladesh is far from ideal. Under a jointly funded programme, international agencies such as the World Food Programme (WFP), Médecins sans Frontières and Concern, have been providing basic humanitarian assistance, and UNHCR has the responsibility for protection issues according to its international mandate. Nevertheless, conditions in the refugee camps are appalling. The camps are managed by Bangladeshi officials and not, as along the Thai-Burma border, by the refugees themselves. Primary education has only been permitted in recent years and capacity building for refugees is minimal. Corruption and violence are endemic. Chronic malnutrition is rampant and, according to Médecins sans Frontières, affects 58% of refugee children, exposing them to disease and hampering their physical and mental development.¹³

More than ten years after the exodus, no durable solution for the Rohingya refugees is in sight. Voluntary repatriation can only be considered for a small number of refugees, local integration has always been rejected by the Bangladesh Government for fear of creating a pull factor, and resettlement, in the shadow of 9/11, is now largely a dead issue.

UNHCR has been promoting voluntary repatriation as the preferred solution¹⁴. To this effect, lengthy negotiations have been carried out over the past years between UNHCR and the Burmese Immigration authorities in order to accelerate the rate of clearances¹⁵. This procedure has been burdensome, and until recently had yielded few results. Over the last two years, however, UNHCR has renewed its efforts to reactivate the process and has succeeded in getting the Burmese authorities to drop some conditions for return related to the acceptance of incomplete families and of refugee children born in the camps.

Based on a survey conducted in the camps in 2000, UNHCR estimates that today a maximum of 4,000 refugees would opt for voluntary repatriation¹⁶. On the other hand, the Burmese government would be ready to accept back about 5,000. However, the UNHCR figures for voluntary return and the junta clearances are not necessarily for the

¹³ Médecins sans Frontières, MSF-Holland, "10 Years for the Rohingya Refugees in Bangladesh: Past, Present and Future", March 2002, at <http://www.msf.org/source/downloads/2002/rohingya.pdf>.

¹⁴ Michael Barnett, "UNHCR and Involuntary Repatriation: Environmental Developments, the Repatriation Culture, and the Rohingya Refugees", University of Wisconsin, Paper presented at the 41st Annual Convention, International Studies Association, Los Angeles, California, USA, March 14-18, 2000, available at <http://www.ciaonet.org/isa/bam01/>.

¹⁵ All refugees must be cleared by the Burmese Immigration prior to repatriation.

¹⁶ The results of the survey were never made public. UNHCR officials we spoke to have come up with a variety of figures. It should be noted that many refugees had expressed a conditional agreement. The figure of 4,000 refugees willing to repatriate today, regardless of their cleared or uncleared status, was given by a UNHCR official in Rangoon in March 2003.

same refugees. Some refugees who are not cleared may be willing to return to Burma, whereas many cleared refugees may not wish to repatriate.

UNHCR's Proposal

Claiming financial constraints and donor fatigue, UNHCR has now come up with a new "solution" to address this protracted refugee situation: "**Promoting self-sufficiency pending voluntary return**" (within the local host community). In early 2003, a Concept Paper was submitted to the Government of Bangladesh, which proposes the transfer of responsibility for the assistance tasks in the two refugee camps to the Bangladesh authorities and the phasing out of UNHCR's presence. This concept could be described as "*temporary local integration*".

To enable the refugees to become self-reliant, the UNHCR proposal includes income-generating projects, vocational training and quick impact projects, as well as the upgrading of facilities and infrastructure for the local community to increase absorption capacity.

The time frame for implementation comprises three main phases:

1. At the end of June 2003, UNHCR will cease to provide support for the repatriation exercise. Any return after this date will be dealt with on a bilateral basis between Bangladesh and Burma. UNHCR's role will be limited to monitoring the voluntariness on both sides of the border. A gradual reduction of the presence of NGOs and UN agencies will take place in the camps.
2. At the end of December 2003, UNHCR will end material support for the "care and maintenance" of refugees in the camps, and this responsibility will be taken over by the Government of Bangladesh.
3. At the end of December 2004, the UNHCR office in Cox's Bazar will close down. UNHCR claims it would continue to monitor the protection of refugees beyond 2004.

By the end of 2004, the 20,000 or so remaining refugees are expected to be able to support themselves fully within the local host population pending an elusive return to Burma.

Bangladesh's position

Most observers doubt that the Bangladesh Government would officially endorse the UNHCR's proposal. As reported in the national press, the Bangladesh Government position has always been adamant that all Rohingya refugees must return to Burma.¹⁷ At the March 2003 session of the UNHCR Standing Committee, the Bangladesh Government emphasised that setting up deadlines may prove to be premature. It also stated: "Every effort should be made to create the necessary 'pull factors' in the country

¹⁷ "Repatriation of all Rohingya refugees by June 2003", The Independent, Dhaka, 4 June 2002

of origin, thereby expediting the process of repatriation.” Then, it also added: “At this stage, it may not be in the best interest of refugees, or their hosts, to contemplate any long-term projects or programmes in Bangladesh, which may only serve as a disincentive for return. Focus should instead be on sustainable return and reintegration efforts.” Bangladesh also called for the support of the international community to provide sustained funding of UNHCR programmes for the Rohingya refugees.

The position expressed by the Government of Bangladesh explicitly states that it wants the continued cooperation of UNHCR in facilitating the repatriation process with the Burmese Government, as well as in providing assistance to the refugees in the camps. At the same time, Bangladesh would presumably reject the self-sufficiency component of the UNHCR plan that it regards as a disincentive for return likely to create a pull factor. A Bangladesh diplomat also pointed to security concerns, and to the socio-economic destabilization and environmental degradation caused by the presence of a large number of Rohingya in one of the poorest regions of Bangladesh.

Issues of Concern

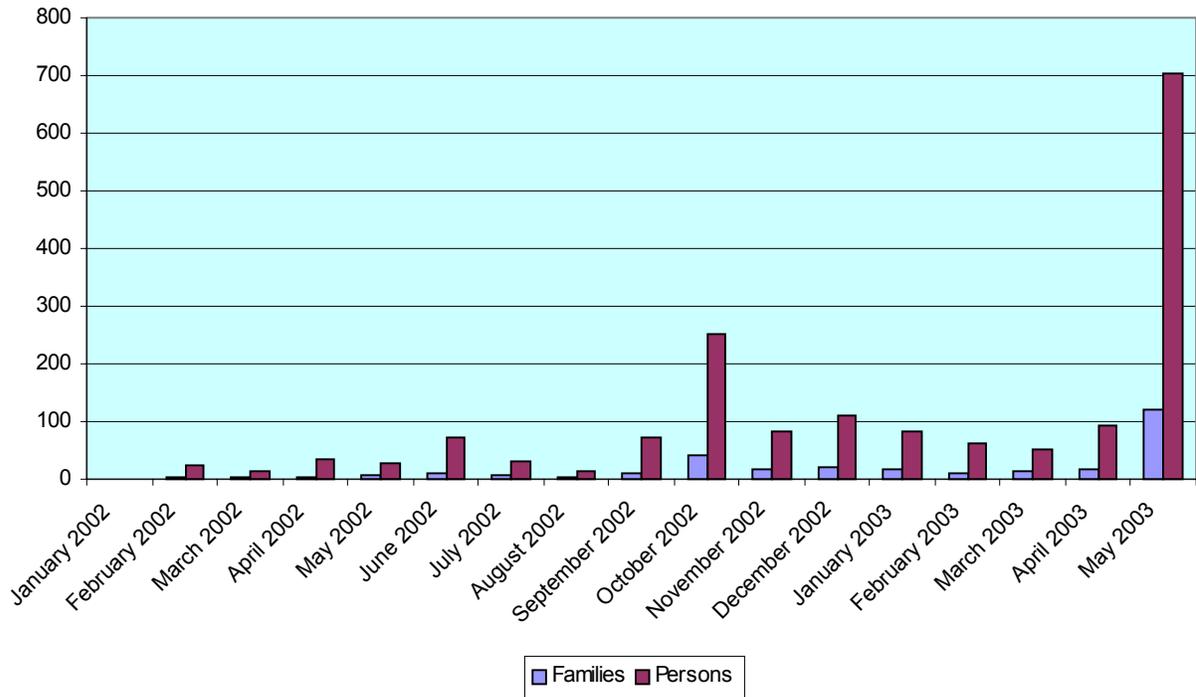
The UNHCR solution immediately raises many concerns: Will UNHCR implement the plan without the endorsement of the Government of Bangladesh? How can 20,000 refugees become self-sufficient in a local environment already saturated by undocumented Rohingya surviving in deplorable conditions? How will UNHCR monitor the voluntary nature of the repatriation once the process is handed over to the Bangladesh authorities?

In May 2003, Forum-Asia put these questions to UNHCR officials in Geneva. UNHCR claims that it continues to negotiate the proposal with the Bangladesh Government, and that an implementation plan is now being developed which will define, among other things, the responsibilities of the various humanitarian agencies involved in the self-reliance programme. UNHCR does not foresee the refugees being scattered, but rather being contained in a “settlement” after the hand-over to the Government of Bangladesh, which raises further concerns as to how self-sufficiency could ever be attained under such restrictions of movement. In addition, it also became clear that a monitoring mechanism for protection has yet to be developed.

Despite the lack of involvement of NGOs and of refugees in developing the programme, and the lack of support for it from the Bangladesh Government, UNHCR is already moving towards implementation of its phasing-out plan by stepping up the repatriation exercise and reducing assistance to the refugees.

THE CURRENT SITUATION IN THE CAMPS: COERCION, HARASSMENT AND FORCED REPATRIATION

Repatriation figures 2002-2003



Repatriations 2002:

Month	Families	Persons
January 2002	0	0
February 2002	4	24
March 2002	3	15
April 2002	5	34
May 2002	6	27
June 2002	12	74
July 2002	6	32
August 2002	3	14
September 2002	12	72
October 2002	42	253
November 2002	16	83
December 2002	21	109
Total:	130	737

Repatriations 2003:

Month	Families	Persons
January 2003	17	83
February 2003	10	61
March 2003	13	53
April 2003	18	93
May 2003	121	704
Total:	179	994

The initiation of the UNHCR disengagement programme has so far resulted in serious protection problems for the Rohingya refugee population of Kutupalong and Nayapara camps. Alarming reports of harassment, coercion and forced repatriation have been filtering out of the camps, which prompted Forum-Asia to compile and publish this report in order to expose these practices and give a voice to the refugees. Particularly since May, we have been overwhelmed by refugee complaints about indiscriminate and involuntary repatriations, and the failure of the UNHCR to ensure that returns are voluntary.

From 7 May, repatriation figures as well as refugee complaints began to soar dramatically. A last attempt was launched at getting as many cleared refugees as possible to repatriate to Burma within the deadline of 30 June, regardless of whether they were willing or not. Without any forewarning to the refugees, this new drive of repatriation falls far short of any international protection standards, and has created commotion and panic in the camps. A refugee said: "At the beginning of May, it seemed as if a tornado had suddenly swept over the camps and destroyed everything!"

A local Government representative admitted to Refugees International: "UNHCR's decision to withdraw from the camps has caused us to try to speed up repatriations. The refugees who do not want to return cannot stay here. The Government will send them back even if they do not want to go. Bangladesh is a poor country and cannot take care of this situation."¹⁸ There is an obvious correlation between the UNHCR pressure to implement its phasing-out programme and forced repatriation by the camp authorities.

This report does not imply that all repatriations are involuntary. There are certainly some refugees who may well choose to return to their homeland even under the present conditions of oppression in Burma rather than pursue a wretched life confined in a camp in Bangladesh. We received one report of a woman left alone in the camp after the rest of her family had already been repatriated who was eager to return to join her dearest ones. Now that many families are being separated, as some members are cleared by the Burmese Immigration and others are not, the relatives left behind would certainly be keen to reunite with their family in Burma. However, one may still wonder whether the woman had a real choice if her family had been forcibly repatriated.

However, the fact that a majority of families are being repatriated against their will points to serious shortcomings in the process. October 2002 marked the first serious attempt at reactivating the return of refugees already cleared by the Burmese Government. Consequently, the level of abuses against refugees considerably increased in the camps, and reports of coercion as well as involuntary repatriation started leaking out. From November to April, the figures of repatriation remained low and the numbers of complaints dropped accordingly. During this period, however, uneasiness and insecurity continued to prevail in the camps as preparations for repatriation were carried out in a less conspicuous manner. Refugees complained of new restrictions imposed

¹⁸ Refugees International, "Lack of Protection plagues Burma's Rohingya refugees in Bangladesh", 30 May 2003, to be found at: <http://www.refintl.org/cgi-bin/ri/bulletin?bc=00589> .

on them and a reduction in services such as the closing down of local markets in the camps, the destruction of shed extensions, the prohibition on growing vegetables in front of their sheds, the deterioration in provision of health care at the Government clinic, etc.

In particular, since the end of March, the camp authorities started focussing their attention on extracting signatures on an affidavit from as many refugees as possible. According to the UNHCR, this affidavit was originally introduced in order to facilitate the clearance process in Burma and to allow families with problems, with missing members, for instance, to be repatriated as an incomplete family. Its use was later extended to replace the Declaration of Voluntary Repatriation previously signed by refugees before their return, and should now be signed by cleared as well as uncleared refugees to confirm their willingness to repatriate. According to the attached refugees' accounts, mostly uncleared families were being pressured into signing the affidavit, indicating that the authorities' efforts were directed, not only at repatriating cleared refugees, but also at attempting to speed up the rates of clearances in Burma.

As of 7 May, the frequency of repatriations increased to twice a week: Mondays and Wednesdays. Policing suddenly stepped up in the camps, and cleared families selected for repatriation were watched to prevent them from escaping, or were detained in the office of the Camp-in-Charge until the next morning when they were dragged onto trucks to be sent back to Burma. Repatriation figures consequently soared, and so did the number of complaints. This move created such havoc amongst the refugees that they were too afraid to collect their food ration for fear of being arrested. A refugee from Kutupalong described the atmosphere in the camp at the end of May 2003:

“On 25 May, the Camp-in-Charge had selected 5 cleared families for repatriation. At dawn, volunteers working for him went to hide in houses near the rooms where those cleared refugees stayed. As soon as they emerged out of their shed, the volunteers caught them and dragged them to the Camp-in-Charge’s office. They were all detained inside a room guarded by police. The next day [26 May], the Camp-in-Charge sent these families to Burma forcibly. On 27 May, again volunteers and camp officials visited the camp and caught seven cleared refugees. They were brought to the Camp-in-Charge’s office, locked into a room and repatriated the next morning. 28 May is also the food distribution day. A camp official made an announcement by loudspeaker inviting the refugees to collect their ration. But hardly any cleared refugees dare go. A rumour circulated in the camp that, if they did, they would be arrested and repatriated. The food distribution team got concerned and informed the camp officials. Finally, another announcement was made that any member of a family could come forward and collect their ration, not just the head of the family [who is the main target for repatriation]. The refugees gained some confidence and came forward to receive their ration.”

Overview of the Abuses in the Camps and their Consequences

Coercion and harassment are widely used as a tool to persuade reluctant refugees to repatriate. Refugees unwilling to repatriate have been arrested on false accusations, and then given the choice of signing up for repatriation or going to jail. Some families had their ration books seized until they agreed to repatriate. Other incidents have involved confiscation of the refugee's belongings, sudden transfer to other sections of the camp to isolate the family from the support of neighbours, and detention in the Camp-in-Charge's premises usually followed by a forceful removal to the transit camp.

An analysis of the attached refugee accounts attached as Appendix 3 shows various degrees in the level of involuntariness, which can be identified as:

- Level 1, where refugees do not have a real choice but nevertheless agree to repatriate for family reunification. For instance, in the case of split families, when some members have already been repatriated against their will, relatives left behind sign up for repatriation to be reunited with their family.
- Level 2, where refugees decide to accept repatriation because pressure and daily harassment in the camps have become untenable.
- Level 3, where refugees are given the choice of going back or being put in jail, or when their ration book is confiscated, leaving them with no other alternative than signing up for repatriation.
- Level 4, where refugees are simply being pushed onto trucks after being detained to prevent escape, which clearly amounts to forced repatriation, and "refoulement"¹⁹. Cases reported since 7 May mostly fall into this category.

Coercion is exerted by the Camp-in-Charge, his staff and camp police, representing the Bangladesh authorities, with the active involvement of *majees* (leaders of sheds) and volunteer refugees recruited by the camp administration. In exchange for their collaboration, these refugees benefit from more favourable treatment such as extra food rations or promises of not being repatriated.

In such a climate of fear, many refugees have been too scared to approach UNHCR. Those seen talking to UNHCR are often harassed. Moreover, refugees complain that they cannot meet UNHCR officials in private, that a camp official is always present, and that the national protection assistants of UNHCR are either too busy to listen to them, or have themselves been exerting pressure on refugees to repatriate. UNHCR has also

¹⁹ According to the UNHCR Handbook on Voluntary Repatriation (para 2.3): "The principle of voluntariness is the cornerstone of international protection with respect to the return of refugees. While the issue of voluntary repatriation as such is not addressed in the 1951 Refugee Convention, it follows directly from the principle of *non-refoulement*: the involuntary return of refugees would in practice amount to *refoulement*. A person retaining a well-founded fear of persecution is a refugee, and cannot be compelled to repatriate."

received dozens of letters of complaints – some photocopies were transmitted to Forum-Asia -, and therefore cannot possibly be unaware of their plea. The general feeling among the refugees in the camps is that UNHCR cannot or will not do anything for them.

In a desperate attempt to draw UNHCR's attention on the ongoing abuses and forced repatriation, many refugees from both camps decided to surrender their family book to the UNHCR at the end of May. Their family book confirms their status as refugee and entitles them to food rations.

On 2 June, more than 80 families from Kutupalong camp handed over their family book with a declaration to the UNHCR protection officer during her visit to the camp (see Appendix no. 1). One of the refugee women reportedly told her: *"This refugee book is our identity as refugees that UNHCR gave us a decade ago when we fled to Bangladesh. Now, this book has become the cause of all of our problems. Without it, we may no longer be harassed. We don't need this book anymore, since UNHCR fails to protect us and to fulfill its responsibilities towards us. We are now much more vulnerable than we were in Burma despite the presence of UNHCR. The Camp-in-Charge, the police, the majees and the volunteers are all persecuting us. We were told that there is an international law to protect refugees and that the UNHCR's mandate is based on that law. Then, why are the police and camp officials beating us? Why are we threatened and forced to repatriate?"* The next day, the UNHCR officer returned the family books to the Camp-in-Charge, but concerns were expressed that the Camp-in-Charge would take action against those who had surrendered their book to the UNHCR.

The reasons why refugees refuse to repatriate are many. Some have been involved in resistance organisations or have a case pending in Burma, and would face arrest and imprisonment if returned. Many others invoke the current situation of oppression and discrimination against their community in Northern Arakan State, and would agree to return only if conditions substantially improve. But it should be noted that many refugees do not want to repatriate, due to personal circumstances caused by the clearance mechanism. For instance, parents are cleared but children are not, a wife is cleared but her husband is not. Some refugees have married a Rohingya not registered in the camps, and are therefore not allowed to bring their partners along. The issue of unregistered babies, either because they were not recorded at birth or because one of the parents is not a registered refugee, has led to serious concerns.

The consequences of this forced repatriation drive have been particularly dramatic when families have been divided, when children have been separated from their parents, wives from their husbands, old people left behind and sick refugees abandoned.

As a result of intimidation and coercion, many refugees flee from the camps. Some take shelter with relatives and friends in villages or towns in the vicinity of the camps. Others go to swell the makeshift settlement of evicted Rohingya in Teknaf. It has also been reported that the camp officials use a network of informers in order to seek out

refugees who abscond from the camps. Often, the male head of the household runs away, leaving women and children vulnerable in the camps.

The probability that many repatriated refugees may soon come back to Bangladesh again is high. We have already received evidence that a certain number of refugees repatriated in October have returned and now live again in Bangladesh as illegal migrants. It could be said that the ongoing repatriations also serve to transform visible refugees into invisible refugees.

Reduction of humanitarian assistance

The withdrawal plan of UNHCR promoting self-sufficiency also makes provision for the reduction of care and maintenance services in the camps, which leads to many concerns regarding its impact on the future welfare of the refugees²⁰. As another step towards implementing its phasing-out proposal, UNHCR stopped providing spices to the refugees in March, resulting in the necessity for the refugees to sell part of their ration in order to purchase this food item. In April, UNHCR informed its NGO partners to hand over their health and nutrition programmes targeting children under ten, pregnant women and lactating mothers by July 2003, in order to streamline health services under the Ministry of Health. Refugees have often complained that government services were inadequate and that they were treated with contempt. Even though UNHCR promised to strengthen local health facilities, the current understaffing and lack of expertise in the local clinics raise serious concerns that malnourished children and women may no longer benefit from any supplementary feeding, when chronic malnutrition is already severe. Rumours in the camp are rife that MSF and Concern are leaving soon. While the UNHCR plan does propose an increase in social services such as skills training and income generation activities, it is unlikely that the Bangladesh authorities would allow such initiatives, on the grounds that these may attract more Rohingya to come from Burma. It is feared that they would terminate any assistance programmes altogether once the UNHCR and its NGO partners have withdrawn from the camps.

²⁰ Refugee International "Burmese Rohingya in Bangladesh face an uncertain future", 22 May 2003 - <http://www.refintl.org/cgi-bin/ri/bulletin?bc=00583>

CONCLUSION

A refugee from Nayapara camp said: “We are like a soccer ball, kicked by Burma, kicked by Bangladesh!” Stateless, expelled from Burma, unwanted in Bangladesh, the Rohingya refugees are now being forcibly repatriated and may soon be abandoned by the UNHCR.

The root causes of the Rohingya refugee exodus are found in Burma, in the Burmese regime’s policies of exclusion and discrimination against this Muslim population. Despite the presence of the UNHCR and other international agencies providing limited protection and relief in Northern Arakan State, no substantial and structural changes have occurred that would eliminate these root causes. The Rohingya community continues to be subject to policies of oppression and discrimination and, being denied citizenship, does not benefit from any effective national protection. Promoting voluntary repatriation in these conditions is at least questionable, and it is thus imperative that the principle of voluntariness is upheld.

According to the UNHCR *Handbook on Voluntary Repatriation*, the principle of **voluntariness** is the cornerstone of international protection with respect to the return of refugees. Moreover, the UNHCR Executive Committee Conclusions No. 40, para (b) reaffirms that “The repatriation of refugees should only take place at their freely expressed wish; the voluntary and individual character of repatriation of refugees and the need for it to be carried out under conditions of absolute safety, preferably to the place of residence of the refugee in his country of origin, should always be respected;”

The severe abuses documented in this report, aimed at repatriating refugees by force, or at coercing them into agreeing to repatriate, run against the most fundamental standards of international law and should be stopped immediately. The UNHCR, the Government of Bangladesh and the international community should remain committed to addressing the plight of the Rohingya refugees in Bangladesh, and to ensuring effective protection and assistance to them until a durable solution emerges.

The International Council of Voluntary Agencies stated at the March 2003 session of the UNHCR Standing Committee in Geneva: “Given the linkage between assistance and protection, any ending of care and maintenance will have a negative impact on protection. Root causes of the flight have not been fully addressed and Rohingyas are still not considered as Burmese citizens. [...] In the case of the Rohingya refugees in Bangladesh, cessation does not apply, and, thus, UNHCR cannot abandon these refugees.”

RECOMMENDATIONS

To the Government of Bangladesh:

- To stop repatriating Rohingya refugees against their will and to immediately cease all coercion, pressure and intimidation in the camps aimed at compelling them to sign up for return;
- To respect the voluntary nature of the repatriation process;
- To continue to assist and protect the Rohingya refugees until the situation in their country of origin can guarantee a safe return;
- To become party to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol;
- To fulfil its obligations towards refugee women and children under the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) that Bangladesh has ratified.

To the United Nations High Commissioner for Refugees (UNHCR):

- To halt immediately any forced repatriation from the refugee camps in Bangladesh, as well as harassment and intimidation by the camp authorities to coerce refugees into signing up for repatriation;
- To ensure that all repatriation are truly voluntary, according the principles reaffirmed in the UNHCR Executive Committee Conclusion no. 40 and in the UNHCR Handbook on Voluntary Repatriation, regarding voluntariness;
- To strengthen its monitoring role in the camps in order to provide effective protection to the refugees;
- To continue its role of protection and assistance in the refugee camps until a durable solution is available to the refugees;
- To reconsider its self-sufficiency proposal in consultation with all actors in the camps, including the refugees, in order to develop an action plan, approved by the Government of Bangladesh, that will put the refugees' human rights concerns at the forefront.

To the State Peace and Development Council (the Burmese Government):

- To end its policies of exclusion and discrimination against the Rohingya Muslim population of Arakan State, Burma, in order to eliminate the root causes of the exodus to Bangladesh and to create an environment conducive for the return of the refugees in safety and with dignity.
- To amend or repeal the 1982 Citizenship Act, with the effect of granting full citizenship and accompanying rights, in particular the right to freedom of movement, to the Muslims of Arakan State.
- To cease the practice of forced labour in Arakan State and across Burma in compliance with ILO Convention No. 29 to which Burma acceded in 1955.

To the International Community, including donor Governments:

- To continue and increase financial support to the UNHCR and other agencies to allow them to address adequately and effectively the protection and humanitarian needs of the Rohingya refugees;
- To raise and address with the UNHCR and the Government of Bangladesh the alarming reports of forced repatriation and coercion in the camps in order that to ensure these abuses cease immediately and basic human rights of the Rohingya refugees in Bangladesh are fully respected.

Appendices:
The Voices of the Refugees

APPENDIX NO. 1

Declaration from Rohingya Refugees to UNHCR dated 25 May 2003

To

The Head of Sub-Office
UNHCR
Cox's Bazar, Bangladesh

Sub: Returning our family books to you,

Dear Sir,

We, the Rohingya Refugee under UN Refugee Status hereby declare the followings:

1. Tremendous pressures have been exerted on us since we have achieved the Refugee Status. Since **1992** we have observed a lot of your paperwork's and compels (on us) to merely keep the paper valid. Despite of reporting the following matters to you we have observed no significant output.
 - a) We have had and still have no protection from the various Systematic Conspiracies, arbitrary arrests, physically tortures, killings, deprivation of foods and other assistances. Confiscation of FBs (Refugee Status) and push backs in the name of voluntary repatriation.
 - b) There is no solution for those of us, who have left the Camp not being able to bear the atrocities, starvation, fabrications and misinter protecton of the pains in their minds.
 - c) Forceful repatriation by putting under bonds the captured Head of family, is purely violation of human rights. This is the present style of repatriation.
2. We have shown genuine reasons for not signing the affidavit. Under the existing metamorphosed military government the following is eminent
 - a) Every possibility of genocide, well-founded fear of persecution, extortion, expulsion, military armed operation (that have previously occurred 13 times) etc.
 - b) There is every possibility of massive exodus of Rohingyas as have been happening. It can be seen that the frequency of the exodus is higher under the military government. Who have been disguising under different names.
 - c) No any possibility of re-avaidment of national protection, re-acquisition of nationality for us and our descendents.
 - d) there is every possibility statelessness of Rohingya Refugees.

In context of the above and after observing Significant progress or no any productive output any of the relief agencies we have decided to free ourselves by returning the Refugee status to you.

Thank you for the Co-operation you have given us so far and we wish ourselves best of luck.

Rohingya Refugees of Cox's Bazar
Bangladesh

May 25, 2003

As per original document

APPENDIX NO. 2

A refugee account of a mass meeting with UNHCR/RRRC²¹

“A whole day meeting was held in Kutupalong camp on 9 April 2003. The meeting was held in two sessions: the first session took place in the morning from 10 a.m. to noon and the afternoon session from 2 p.m. to 4 p.m. A magistrate from the RRRC office, the head of UNHCR sub-office [a Thai man], NGO representatives working in the camp, the doctor of the Ministry of Health, the camp police inspector and the Camp-in-Charge were present at the meeting.

The day before the meeting, on 8 April, the Camp-in-Charge instructed all *majees* and volunteers to inform the refugees about the meeting. They also used loudspeakers to inform the refugees. The announcement was: “An emergency meeting is being called by the RRRC. All refugees, men, women and children, are requested to be present at this meeting tomorrow morning [9 April] in front of the Camp-in-Charge’s office.”

The next day, the *majees* arrived at the meeting with the refugees of their respective sheds. Almost all refugees arrived from the various hills. At 10 a.m., the magistrate from the RRRC office named Redwan gave a speech to the crowd. He told as follows:

“You are Rohingya Muslims and we are also Muslims. We do not want to see you in trouble. We always sympathise with your problems. We know why you had to leave your own country. This is true, and you must believe that we don’t want to create more problems to you.

We want to help you, and our intention is to send you back to your own country only with full dignity and honor. Remember: This [Bangladesh] is not your country. If you pass the rest of your life here, you will not find any solution to your problems. You will not get peace here. You can only find peace in your own country. You have to find yourself the solution to the problems created by your government.

Now I would like to suggest that you get ready to go back to your own country. This is your last chance. This is the right time to go back with full honor and dignity. Remember that the world is now very busy with other problems. Soon the UNHCR will be busy with other problems in other parts of the globe. UNHCR does not have much time, and they will leave soon. And the NGOs that are working in this camp and other camps will also leave soon. I want to remind you that this is your last chance for repatriation in the presence of UNHCR and NGOs. As soon as UNHCR and other NGOs will stop their activities you will lose this opportunity and a lot of other facilities. The services that you are getting now from the UNHCR and the NGOs will no longer be

²¹ RRRC means Refugee Relief and Repatriation Commissioner, the Bangladesh Government agency dealing with the refugees under the Ministry of Disaster Management and Relief. The Camp-in-Charge is the government authority in the camp, in charge of the refugees’ overall welfare, the camp administration, and law and order.

provided afterwards. You will become less privileged. Bangladesh itself is a country where thousands of problems exist. We will not be able to provide you with the services that you are getting now.

So, my last request is: Please get ready to go back to your own country! If you do not listen to our request, then we will apply force. So take the chance and go back with honor.”

The first session of the meeting ended after the speech of the magistrate Redwan.

In the second session, the head of UNHCR delivered his speech first. He is a Thai man and he delivered his speech in English, while one UNHCR field assistant, a Bangladeshi man, translated it into Bengali. He told us:

“It would be better if you go back. By this time, Burma has now improved a lot. It is not like before. It is much calmer and more peaceful than in the past. A number of NGOs from different countries are now working there. They are engaged in development activities. They have a lot of different programs.

Moreover, the two Prime Ministers of Bangladesh and Myanmar recently held talks on this issue. The Myanmar government will give you all the facilities. They will not discriminate you.”

One of the refugees raised his hand and asked a question to UNHCR about the “affidavit”. He also asked: “Why should we sign it? We have not committed any crime. We have done nothing wrong. So, why do we have to sign to go back to Burma?”. Answers were given first by RRRC, then by UHCR, and both answers were almost the same. They replied: “It is for your safety. If the Burmese government ever try to deny your identity, we will use this paper. For this reason, we are taking this affidavit.”

Another refugee named Abu Sama said, “We are here because of the persecutions of the Burmese regime. We did not do any unlawful acts against the regime. We are not guilty. The regime is. Without committing any crime, you are asking us to sign an affidavit. Why? It is the regime that need to sign an affidavit saying that they will never persecute us in the future, that they will not do to us what they did in the past. Why do you ask us to sign an affidavit and not them? Could you tell us what is written on that document?”²² But no one answered Abu Sama’s questions.

The result of the meeting was negative for RRRC and UNHCR. Most of the refugees openly protested against the affidavit. A refugee even said: “We will go back, but we will not sign the affidavit.” Then the meeting ended.

²² Based on their experience in Burma, the Rohingya traditionally associate an affidavit with a court document you must only sign when a crime has been committed. For most of them, signing an affidavit in the camps implies they have committed a crime.

The next day, the Camp-in-Charge summoned Abu Sama to meet him at his office, but Abu Sama did not show up and fled from the camp.

Since 10 April, the Camp-in-Charge has ordered the camp police not to allow any refugee to leave the camp. Anyone found outside the camp will be arrested.

18 people were arrested on 10 April, of them 12 children and 6 adults. The Camp-in-Charge called the parents of the children and told them that if they want to get back their children, they must first sign the affidavit. The Camp-in-Charge did the same for the adults. Everybody is afraid to go out of the camp.”

APPENDIX NO. 3

REFUGEE ACCOUNTS FROM NAYAPARA AND KUTUPALONG CAMPS

These stories are the voices of the Rohingya refugees in Kutupalong and Nayapara camps, received by FORUM-ASIA between November 2002 and May 2003. They have been collected from the affected refugees themselves, from their relatives or from other refugees residing in the two camps.

In order to protect the refugees and their families, we have changed their names and omitted their personal details, including the camp name and sometimes the dates when the incidents took place. For most of the testimonies, Forum-Asia has confidentially recorded the full name, refugee book number and details of the composition of the families.

The chart below briefly analyses the types of abuses used by the camp authorities to enforce repatriation, as reported in the refugee accounts below. These include the act of forced repatriation itself (usually involving detention in the camp prior to repatriation) and physical and/or mental pressure (not always successful) to induce repatriation. Some stories report more than one type. In some cases abuses are also a direct consequence of involuntary repatriation such as family separation and harassment of women.

Type of abuses used to enforce repatriation	No. of incidents May 2003	No. of incidents Nov 02-Apr 03	No. of incidents TOTAL
Forced repatriation usually following detention within the camp	18	8	26
Detention in the camp as a pressure	2	1	3
Family separation	9	10	19
Jail	0	5	5
Threats of jail	0	7	7
Beatings	3	9	12
Deprivation of food	1	5	6
Forced relocation within the camps	0	5	5
Destruction of property (housing)	1	1	2
Rape and gender-based violence	0	2	2
Others	2	0	2
TOTAL	36	53	89

Many refugees perceive the Camp-in-Charge and his office staff as the main perpetrators of abuses in the camp. However, it should be noted that physical ill-treatment of refugees is rarely committed by the Camp-in-Charge himself, but by majees and volunteers (who are refugees themselves) and camp police, either following a verbal order from the Camp-in-Charge and his staff, or as a means to enforce compliance with his order by the refugees.

Terms used in the refugees' accounts:

Camp-in-Charge: Representative of the Bangladesh Government, responsible for law and order as well as the daily running of the camps. He is assisted by several camp officers.

Majee: Rohingya refugee appointed as a leader of a refugee shed [divided in rooms] or of a section of the camp.

Volunteers: Rohingya refugees selected to assist the Camp-in-Charge and the majees in the daily running of the camp. They are the main agents for putting pressure for repatriation on the refugees.

Affidavit: Legal document to be signed by both cleared and uncleared refugees confirming their consent to repatriate.

Clearance: Agreement issued for each family by the Burmese Immigration prior to repatriation, to confirm acceptance in Burma.

Refugee book: Also referred to as "family book" or "ration book" and issued by the UNHCR to identify people as refugees. This is the only identification document that refugees possess, which entitles them to protection, rations, medical care, etc. Without this book, refugees cannot get access to any assistance or protection.

A. MAY 2003 – The main drive of forced repatriation

“At the beginning of May, it seemed as if a tornado had suddenly swept over the camps and destroyed everything!”

◆ Refugee # 1 – Hasina and Mohamed Ali

End May 2003

Type of abuses: Beatings, Harassment

Mohamed Ali and his family have been cleared by the Burmese Immigration. At the beginning of March, Mohamed Ali was summoned to the Camp-in-Charge’s office and asked to repatriate. When Mohamed refused the proposal, the Camp-in-Charge and camp police beat him up. His kneecap was damaged and he could not walk for several days. A week later, he fled the camp, leaving his family behind.

Soon after, his wife Hasina was called by the Camp-in-Charge. He accused her: “You have convinced your husband to flee from the camp. Why are campaigning against repatriation? Why did you and other women talk to foreigners visiting the camp?” Hasina denied this, but the Camp-in-Charge kept her in his office. A couple of hours later, her detention came to the notice of other refugee women. They came to the Camp-in-Charge office demanding her release and he let her go.

After this incident, the Camp-in-Charge called her several times to his office but she never appeared.

Around the end of May, the Camp-in-Charge sent some volunteers to bring her to his office. Mohamed’s wife, Hasina, replied that she would not go to the Camp-in-Charge’s office and requested them: “Do not come to me again for this purpose.” A few hours later, some camp police came again and ordered her to go to the office. Hasina was inside her shed with 20 cleared women. A policeman tried to get Hasina out of her shed but he failed. Whenever he tried to enter, other women came forward to protect Hasina.

The next day, the Camp-in-Charge with some police arrived at Hasina’s shed and asked Hasina to open. This time Hasina opened her door and told the Camp-in-Charge: “Sir, why are you sending your volunteers and police to take me to your office. What is my fault? About two months ago you summoned my husband to your office in the morning. My husband was a very healthy man but in the evening he came back from your office aided by two other refugees. He could not walk. Since then, my husband has disappeared. Now you are calling me and sending your volunteers and police to me. My only crime is to be a refugee. Apart from this I have committed no other fault. Now you are trying to send me and other refugees to Burma, against our will. When someone protests, he gets punished like my husband! You are sending us forcibly to Burma. But have you ever asked yourself why we became refugees? Have you ever tried to know about our problems, or have you ever taken any initiative to solve them? The reasons why we left our country, the problems we faced when we left our country, are still prevailing now in our country. Nothing has changed for us in Burma. On the

contrary, oppression has even increased. In this situation, why are you putting pressure on us to repatriate? Why did your government give us shelter at that time? We did not even ask for shelter. We only fled here to save our lives. Other Rohingya people fled to other countries such as Pakistan, Saudi Arabia, Dubai, Malaysia, etc. We have no intention to settle and live in your country! If you ever try to send me back to Burma in the current condition, look at this! This is a bottle of poison. If you or any of your police try to touch even my room's walls, I will drink this poison. And look at the other women here around me! They will also follow my example. If you have any doubt, just try to enter my room and you will see!"

The Camp-in-Charge did not reply and left her courtyard. The following day, the Camp-in-Charge sent a woman field officer of UNHCR to Hasina's room to try to convince her. She tried to bring Hasina to the Camp-in-Charge's office and assured her that she would bring her back to her room again. But Hasina refused and said: "You, [UNHCR] people, have done nothing for us in the camp. The camp officials, camp police and volunteers are harassing us in front of your eyes, and you never protest against this persecution! You are actually helping them indirectly, rather than protecting us!"

◆ **Refugee # 2 – Hussein**

6 May 2003

Type of abuses: Deprivation of food

On 6 May, the Camp-in-Charge gave a list of 11 cleared families to volunteers and ordered them to bring the head of those 11 families to his office. Among them only one head of family, Hussein, came forward to meet the Camp-in-Charge. The other ten did not.

Hussein was home when the volunteers arrived. They told him to accompany them and also asked him to bring his family ration book. Hussein followed them to the Camp-in-Charge's office. The Camp-in-Charge told Hussein to repatriate to Burma. "I will not return until peace and security are re-established in Burma," Hussein replied. The Camp-in-Charge had no time to argue with Hussein and he told him: "Give me your ration book and go back." Hussein gave his ration book to the Camp-in-Charge and returned to his shed.

The Camp-in-Charge gave the store staff the list of the 10 other families who did not come to the ration store, with a note not to distribute any food ration to these 10 families. His instructions were that when these families come to receive their food ration, their ration books must be seized and the Camp-in-Charge's office informed immediately.

6 May was also the food distribution day. Those 10 families came to queue for their ration. All the other refugees received their ration but these 10 families were taken aside. When one of them asked why they were not given their ration, the store staff replied to them: "Go to the Camp-in-Charge's office and talk to him. I am sending your

ration books there.” But they did not go to the Camp-in-Charge’s office and returned to their respective sheds empty-handed without their ration and without their ration book.

◆ **Refugee # 3 – Omar Hakim**

6 May 2003

Type of abuses: Detention and forced repatriation

Omar Hakim’s family has been cleared by the Burmese Immigration. His elder son got married about 8 months ago, but his daughter-in-law’s name is not mentioned in their family book.

On 6 May the camp police and volunteers went to Omar’s house and summoned him and his elder son to the Camp-in-Charge’s office. The Camp-in-Charge then told both of them: “I hope you know that your family list is cleared. You must go back to your country. I don’t want to hear any argument and I don’t have time to hear any story.” The elder son complained: “I can’t go back leaving my wife alone here.”

The Camp-in-Charge did not allow Omar to go back to his shed but his son was allowed to go. The next morning the family was repatriated, except for the eldest son.

◆ **Refugee # 4 – Bashar**

6 May 2003

Type of abuses: Detention and forced repatriation

Bashar is a former militant of the RSO who became a refugee in the early ‘90s and he married a refugee woman in the late ‘90s. He and his wife have a separate refugee book. Bashar is now the father of four children who are all registered in his wife’s book. Bashar’s name has been cleared by the Burmese Immigration, but his wife and children have not.

In the past, Bashar was never asked to repatriate for two reasons. The Camp-in-Charge, the majees and volunteers knew that (1) he was a former RSO soldier and would face arrest in Burma, and (2) his children were all very young and his wife and children had not yet been cleared.

Suddenly, the camp authorities, majees and volunteers changed their attitude. During the night of 6 May 2003, some camp police arrived at Bashar’s shed with 15 volunteers. They caught him at home and brought him to the Camp-in-Charge’s office where he was detained for the rest of the night. The next morning, he was forcibly repatriated to Burma.

◆ **Refugee # 5 – Noor Ahmed**

6 May 2003

Type of abuses: Detention within the camp

Early in the morning of 6 May, the majee and some volunteers called Noor Ahmed to the Camp-in-Charge's office. He had to wait there until 10 a.m. until the Camp-in-Charge arrived. He shouted at him and told him that his family had now been cleared and that he had to repatriate to Burma. Noor Ahmed replied: "I cannot go back right now, because I am sick. I had a stomach operation and the surgery took place a couple of months ago. The doctor told me to see him for follow up. Moreover, I have another problem. My son is also sick. We cannot go back now!"

The Camp-in-Charge examined him rapidly and replied: "You look fine! I don't want to hear any excuse. I only know one thing: You must go!" He kept him in the office compound. A few hours later, his wife was informed and came to the Camp-in-Charge's office with his medical documents. The Camp-in-Charge took his family book and said: "OK. You can see the doctor but as soon as you medical checkup is done, you must go back!" Two weeks later Noor Ahmed had not yet been repatriated.

◆ **Refugee # 6 – Ayub Ali**

6 May 2003

Type of abuses: Detention and forced repatriation

Ayub Ali's family was cleared for repatriation. On 6 May 2003, Ayub was summoned to the Camp-in-Charge's office. He went to the office and he was told: "Your family is already cleared, so you must go back tomorrow." The Camp-in-Charge did not give him any chance to argue or say anything. He ordered the camp police and volunteers to bring the rest of his family to his office. At around 10 p.m. the other members of his family arrived and the Camp-in-Charge ordered them to spend the night in the corridor of his office. The next morning, he sent them back to Burma.

◆ **Refugee # 7 – Abdur Rashid**

6 May 2003

Type of abuses: Detention and forced repatriation

Abdur Rashid's family was cleared for repatriation by the Burmese Immigration. On 6 May, he was called by the Camp-in-Charge who told him to repatriate. Abdur Rashid was not ready to go back to Burma and he explained: "There is no peace inside Burma. People continue to flee to Bangladesh. Let peace and security return first, and then I will go back." The Camp-in-Charge did not want to hear anything and did not reply. He ordered volunteers and camp police to bring the other members of his family to his office. When they all arrived, the Camp-in-Charge instructed the police to keep the whole family in their custody until the next morning. The next morning, Abdur Rashid's family was repatriated.

◆ **Refugee # 8 – Ahmed**

9 May 2003

Type of abuses: Detention and forced repatriation, family separation

On 9 May, the Camp-in-Charge sent volunteers to bring Ahmed to his office and told him that he should go back to Burma. Ahmed replied to the Camp-in-Charge: “Three of my daughters have married young men who are also refugees from this camp. But my three daughters are still registered in my family book. I can’t take them with me because they are married and have their own families. It will be unfair for them to take them with me and leave their husbands and children behind!”

A new magistrate named Yasin, who had just been appointed the previous evening, became very angry and insulted the old Ahmed. He used bad language, not only insulting Ahmed but also all Rohingya people. He finally told him: “You must go back. Leave your three daughters and three grandchildren here!”

The Magistrate and the Camp-in-Charge did not allow Ahmed to return to his shed. They ordered the volunteers to bring his belongings and the rest of his family. They kept them inside the police camp until the next Monday morning when part of Ahmed’s family was repatriated to Burma, without his three daughters and grandchildren.

◆ **Refugee # 9 – Noor Jahan and her sister**

10 May 2003

Type of abuses: Detention and forced repatriation, Family separation

Noor Jahan is a widow and mother of a son aged 8. About 9 years ago, she married a refugee man, and a few years later, her husband passed away. She lives with Jamila, her elder sister, who is also a widow. Jamila’s husband died in Burma during the time of the refugee exodus of 1992 and she has a daughter aged 16. After crossing the border, both sisters went to live together in the camp and they have only one family book issued in Noor Jahan’s name. Noor Jahan is therefore the head of the family, with 4 members: herself, her sister, her son and her niece. But only her name and the name of her son were cleared for repatriation.

On 10 May, the Camp-in-Charge summoned her and instructed her that she and her son should now go back to Burma. Noor Jahan told the Camp-in-Charge: “There are only 4 people in our whole family. How can we be separated from each other? If I go back, what will my sister and her daughter do here on their own? Please arrange to clear their names too and send us back to Burma together. I promise I will go back as soon as her clearance arrived. But, please, don’t split our family!”

The Camp-in-Charge did not listen to the cries of Noor Jahan. He sent some volunteers to bring her son and her belongings, and ordered her to remain inside the office

compound until the next repatriation day. That day, Noor Jahan and her son were repatriated. The two sisters were crying a lot, and even the refugees watching the scene were also weeping.

◆ **Refugee # 10 – Abdus Salam**

10 May 2003

Type of abuses: Detention and forced repatriation

Abdus Salam had been in jail since 1997 when he had been arrested with other refugees because of his involvement in demonstrations and protests against forced repatriation. Most of the refugees who had been arrested then have now been released, but Abdus Salam is still in jail.

On 10 May, Abdus Salam's wife was summoned to the Camp-in-Charge's office. She was told to repatriate to Burma. She replied: "How can I go back to Burma without my husband? If I go, who will arrange to get my husband released from jail? He was innocent, but he has been accused of carrying a gun. Many refugees saw that the police caught him while he was waiting for his ration in front of the Red Crescent office. The police put a hand-made shotgun in his hands and then sent him to jail. It was all fabricated. I am ready to go back as soon as you release my husband!" The Camp-in-Charge replied: "My duty is not to judge who is a criminal and who is not. The court does this. Now listen to me! My duty is to send all the refugees back to Burma as soon as I can, that's all!"

Abdus Salam's wife refused to repatriate. The Camp-in-Charge sent the police and volunteers to bring the other members of the family and their belongings to his office compound, and told the police to watch them until the next morning.

[Note: This account does not mention whether Abdus Salam's wife and the rest of her family were repatriated or not, but it is likely so.]

◆ **Refugee # 11 – Aziz**

12 May 2003

Type of abuses: Detention and forced repatriation

Aziz's family has also been cleared for repatriation. On Monday 12 May, at noon, the camp police and volunteers cordoned off his room, caught him and took him to the Camp-in-Charge's office. There, the Camp-in-Charge told him that he must go back to Burma. Aziz refused to repatriate and pleaded for more time. The Camp-in-Charge did not argue with him and ordered the camp police to keep him in their custody until the next repatriation day (Wednesday). On Wednesday morning, volunteers went to Aziz's room to fetch the other members of his family and they were repatriated against their will.

◆ **Refugee # 12 – Amina Khatun**

13 May 2003

Type of abuses: Detention and forced repatriation, Family separation

Amina Khatun is the head of her family. After she got married in the camp, her husband was registered on her refugee book. Her family is now cleared for repatriation. Some volunteers came to Amina's house in the late afternoon of 13 May and told her that she must accompany them to go and meet the Camp-in-Charge. The Camp-in-Charge told her that she must go back to Burma. Amina replied: "I cannot go back to Burma, because my husband will be in danger there. He has a political case and he is a wanted person in Burma. He will be accused of being a member and militant of the RSO. I cannot go back." The Camp-in-Charge did not reply and ordered the police to hold her with other female detainees. He also sent other police and volunteers to bring her husband and the other members of her family to his office. Amina's husband fled when he saw the police coming towards his shed. But the police and volunteers caught the other members of her family and brought them to the Camp-in-Charge's office. The next morning, Amina was repatriated with her family, but without her husband.

◆ **Refugee # 13 – Jafar**

14 May 2003

Type of abuses: Beatings, Detention/Forced repatriation, Family separation

Jafar has two wives and both are living in the same shed. Jafar and his second wife are registered in the same refugee book and they were not cleared for repatriation. His first wife and her two children have a separate refugee book and they had been cleared.

On 13 May 2003, the camp police and volunteers came to Jafar's house and cordoned it off. The police ordered all the members of the family to come out and follow them to the Camp-in-Charge's office. The Camp-in-Charge told Jafar's first wife: "You must go back to Burma now! I have no time to hear your arguments." His first wife refused and Jafar replied: "OK. She will go back but we need some time to get ready. Please give her 2 or 3 days to prepare ourselves!" But the Camp-in-Charge did not hear anything and sent volunteers to bring her belongings to his office and sent her and her two children in custody at the police camp.

On 14 May, Jafar's first wife and her two children were ordered to get onto the truck [to the repatriation camp] but they refused to board it. The police beat them with a cane and a stick and pushed them onto the truck guarded by other policemen. They arrived in Burma on the same day.

◆ **Refugee # 14 – Hamida**

15 May 2003

Type of abuses: Detention within the camp

Hamida Khatun is an old widow with a large family and her family was cleared for repatriation. On 14 May, Hamida and other members of her family were instructed to go to the Camp-in-Charge's office. Hamida's family ignored the order and did not go.

The next day, at about 12 noon, two office assistants of the Camp-in-Charge with some volunteers and majees went to Hamida's house, caught her three sons and brought them at the Camp-in-Charge's office. The office assistants locked them up inside the office bathroom for the whole afternoon. At about 9 p.m. the office assistant asked them again: "Have you now changed your mind regarding repatriation?" One of them replied that they were ready to go back to Burma on the next repatriation day. He added: "But we should discuss the matter with our mother and the other members of our family." The office assistant let them return to their shed at about 10 p.m.

The three brothers came back to their shed. Before dawn, they had disappeared with the whole family, leaving behind all their belongings.

◆ **Refugee # 15 – Fatima**

18 May 2003

Type of abuses: Family separation, Forced repatriation

Fatima Khatun is a young woman with two young children and she is expecting her third child. Five years ago, she married a refugee in the camp, but the couple never registered as a new family. Fatima's family book is in her name and includes 5 members: Fatima herself, her two children, her younger sister and her niece [daughter of her sister]. Her husband is listed separately in his parents' family book. Fatima and her children have been cleared for repatriation, but her husband as well as her sister and niece have not received their clearance yet. Moreover, Fatima is 8 months pregnant.

In the morning of 18 May, volunteers summoned Fatima to the Camp-in-Charge who told her that she must now go back to Burma. Fatima tried to explain her situation and told him: "I am 8 months pregnant now, and I also have two other children who are very little. How can I go to Burma without my husband and my sister? Who will take care of me in Burma? I cannot go back in this situation. At least, give me some time until I deliver my baby. Or then send my husband with me."

The Camp-in-Charge ignored her difficulties and sent her back to Burma without her husband and her sister. She was forcibly repatriated the next day.

◆ **Refugee # 16 – Zubida**

18 May 2003

Type of abuses: Detention and forced repatriation, Family separation

Zubida Khatun has a separate family book from her husband. Her husband is listed in the family book of his parents. Zubida got married in 1997 and she now has 3 children. All her children are registered in her family book. Her name and the children's names have been cleared for repatriation, but not her husband and his family.

On 18 May, Zubida was summoned to the Camp-in-Charge's office. She was told to get ready to repatriate, but Zubida refused to repatriate without her husband. The Camp-in-Charge did not listen and ordered the camp police and volunteers to bring her children from her room to the office. They put them all together in a room inside the Camp-in-Charge's office. The next morning Zubida was forcibly repatriated to Burma with her children but without her husband.

◆ **Refugee # 17 – Rashida**

18 May 2003

Type of abuses: Detention and forced repatriation, family separation

Rashida is the head of a family and she has 5 daughters, all of them below the age of 10. She is married but her husband is still registered in his parents' family book, not with her and her children. Her clearance has arrived, but her husband's family has not been cleared.

In the evening of 18 May, the camp police and volunteers brought Rashida and her daughters to the Camp-in-Charge's office and ordered them to remain inside the office together with other women in a similar situation. They were all sent for repatriation to Burma on the next day.

◆ **Refugee # 18 – Nazir**

18 May 2003

Type of abuses: Family separation and forced repatriation

Nazir's family has two separate family books: one in his name and the other one in his wife's name. The family book in Nazir's name includes himself, one of his daughters and a grandson. The other book issued in his wife's name mentions his wife as well as 7 other sons and daughters. Nazir's family book has been cleared by the Burmese Immigration, but his wife's book remains uncleared.

At about 8 p.m., on 18 May, the camp police caught Nazir and took him to the Camp-in-Charge's office. The Camp-in-Charge told him to go back to his country. Nazir explained: "My wife and the other members of my family are still uncleared. How can I go back alone with my 9-year old daughter and my 3-year old grandson? My grandson will not survive without his parents. He is too young. If you want to repatriate me,

please arrange to clear the other members of my family too and send us back together!” The Camp-in-Charge did want to hear anything. The next day (Monday), Nazir, his daughter and grandson were forcibly repatriated to Burma.

◆ **Refugee # 19 – Ayasha Begum**

18 May 2003

Type of abuses: Family separation

Ayasha Begum’s family has also been cleared by the Burmese authorities. But her husband and her younger brother have a case in Burma. Both are wanted in Burma as members of the RSO. On 18 May, she was summoned to the Camp-in-Charge’s office. The Camp-in-Charge told her to go back to Burma. Ayasha explained her situation. The Camp-in-Charge replied: “OK! Leave here the members of your family who cannot go back because of their case in Burma. Take the rest of your family with you and go back to Burma!” Ayasha was repatriated the next day with the other members of her family. She left her husband and brother behind in the camp. Before leaving, she asked other refugees: ‘Is this what they call a *voluntary repatriation*?’

◆ **Refugee # 20 – Zakir**

19 May 2003

Type of abuses: Destruction of property, Harassment

In the morning of 19 May, a volunteer summoned Zakir to the Camp-in-Charge’s office. Zakir told him that he would go soon. But Zakir did not go. He took his family, except one of his daughters who had married a male refugee from the same camp, and went to hide in the jungle. They could not take any of their belongings from their shed. At noon, some volunteers came again to his shed as he had not showed up at the office. They found his shed empty and informed the Camp-in-Charge. The Camp-in-Charge then sent volunteers to Zakir’s daughter’s house and brought her to his office. He told her: “You are cleared for repatriation with your father’s family. Your father and the rest of your family have absconded, but you should go back as a member of their family.” The Camp-in-Charge detained her for 10 hours. At about 11 p.m., he allowed her to return to her husband and told the majee to bring her again to his office the next morning.

The next day, the Camp-in-Charge sent some volunteers and office assistants to dismantle Zakir’s house and bring all his belongings to his office. Zakir’s daughter was ordered to come every day to the Camp-in-Charge’s office to prove that she remains in the camp.

◆ **Refugee # 21 – Syed Islam**

22 May 2003

Type of abuses: Beatings, Detention and forced repatriation

Syed Islam is living with his father and is registered on the same refugee book. This large family has been cleared. Syed is a teacher at one of the camp schools. His father, the head of the family, ran away from the camp a long time ago to avoid repatriation. About 7-8 months ago, Syed had talked to the majee [shed leader] and some police, seeking advice on how to bring his father back to the camp. The majee and the police had assured him that they would not create any problem if his father returned to the camp. Syed paid some money to the police through the majee. About 6 months ago his father returned to the camp. Since then Syed has been paying some money to the police every month through the majee.

Around mid-May, Syed and four other youths went out of the camp for a few days. Syed and his friends returned to the camp on 14 May. The camp police learnt that Syed had been out of the camp for several days. They caught him on 22 May and beat him up. Then the police arrested his father too and detained them until 26 May. In the morning of 26, the father and son as well as the other members of his family were repatriated to Burma.

◆ **Refugee # 22 – Kalam**

24 May 2003

Type of abuses: Detention and forced repatriation

Kashim's family is also cleared for repatriation. Two of his sons had disappeared from the camp over the last 15 days. They had fled to avoid repatriation. On 24 May, the camp police and volunteers came to Kashim's and took him to the Camp-in-Charge's office. The Camp-in-Charge told him: "You cannot avoid repatriation by sending your two sons out of the camp. You know very well where they are staying. I want you to go and bring them here immediately." Kashim replied: "I don't know where my sons are. They left the camp without informing me. But I agree that they made a good decision when they fled from the camp."

The Camp-in-Charge got angry and ordered the police to arrest Kashim. He told him: "Then, I will send you back to Burma without your two sons!" Kashim and the rest of his family were repatriated on Monday 26 May.

◆ **Refugee # 23 – Ibrahim**

25 May 2003

Type of abuses: Detention and forced repatriation

Ibrahim's family is cleared for repatriation. On Sunday 25 May, Ibrahim went to the market inside the camp. An office staff of the Camp-in-Charge saw him and caught him there. They brought him to the Camp-in-Charge's office. The Camp-in-Charge told him

that he must repatriate to Burma. He did not allow him to return to his family. An office assistant put him inside a room until the next morning. Early morning the office assistant instructed the majee and volunteers to bring the other members of his family and their belongings. They were all repatriated that morning.

◆ **Refugee # 24 – Abdul Fayaz and his son**

25 May 2003

Type of abuses: Detention and forced repatriation

Abdul Fayaz is an old man of about 70. One of his sons left the camp about 3 months ago and went to work in a restaurant in Teknaf. A police informer told the camp officials of his whereabouts. On 25 May the camp police inspector and some volunteers went to Teknaf to catch Abdul Fayaz's son. They caught him in the restaurant, arrested him and brought him back to the camp. They called his father to the Camp-in-Charge's office and told him: "Here is your son. We hope you don't have any other problem to avoid repatriation. Now go and get ready for repatriation. If you refuse, I will send your son to jail." The police inspector instructed some volunteers and police to accompany Abdul Fayaz and to bring back the rest of his family as well as their belongings. The police put them altogether in a room and kept them for the night. The next morning they were all repatriated to Burma.

B. BEFORE MAY 2003

◆ Refugee # 25 – Habib

April 2003

Type of abuses: Deprivation of food

Noor Kalam's clearance had already arrived. On xx April a volunteer told him to go and see the Camp-in-Charge. Noor Kalam assured him that he would go within a short while. But he did not go and fled from the camp. A few days later, Noor Kalam's wife went to collect the ration for the family. The volunteers distributed the ration to all the refugees queuing, but she was asked to wait. One of them took her ration book and went to the Camp-in-Charge's office. The Camp-in-Charge confiscated the ration book and told her that she would get it back as soon as she brought her husband to his office.

◆ Refugee # 26 – Yussef

April 2003

Type of abuses: Beatings and jail

At about noon, on xx April, Yussef and his wife were summoned by the Camp-in-Charge and he was asked to sign the affidavit. Yussef refused. The camp police then warned his wife that she should convince her husband. But Yussef failed to be persuaded. The Camp-in-Charge then asked Yussef's wife to return to her room. Then he ordered a camp police to beat Yussef. Later in the day, the Camp-in-Charge sent him to jail. In the evening, Yussef's wife came again to the Camp-in-Charge's office to find out about her husband. She was shocked to learn that he had been sent to jail.

◆ Refugee # 27 – Hamid

April 2003

Type of abuses: Forced relocation

In the morning of xx April, two volunteers came to Hamid's room and told him to go to the Camp-in-Charge's office. When Hamid reached the compound of the Camp-in-Charge's office, he noticed that other refugees were also waiting and a police sentry was watching them. The Camp-in-Charge told the waiting refugees to sign the affidavit, and he instructed the photographer to take their pictures one by one. Most of them refused to sit in front of the camera and sign the document. The police then beat some of them by order of the Camp-in-Charge.

Observing the situation, Hamid decided to accept. He went to sit in front of the camera and let the photographer take his picture. Immediately after that, he asked the Camp-in-Charge's permission to quickly fetch some food from his room, and promised to come back to sign the affidavit. The Camp-in-Charge allowed him to go. Hamid took this opportunity to leave the camp.

The next day, when he realised that Hamid had fled, the Camp-in-Charge ordered his family to be transferred to another section of the camp as a punishment. He instructed the police, volunteers and majees to shift his family every 2 or 3 days from one place to another until Hamid came back.

◆ **Refugee # 28 – Zafar Meah**

April 2003

Type of abuses: Forced relocation and destruction of property

Zafar Meah's family was not in the list of clearances. On the morning of xx April, Zafar was summoned to the Camp-in-Charge's office and asked to sign the affidavit. Zafar did not reply. He allowed the cameraman to take the picture. Then the Camp-in-Charge called his office assistant to bring the stamp and asked Zafar for his signature. This time Zafar reacted and replied: "If you want to send me back to Burma, please send me, but don't take a stamp. In our society we only use stamps for criminals, when a criminal states that he will never repeat any such crime in the future. Innocent people never sign an affidavit. As far as I know, we have not committed any crime, so that you are only taking our signature on a stamp. If this is an agreement between the Burmese authorities and every individual refugee, please show me the signature of the Burmese authorities. I am sorry but I will not sign the stamp as I am not a criminal."

The Camp-in-Charge did not answer. Meanwhile, there was a call for the mid-day prayer and Zafar sought permission to go to pray. The Camp-in-Charge allowed him to go. But Zafar did not return from the mosque after his prayer and ran away from the camp. Later, in the evening, the Camp-in-Charge arrived at Zafar's shed accompanied by camp police and volunteers. He ordered them to dismantle his room. The bamboo partition walls of his room as well as the roof were totally destroyed. His family was moved to another section of the camp.

◆ **Refugee # 29 – Hajeda**

April 2003

Type of abuses: Deprivation of food

On xx April, Hajeda's ration book was seized by the Camp-in-Charge because she refused to sign the affidavit. Refugees need a new signature from the Camp-in-Charge on each page of their ration book. The previous page of Hajeda's ration book was full, and that day she had gone to the Camp-in-Charge's office to obtain his signature on the next page. She handed over her book to the Camp-in-Charge. He took it and told her that he would sign it only on the condition that she signed the affidavit.

But Hajeda refused to sign the affidavit, and asked the Camp-in-Charge to return her ration book without signature. But the Camp-in-Charge put her book in a locker and told her: "It will remain there until you sign the affidavit. Go to your room and think about it!" Hajeda returned home without her book and without her food ration.

◆ **Refugee # 30 – Jashim**

April 2003

Type of abuses: Threat of jail

Jashim is still uncleared. He was summoned to the Camp-in-Charge's office and asked to sign the affidavit but he refused. The Camp-in-Charge started threatening him: "If you don't do it, I will file a case against you and send you to jail!" and he locked him in the bathroom. Then the Camp-in-Charge sent volunteers to bring his wife and his children. When they arrived at his office, the Camp-in-Charge told Jashim's wife: "If your husband does not put his thumbprint on the affidavit, I will send him to jail tomorrow. I will give you one last chance. Talk to him. If he changes his mind, it will be better for all of you." He then ordered his assistant to bring him out so that he could talk to his wife. Jashim's wife and children were crying and requested him to comply with the Camp-in-Charge's order. Jashim could not oppose his wife and children and he put his thumbprint on the affidavit.

◆ **Refugee # 31 – Zakir Hussein**

April 2003

Type of abuses: Deprivation of food

Zakir Hussein was waiting in front of the food store to collect his ration with his ration book. At that time, one of Camp-in-Charge's office staff called him and asked him to go to the Camp-in-Charge's office at once. The Camp-in-Charge requested him to sign the affidavit, but Zakir expressed his unwillingness to do so. The Camp-in-Charge then asked him for his ration book and he gave it to him. Then, the Camp-in-Charge put it inside a locker and told Zakir Hussein: "You will get your ration book back and you will be able to get your food ration only after you change your mind. Go back to your room and starve with your family!" Zakir Hussein begged him to return his book without any success. He returned to his shed.

On xx April Zakir Hussein was summoned to the office again and the Camp-in-Charge asked him if he had now changed his mind. He cried in front of the Camp-in-Charge: "Sir, my family is starving. Please be kind to my family and my children. Give me back my ration book!" But the Camp-in-Charge replied again: "First sign the affidavit and then you will get your ration book back." Zakir Hussein returned to his room empty-handed.

◆ **Refugee # 32 – Nurul Hoque**

April 2003

Type of abuses: Threat of jail

Nurul Hoque is an old man. The charcoal that he receives is not enough for his cooking needs and he often goes to the hills to collect firewood. On the evening of xx May, he

was returning from the hills with some firewood and was caught by the camp police. They seized his load and beat him up. They did not allow him to go back to his room for the rest of the night. The next morning, Nurul Hoque was brought to the Camp-in-Charge's office. The Camp-in-Charge's office staff gave him two options: to thumb-print the affidavit or go to jail on a charge under the Forest Act. Nurul Hoque agreed to sign the affidavit.

◆ **Refugee # 33 – Mohamed Sultan**

April 2003

Type of abuses: Forced relocation

Mohammed Sultan was summoned by the Camp-in-Charge on xx April, but he refused to go the Camp-in-Charge's office and fled as he knew that he would be forced to sign the affidavit. The Camp-in-Charge then ordered volunteers to move his family to another section of the camp. He also told the majees and volunteers, "If anybody sees Sultan, bring him to my office or call the police. Anyone who gives him shelter will be punished!"

◆ **Refugee # 34 – Habib**

April 2003

Type of abuses: Deprivation of food

Habib's family is not yet cleared for repatriation. On the morning of xx April, some volunteers came to Habib's shed and told him to accompany them to the Camp-in-Charge's office. The Camp-in-Charge urged him to sign the affidavit. Habib refused to sign and asked the Camp-in-Charge: "Why should I sign this? When you receive my clearance for repatriation, just send me back to my country! I will only sign the repatriation document on my way out." The Camp-in-Charge did not answer but he again sent the camp police and volunteers to his room to bring his ration book. He then seized the ration book and told Habib: "Now, go back to your room and think again! Your ration book will be returned after you sign the affidavit."

Habib returned without his ration book. He has a large family and does not have enough food to feed his family. His neighbours have been helping him secretly by providing his family with some food.

◆ **Refugee # 35 – Siddique Ahmed**

April 2003

Type of abuses: Deprivation of food and Threat of jail

Siddique Ahmed returned to the camp about two months ago after spending 5 years in jail. He was accused of being an agitator in the 1997 anti-repatriation demonstrations in the camp. Siddique's family clearance arrived while he was in jail. While he was in

detention, his name was removed from his family ration book. After his return from jail, Siddique went to the Camp-in-Charge's office and requested the Camp-in-Charge to re-include his name in the ration book so he could get his food ration. But the Camp-in-Charge replied: "Your clearance for repatriation is in my hand. There is no need to put your name again in your family's ration book. You should get ready for repatriation." Siddique did not reply and returned to his room.

On xx April, Siddique visited the Camp-in-Charge's office again, and argued on the same issue. He shouted: "Why am I not allowed to receive my ration?" At that moment, a camp police inspector arrived and started beating him up. The Camp-in-Charge told him: "If you don't leave this office immediately, I will seize the ration book of your entire family, and I will file a new case against you so that you will go to jail again."

◆ **Refugee # 36 – Mamtaz Begum**

April 2003

Type of abuses: Harassment of women

Mamtaz Begum is a young widow, mother of 3 children. Her name was cleared for repatriation. She used to go to Teknaf to sell vegetables. She was able to do this by paying a regular bribe to the majee and the camp sentry to be allowed to go in and out of the camp.

About a week ago, she was returning from Teknaf in the evening, and she got caught by the camp police. They interrogated her and she told them that she was selling vegetables in Teknaf and that she was bribing the majee and sentry in order to go to Teknaf. Then, the police demanded 2,000 Taka from her, but she refused to pay anything. He shouted back at her and accused her: "I know what you are doing in Teknaf! I have information about you! You are a prostitute! Everyday you visit Teknaf to sell your body!" Then the policeman pulled Mamtaz's hair and cut two-thirds of it off [very insulting for a woman]. Since then, Mamtaz longer went to Teknaf and at the end of April, she was forcibly repatriated to Burma.

◆ **Refugee # 37 – Nurul Alam**

April 2003

Type of abuses: Detention and forced repatriation

Nurul Alam's clearance had already arrived. The Camp-in-Charge sent a volunteer to bring him to his office and told him to repatriate to Burma, but he refused. The Camp-in-Charge called the camp police to detain him inside the police camp. At about 10 p.m., the Camp-in-Charge sent some volunteers to bring his family and their belongings. The next morning at 7 a.m. the Camp-in-Charge forced the whole family to board the truck and they were repatriated to Burma.

◆ **Refugee # 38 – Abdul Hakim**

April 2003

Type of abuses: Family separation, Detention/Forced Repatriation, Jail

Abdul Hakim has a large family. The clearance list for his family arrived about a year ago. Since then, he has been under pressure from the camp officials. Recently, Abdul Hakim was again summoned to the Camp-in-Charge's office. Hakim told him: "My three youngest sons would be in danger if they returned to Burma, because somebody has informed the Burmese authorities that they are involved with the RSO. If I go back with my sons, they will arrest them within a few days. Please give me some time to discuss the matter with my family and my relatives, including those living inside Burma." The Camp-in-Charge gave him only four days to make a decision.

On xx April, the Camp-in-Charge called him again and told him to get ready to repatriate to Burma. "We have not made our decision yet, please give me more time," said Abdul Hakim. The Camp-in-Charge got angry and replied that: "Even if there is a case against your sons and the authorities could arrest them, you should still go back. Now go and get ready for repatriation! My men will help you."

Abdul Hakim returned to his shed and informed his family. Hearing this, his three youngest sons fled from the camp at night. The next day the Camp-in-Charge learnt about it and told Abdul Hakim: "Your sons have run away. Now you have no more excuses to refuse repatriation. You can go back without them." The Camp-in-Charge ordered Abdul Hakim to stay in his office and sent volunteers to bring the rest of his family to his office too.

Abdul Hakim's daughter-in-law was in an advanced stage of pregnancy. Due to this circumstance she, her husband [Abdul Hakim's eldest son] and her two children were not repatriated. But Abdul Hakim and the remaining members of his family were sent to the repatriation camp.

A few days later, volunteers caught the third son of Abdul Hakim who had fled from the camp with his two brothers. He was caught while he was visiting the camp at night. The volunteers handed him over to the camp police and the next day he was sent to jail on a charge of theft in the camp.

◆ **Refugee # 39 – Mohamed Islam**

April 2003

Type of abuses: Detention within the camp and beatings

Mohamed Islam is on the list of cleared refugees. On the morning of xx April, the Camp-in-Charge sent a volunteer to bring him to his office. The Camp-in-Charge told him to go back to Burma. But he refused to repatriate. The Camp-in-Charge did not tell him anything more and let him return to his room.

In the evening Mohamed Islam went to the market to buy some vegetables. The market is on the roadside adjacent to the camp. The office assistant of the Camp-in-Charge and some police suddenly appeared in front of him and caught him for violating the camp rules. They took him to the Camp-in-Charge's office where he was beaten up severely. The Camp-in-Charge told the camp police to keep him in their custody and continue to beat him up until he agreed to repatriate. Mohamed Islam finally gave his consent for repatriation.

◆ **Refugee # 40 – Abdus Sukur**

April 2003

Type of abuses: Detention and Forced repatriation

Abdus Sukur is the head of his family and they have been cleared by the Burmese authorities. One of the Camp-in-Charge's office assistants, a majee and some volunteers came to his room in the late afternoon and told him that the Camp-in-Charge wanted to see him immediately. When he arrived, an office assistant told him: "Your family has been cleared for repatriation for a long time. You must get ready to repatriate. We do not want to hear any excuse and we do not want to waste our time." But Abdus Sukur refused and tried to run away. But the office assistant caught him, beat him up and sent volunteers to his room to fetch his wife and children and to collect their belongings. Abdus Sukur's wife and children cried but the officials did not budge. The family had to spend the night in the veranda of the Camp-in-Charge's office, and the next morning they were all repatriated to Burma.

◆ **Refugee # 41 – Ali Hossain**

April 2003

Type of abuses: Family separation, detention and forced repatriation

Ali Hossain got married about three years ago. He does not have any children. His wife's name is not registered in the same refugee book. Her name is her father's family book.

On the evening of 29 April a volunteer went to Ali Hossain's shed and asked him to come at once to the Camp-in-Charge's office. The Camp-in-Charge told him that he must go back to Burma. Ali explained: "My wife is still not cleared. How can I go back and leave her here alone?" The Camp-in-Charge replied: "You have a separate refugee book and yours has been cleared by the Burmese Immigration. When your wife's clearance arrives, we will send her back."

Ali Hossain tried to convince the Camp-in-Charge and promised that he would go back as soon as his wife's family was cleared. But the Camp-in-Charge did not listen to his request and he instructed the police to keep him in their custody. The next day, the Camp-in-Charge sent Ali Hossain to the repatriation camp without his wife.

◆ **Refugee # 42 – Syed Akbar**

April 2003

Type of abuses: Jail and threat of re-arrest

Syed Akbar's clearance for repatriation arrived a few months ago, but he had refused to return to Burma because he had a case pending there. He was afraid that if he went back, they would restart the case and put him in jail. He requested the Camp-in-Charge to give him more time until the case was closed. But the Camp-in-Charge did not want to hear anything. Then Akbar asked the UNHCR and the Camp-in-Charge for a guarantee that the Burmese authorities would not arrest him. This did not work. In January, the Camp-in-Charge called Akbar again to the camp office and told him to repatriate to Burma. He refused and repeated that he would only go back with a guarantee that he would not be arrested. The Camp-in-Charge kept him for 3 days in the camp lockup and beat him up. As Akbar continued to repeat the same thing, the Camp-in-Charge filed a case against him, accusing him of breaking law and order inside the camp. On xx January, he was sent to jail.

On xx April, Syed Akbar was finally released from jail and returned to his family. The Camp-in-Charge called him again and asked him again to go back to Burma. This time Syed Akbar replied: "I have already been in jail, and suffered there for more than three months. I have already received my punishment for refusing to repatriate. I did not expect you would ask me again to return to Burma. Give me some time to prepare myself." The Camp-in-Charge gave him only two days to get ready and warned him that if he refused again, he would be sent to jail again. Syed Akbar returned to his room and fled from the camp to avoid further harassment.

◆ **Refugee # 43 – Abdullah**

April 2003

Type of abuses: Jail

At about 8 p.m, the Camp-in-Charge's office called Abdullah's name by loudspeaker. He was asked to go and see the Camp-in-Charge at his office. Abdullah had recently married a Rohingya girl who was not a registered refugee, but they were living together inside the camp. He went to see the Camp-in-Charge. The Camp-in-Charge told him: "You are creating a lot of disturbance inside the camp. You are the one mobilizing the ordinary refugees against signing the affidavit and against repatriation. Because of your subversive activities, our work is being hampered." The Camp-in-Charge ordered the camp police to keep Abdullah in their custody for the night. He lodged a case against him under Section 45 and sent him to Cox's Bazar jail the next morning.

◆ **Refugee # 44 – Abdul Karim**

April 2003

Type of abuses: Beatings, Detention and Forced repatriation

Abdul Karim and his family had already received their clearance. On xx April, the Camp-in-Charge summoned him to his office and told him that he should now go back to Burma. Abdul Karim replied that he was not yet ready to repatriate, and argued that the situation in Burma had not improved. The Camp-in-Charge became angry and ordered the camp police to beat him. After a while, the Camp-in-Charge sent him to the Teknaf police station with the camp police. Abdul Karim was also beaten severely in Teknaf.

After sending him to the Teknaf police station, the Camp-in-Charge called Abdul Karim's wife and told her: "I can bring your husband back if you promise me that you will return to Burma. You will have to convince him." Abdul Karim's wife agreed to repatriate and she promised that she would do her best to persuade her husband to agree as well. Then the Camp-in-Charge sent a message to the Teknaf police station to send Abdul Karim back to the camp.

Abdul Karim returned to the camp with a policeman in the late afternoon. His wife explained everything to him and requested him to go back to Burma. But Abdul Karim rebuffed her: "If you wish to go back, then go. But not me!" Because Abdul Karim's wife failed to persuade her husband, the Camp-in-Charge ordered the police to beat her up in front of her husband. But Abdul Karim did not change his mind, even while witnessing his wife being beaten.

The Camp-in-Charge did not allow the family to go back to their room at night and, the next morning, he ordered their transfer to another section of the camp.

◆ **Refugee # 45 – Shah Alam and Mahmouda**

March 2003

Type of abuses: Forced relocation, beatings

Shah Alam's family clearance had arrived. On xx March, he was summoned to the Camp-in-Charge's office. The Camp-in-Charge asked him to go back to Burma. He refused and pleaded for more time. He told the Camp-in-Charge that his country was not safe enough for him and his family, and he promised to return as soon as the situation improved. The Camp-in-Charge was not ready to hear any argument and he gave him a choice: go back to Burma or spend two years in jail. Shah Alam looked around and saw no policemen nearby. He took the chance and suddenly ran off towards the jungle. The Camp-in-Charge shouted, and ordered the police to arrest him. But he had already disappeared in the hills outside the camp and the police could not find him.

Later in the day, the Camp-in-Charge, camp police and a UNHCR field assistant went together to Shah Alam's room where his family was anxiously waiting to see the

consequences of his escape. The Camp-in-Charge call some volunteers and ordered them to pack all the family's belongings and bring them to the waiting truck. He also asked female volunteers to bring Shah Alam's wife Mahmouda and her children to the truck. The two young boys, aged 5 and 7, were crying a lot and Mahmouda, who was 8 months pregnant, firmly refused to leave her room. She told the UNHCR representative that she did not want to go, and that her health condition did not allow her to travel. Neither the Camp-in-Charge nor the UNHCR staff gave any attention to her appeal. The women volunteers dragged her out of her room and beat her. They also hit her belly. Finally, they managed to put her on the truck. In the truck, Mahmouda could no longer find her two sons. The Camp-in-Charge became angry and ordered the driver to take her to the other refugee camp [not to the repatriation camp]. Mahmouda felt sick in the back of the truck. After an hour, they reached the other refugee camp and she went to the clinic to explain her condition. The camp doctor examined her and sent her to the Cox's Bazar government hospital where she is currently under treatment.

At the end of March, Mahmouda's father and brother were summoned by the Camp-in-Charge. They went to his office at about 10 a.m. The Camp-in-Charge told them: "Shah Alam, who fled from the camp to avoid repatriation, is your son-in-law, and two of your grandsons also fled that morning. But I have been informed that your son-in-law and your grandsons stay in contact with you and that you know their whereabouts. Give me their address, otherwise both of you will be in trouble." The old man denied that they were in contact and explained that he had not seen them since the date of the incident. The Camp-in-Charge did not believe him and told the old father: "If you do not bring your grandsons by tomorrow, I will be compelled to file a child abduction case against you!" The Camp-in-Charge was angry and beat Mahmouda's brother. It was very painful for the old man to watch someone beating his son in front of him. He tried to stop it but failed. He told the Camp-in-Charge: "Please do not hurt my son! Give us some time to find them. But we are not sure that we will succeed." The Camp-in-Charge gave them until the same evening.

Mahmouda's father and brother returned to their shed and both went out searching for her husband and the two missing grandsons. They did not return to the camp.

◆ **Refugee # 46 – Shamsul**

March 2003

Type of abuses: Beatings and threat of jail

Shamsul's clearance arrived a few months ago. At 1 a.m. on the night of xx March, the camp police arrested him while he was sleeping. They took him to the police camp. Shamsul wanted to know why he had been arrested. The police officer replied: "You are one of the culprits in the clashes of last September with the police in this camp!"

Shamsul firmly denied his involvement in the agitation, and complained that this was an old matter and that all the culprits were already in jail. The police did not want to hear anything and took him to the Camp-in-Charge's office. They beat him with their sticks,

pushed him down on the floor and kicked him. Then Shamsul asked them what they wanted for his release. The police told him: "Would you prefer to go back to Burma or to go to jail on a charge of assaulting the police?" Shamsul instantly agreed to repatriate and signed the affidavit.

◆ **Refugee # 47 – Salima and Halima**

March 2003

Type of abuses: Family separation

Salima Begum, aged 11, and her younger sister, Halima Begum, aged 8, have a separate refugee card from their parents. Since their family was large, the father had requested a separate refugee card for his two daughters so that they could receive extra food rations. Clearance for Salima and Halima had already arrived, while the rest of the family was not cleared.

On xx March, the Camp-in-Charge sent volunteers to bring the girls. As soon as they arrived in the Camp-in-Charge's office they were told to go back to Burma as their names appeared in the cleared list. The girls replied: "How can we go back without our parents and the rest of our family? Who will take care of us in Burma? We are too young to look after ourselves. Can we wait until our parents are also cleared?" The Camp-in-Charge refused and told them that they must go back, and that their parents would follow as soon as they were cleared too. He promised them that he would do his best to send their parents as early as he could.

The Camp-in-Charge did not allow the girls to return to their room to meet their family. He kept them in the police camp. The girls cried a lot, pleading to be allowed to go back to their family, but to no avail. Their parents came to visit them the next day, just before they were repatriated.

◆ **Refugee # 48 – Sayed Hossain**

March 2003

Type of abuses: Beatings, Detention and forced repatriation

Sayed Hossain's family clearance arrived about a year ago. Two months ago, Sayed was called to the Camp-in-Charge's office. The Camp-in-Charge asked him to get ready for repatriation. Sayed refused and he was beaten by the camp officials and police. They locked him up for two days inside the police camp. Two days later, after he agreed to repatriate, they let him go back to his room so that he could pack his belongings and organise his family for repatriation. But as soon as he was freed, Sayed took the first opportunity to run away. The same night he fled from the camp alone.

The next morning, when volunteers went to fetch Sayed and his family, they found that he had already fled. Sayed took shelter in a village near the camp and kept in contact with his family. After about 50 days living outside the camp, Sayed received a message

from his wife that the camp was now safe for him, and that he could come back and stay with his family. The majee demanded 1,000 Taka to smuggle him back into the camp and promised that he would not inform the Camp-in-Charge about his return. Sayed paid the majee and thus returned to the camp about 10 days ago. He went to stay again with his family.

On xx March, the Camp-in-Charge discovered that Sayed had come back to the camp. He immediately sent his office assistant, camp police and volunteers to his room to arrest him. Sayed was caught and brought to the Camp-in-Charge's office. This time, the Camp-in-Charge did not take any risk. He forced him to sign the repatriation form and ordered the police to keep him in their custody. The next day, the camp volunteers collected his family's belongings and took his family to the waiting truck to be sent back to Burma.

◆ **Refugee # 49 - Arefa**

February 2003

Type of abuses: Family separation and threat of jail

Arefa is a widow, mother of two daughters and one son from her former husband. She had re-married a Rohingya man who had lived in Saudi Arabia. Her new husband is not registered as a refugee. However, they have lived together in the camp since they were married.

Arefa's clearance for repatriation arrived a few months ago. On xx February, at about 9 a.m., the Camp-in-Charge sent volunteers to call her to his office. The Camp-in-Charge told her that she should now get ready for repatriation. He asked her to sign the repatriation document. Arefa refused and replied that she would not go back as long as peace and security were not prevailing in Burma. Then the Camp-in-Charge kept her inside his office and told her: "Would jail make you agree to sign the affidavit and go back to your country? I am going to prepare a case against you to send you to jail." At 2 p.m., Arefa became terribly hungry but she was not allowed to get any food. She finally agreed to sign the affidavit and was allowed to return to her room.

◆ **Refugee # 50 – Latifa**

February 2003

Type of abuses: Family separation/vulnerability of women, rape

Latifa Khatun is a young married woman and mother of one child. Her husband is not a registered refugee and he cannot stay in the camp with her. He usually visits the camp once or twice a month to see his wife and child. Latifa is living in her parents's shed and she is the eldest daughter. The clearance for repatriation of her parents' family arrived a couple of months ago. At that point, her father fled from the camp. About one month later, Latifa's mother went to join her husband to live with him outside the camp.

Latifa and her infant baby continued to stay in the refugee camp together with her younger brother and sister.

At about 10.30 a.m. on xx February, a refugee woman came to Latifa's room and told her that the Camp-in-Charge wanted to see her at once. Latifa followed the woman and arrived at the Camp-in-Charge's office. The Camp-in-Charge invited Latifa inside while he asked the other refugee woman to sit outside. He asked Latifa the whereabouts of her parents. "Has your father come to see you recently? Where does he live now?" Latifa replied that she knew nothing about him, and she hadn't seen him for about two months.

Then the Camp-in-Charge ordered her to follow him and took her into his residence. The Camp-in-Charge has a separate house at the back of his office where he lives. His family lives in government housing in Cox's Bazar but visits him sometimes in the camp for one or two nights. Latifa followed the order and went to the Camp-in-Charge's residence. The Camp-in-Charge locked the door and forced her onto a bed and raped her. The Camp-in-Charge kept her in his house for many hours and raped her many times. At 4 p.m., he let her go through the back door. Latifa did not return to her shed. Her face, cheeks, neck and hands bore marks of the rape. She went directly to the UNHCR office, but it was already closed. She then rushed to the Concern office, but it was also closed. She finally came back to her room.

The next day, Latifa first went to the Concern office and the field coordinator took her to the UNHCR office to report the incident. The national UNHCR protection officer asked her why she had not come immediately to UNHCR and Latifa explained that, as soon as she was released, she had come to the UNHCR and Concern office, but both were already closed. The UNHCR staff wrote down her testimony and told her that UNHCR would be informed. A week later [when Forum-Asia received this first account], she had not yet heard anything from UNHCR. Life in the camp became hell for Latifa as information about the rape circulated throughout the camp and she still had the marks of abuse on her body.

A month later, Osman, the majee of the camp section where Latifa lives, was called to the camp-in-Charge's office. Osman had been cleared for repatriation long ago but, being a head majee, he was never called for repatriation. Immediately after Latifa's rape, the Camp-in-Charge was busy with the local elections and did not bother him. However, as soon as the local elections were over, the Camp-in-Charge called Osman and accused him: "How could this girl dare to complain against me? Where were you when she was making all these accusations? Your duty as a majee was to stop her spreading this story! If you fail to control a girl, how would you deal with and control a group of people? I suspect that you are the one who encouraged the girl to make false accusations against me. You are the one who asked her to tell all this. Now it is your time to get ready for repatriation!". The Camp-in-Charge called the police to the office to take Osman in custody. Osman took a quick decision and managed to run away from the camp before the police arrived.

A few days after Osman fled, the Camp-in-Charge sent his assistant to talk to Latifa. He put pressure on her to withdraw her rape allegation against the Camp-in-Charge and offered her some money. He also suggested that she file the rape charge against Osman. At the same time, Osman's family was transferred to another section of the camp.

Latifa complained that, although she was investigated by UNHCR and RRRC, her allegations could not be validated because she did not undergo a medical examination immediately after the rape, and she claimed she was not advised to do so by the UNHCR local staff in the camp when she first reported the incident.

Note: In April 2003, a UNHCR official in Geneva confirmed to Forum-Asia that UNHCR was seriously concerned by this allegation of rape and that a Geneva representative had recently visited the camps and addressed the case. He said: "We told the woman that rape is a very serious offense that should be prosecuted in [a Bangladesh] court and that UNHCR would provide her with full support in the legal proceedings. However, the woman was not willing to do so. In these circumstances, how can her claim be substantiated?"

◆ **Refugee # 51 - Jamir**

February 2003

Type of abuses: Beatings, Family separation

About a year ago, an incomplete list of Jamir's family arrived with a clearance. His two sons were missing from it. Jamir asked the camp officials to arrange the clearance of his whole family. He also informed the local staff of UNHCR about the matter. But nothing was done. The Camp-in-Charge continued to put pressure on him to repatriate. From then on, Jamir tried to avoid the camp officials, and passed most of his time outside of the camp.

Just before Eid, Jamir returned to the camp to celebrate Eid with his family. The camp officials were informed about his presence in the camp and called him to the Camp-in-Charge's office. He was told to get ready for repatriation. Jamir expressed his concern about his two sons who were still uncleared. The office assistant did not listen to his complaints and sent some volunteers to help his family to pack his belongings. While his family members and the volunteers were busy packing, Jamir managed to flee. The volunteers informed the Camp-in-Charge's office about the matter. The office assistant got angry and ordered them to bring Jamir's son. The volunteers brought one of Jamir's sons and beat him severely. The next day, Jamir's family was sent to the repatriation camp. Jamir and his two sons were not with them.

◆ **Refugee # 52 – Samuda**

January 2003

Type of abuses: Family separation and arrest

Samuda, a middle-aged widow with 4 sons, received her household clearance for repatriation a few months ago. But her family list was incomplete and did not include her youngest son, who is only 7, and another son aged 13. She did not want to go back without them. She appealed to the Camp-in-Charge: “My husband died here. I only have my sons. I can’t leave two of them behind. Please don’t send me back without them. If you can arrange to repatriate my whole family together, I am ready to go now!” The Camp-in-Charge did not reply. Later on, camp officials came back to see her. They insisted that she must repatriate with the two sons mentioned on the list, leaving the two other sons in the camp. They promised to allocate them a room and to give them a separate refugee card and ration book. But Samuda was determined not to return without all her children.

On xx January, a Camp-in-Charge’s office staff-person visited her shed with some camp police, and again requested her to return to Burma. Samuda asked them if they had managed to get her whole family cleared. Then the camp officer became angry: “You don’t want to be separated from your sons! OK! Then I am sending one of them to jail! I want to see how you will survive here without him!” He ordered the camp police to arrest her eldest son, brought him to the camp office and sent him to Cox’s Bazar jail, accusing him of being a troublemaker involved in subversive activities. Samuda was told that she must first sign up for repatriation if she wanted her son to be released.

◆ **Refugee # 53 – Rafiq**

January 2003

Type of abuses: Family separation, detention and forced repatriation

Rafiq and his family had been called for repatriation some time ago. Rafiq had fled from the camp with his son, and had gone to stay in different villages outside the camps. When he no longer felt safe, he went to Cox’s Bazar. Both father and son started working as day labourers. Some volunteers who were visiting Cox’s Bazar saw Rafiq and informed the Camp-in-Charge. The Camp-in-Charge sent them to catch him. Early in the morning, they came to the place where Rafiq and his son were living. Only Rafiq was caught, as his son had left early to go to work. They brought him back to the camp. The Camp-in-Charge and camp officials locked him in a room until the next Wednesday [repatriation day]. Rafiq’s wife requested the Camp-in-Charge: “When you caught my husband, why didn’t you try to find my son as well? How am I going to go back to Burma without my son? If you don’t get him, I won’t repatriate.” When they heard their father had been arrested, three other sons of Rafiq fled from the camp too. Four family members were now missing from the camp, but the Camp-in-Charge decided to send the rest of the family back to Burma.

◆ **Refugee # 54 – Rahima Begum**

January 2003

Type of abuses: Beatings and forced relocation

Rahima Begum is a widow and the head of her family. Her clearance to repatriate arrived a few months ago. Every time the Camp-in-Charge or other officials called her for repatriation, she replied to them: “I am alone. My son is not old enough to take care of my two daughters, my mother and myself. I will be vulnerable over there. Let’s wait for a better time in Burma, and I will definitely go back.” Her old and sick mother lives together with her. She cannot move without assistance from others.

On xx January 2003, the Camp-in-Charge called her and asked her to get ready to go back to Burma. She refused again. Then the Camp-in-Charge ordered some volunteers to go to her room and pick up all her belongings. She argued and refused to pack her belongings. This time her old mother screamed to protest against this unjust treatment. One of the volunteers kicked the old woman and started packing Rahima’s belongings. Rahima could not utter a single word. The Camp-in-Charge finally decided to transfer them to another section of the camp.

◆ **Refugee # 55 – Nurul Shafi**

January 2003

Type of abuses: Threat of jail

One of Nurul Shafi’s relatives had come to see him from Maungdaw without a border pass. Soon after he arrived, the majee informed the Camp-in-Charge, who sent the camp police to arrest the visitor. When the police brought him into his office, the Camp-in-Charge sent a majee to call Nurul Shafi and told him: “Your guest is visiting Bangladesh illegally without a border pass and he also entered the camp illegally. I must send him back to Burma immediately. If you wish to take him back and save his life, there is only one way -- you must sign the repatriation form.” Nurul Shafi had no other option than to sign the document. He signed and was repatriated.

◆ **Refugee # 56 – Ali Zakir**

November 2002

Type of abuses: Threat of family separation

Ali Zakir and his family have been cleared for repatriation. About 2 months ago, his wife gave birth to a new baby and he requested the majee and camp officials to add the newborn baby’s name to his family book. The office staff and the majee demanded 3,000 Tk for doing this. Twenty days after he paid this amount, Ali Zakir’s newborn son’s name was still not registered in the family book. He decided to inform the Camp-in-Charge. He went to the office with his family book and told the Camp-in-Charge to add his son’s name. But the Camp-in-Charge replied: “We have received your clearance for repatriation. You should be ready to be repatriated. First sign here and then I will write your son’s name in your family book!” Ali Zakir was helpless and was

compelled to put his thumbprint on the repatriation document. The Camp-in-Charge sent his family to the repatriation camp on the same day.

◆ **Refugee # 57 – Jabbar**

November 2002

Type of abuses: Beatings, Family separation and forced repatriation

Jabbar's family got clearance for repatriation. When he learnt about this, Jabbar fled from the camp with his son. He sent his son to stay with relatives in a small town near the camp and he went to Teknaf. On xx November, the majee and volunteers went to Teknaf, caught Jabbar, and brought him back to the camp. He was beaten up and then sent with his family to the repatriation camp, but without his son.
