

Impunity across borders: Junta’s TNR stalks Burmese communities abroad

- Thailand, Malaysia, India, Bangladesh leave Burma’s human rights defenders and civilians exposed to the illegal junta’s attacks while abroad.
- The junta cancels passports, attacks family members, and uses digital campaigns to target activists around the world.
- Regional governments continue to cooperate with the junta, enabling arrests, deportation, and refoulement of refugees.
- Punitive approaches to refugees, migrants in neighboring countries provides opportunities for junta to disappear, forcibly return, and harass communities in exile.
- Junta’s implementation of forced conscription law significantly raises risk of TNR for young men and women fleeing Burma.

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The junta’s repression beyond borders

There is widespread evidence that the **junta is committing Transnational Repression (TNR)** throughout neighboring countries including Bangladesh, India, Laos, Malaysia, and Thailand, **heightening threats** against **human rights defenders, anti-junta activists, refugees, and everyday citizens**. Since the 2021 attempted coup, hundreds of thousands of civilians have fled Burma to escape the junta’s brutal human rights abuses, widespread violence, and severe persecution. As of 30 Jun 2024, more than 1.3 million people from Burma were seeking refuge elsewhere.¹ However most host countries have either **refused** to and/or **failed** to offer **basic protections** to them.

TNR takes place when states and governing authorities “**reach across borders to silence dissent among diasporas and exiles**”. It is often facilitated by **inter-state cooperation** to engage in surveillance, harassment, intimidation, abduction, or refoulement.²

Around the world, the junta has engaged in this exact behavior: They have **pressured governments** to arrest and **forcibly return** dissidents;³ **forcibly disappeared** and/or **attempted assassinations** of anti-junta figures abroad;⁴ threatened and harassed individuals online;⁵ attacked and arrested family members of dissidents; and **canceled passports of citizens abroad**.⁶ These acts of TNR have had serious impacts on the physical safety and mental wellbeing of entire communities in exile.⁷ Despite condemning violence in Burma, neighboring countries **continue to let the junta’s attacks** and harassment take place on their soil.

¹ UNHCR (30 Jun 2024) Operational Data Portal, Myanmar Situation

² Freedom House (Jul 2024) What is transnational repression?

³ Radio Free Asia (8 May 2024) Lao police arrest and hand over 17 Myanmar citizens to military junta

⁴ Benar News (28 Jul 2024) US convicts Burmese national in conspiracy to attack Myanmar envoy to UN

⁵ Irrawaddy (14 Jun 2023) Myanmar Junta Steps Up Efforts to Monitor, Silence Perceived Online Critics

⁶ Myanmar Now (30 Oct 2023) Myanmar regime cancels passports of expatriates in Singapore

⁷ Border Voices Team (Jun 2024) We Don’t Feel Safe: Participatory Research on transnational repression against Myanmar diaspora in Mae Sot, Thailand

TNR tactics under the junta

Since the attempted coup, the junta has taken its impunity abroad and made ample use of TNR to try to silence anti-coup actors. In Aug 2021, the FBI arrested two Burmese nationals and unveiled a **plot to assassinate** the anti-junta Myanmar Permanent Representative of Myanmar to the United Nations in New York, **Kyaw Moe Tun**. U Aye Ko, an arms dealer with close ties to junta officials, was reported to have transferred money to both arrested men for the hit.⁸

In a clear example of the **co-optation of a neighboring country**, on 3 May 2024, at the Burma-Laos border near Tachileik Township (N. Shan State), **Lao authorities handed over 17 activists to the junta**. On 13 Apr, Lao police arrested the group while they were fundraising for Burmese refugees in Laos. Afterwards, the junta interrogated all the arrested at its Shan State Golden Triangle Command HQ.⁹

The junta also makes extensive use of **mobility controls**. In Oct 2023, it was reported the junta had **canceled the passports** of at least three Burmese permanent residents of Singapore. Pro-junta Telegram channels had reportedly called for the arrest of Burmese nationals in Singapore who fund the anti-junta resistance. Although one of the passport holders said that she had **raised funds** for the **anti-junta resistance**, others targeted did not.¹⁰ Many other Burmese community members in exile have similarly reported having their passports cancelled or facing difficulties renewing their passports at junta embassies. In Thailand, some activists reported that the **junta would also refuse** to issue Certificates of Identity (CI) to CDMers and blacklisted individuals. The CIs are used to prove citizenship by migrant workers in Thailand.¹¹

Since Feb 2024, the junta's implementation of the **mandatory conscription law** has significantly raised the risk of TNR faced by both young men and women from Burma. Thousands of young men and women have fled the country to escape conscription. In response, on 1 May 2024, the junta **banned men** aged 23-31 with Passport for Job (PJ) passports from **working abroad**. Then on 6 Jun, junta banned the conversion of PJ passports to Passport for Visit (PV) passports, to seal off this alternative for those attempting to flee.¹²

For those already abroad, the junta has tried to **force their return to the country**, possibly with cooperation from neighboring countries. During 15 Feb - 27 May 2024, Thailand arrested at least 918 individuals attempting to enter the country to evade the junta's conscription law.¹³ On 16 Aug 2024, RFA reported that the junta had **forcibly recruited** 71 of a group 270 individuals who had been forcibly refouled by Thailand, in Kawthaung Township (Tanintharyi Region).¹⁴

The junta uses **threats from a distance** to surveil, publicly target, and threaten online users.¹⁵ Pro-junta activists utilize Telegram channels to conduct **extortion, intimidation, and coercion by proxy**, often targeting the families of dissidents both domestically and abroad. These channels function not only as propaganda tools but also as intelligence-gathering networks, often calling for the **arrest of civilians** for alleged anti-junta activities, CDM, PDF, NUG members, anti-junta philanthropists, business owners, and ordinary individuals involved in anti-junta online activities.¹⁶ In many instances, the junta would also arrest, harass, and carry out arson attacks on **family members** of anti-junta activists who had fled the



⁸ Irrawaddy (1 Sep 2021) UN Ambassador Assassination Plot Shines Spotlight on Shady Myanmar Businessman

⁹ RFA (8 May 2024) Lao police arrest and hand over 17 Myanmar citizens to military junta

¹⁰ Myanmar Now (30 Oct 2023) Myanmar regime cancels passports of expatriates in Singapore

¹¹ ALTSEAN-Burma (Dec 2023) Consultations with CBOs

¹² Mizzima News (17 June 2024) Junta imposes stricter rules on passport-type conversions amid rising emigration tensions

¹³ Irrawaddy (30 May 2024) Illegal Entry Arrests Surge in Thailand Amid Forced Military Conscription in Myanmar

¹⁴ Radio Free Asia (16 Aug 2024) Junta forcibly recruits dozens of Myanmar nationals deported by Thailand

¹⁵ DW Akademie (5 Apr 2024) How Myanmar's military regime weaponizes disinformation against independent media

¹⁶ The Irrawaddy (21 Nov 2023) Pro-Myanmar junta telegram channels prey on public with threats of exposure, extortion

country.¹⁷ Women face particularly severe risks, including **sexualized digital repression** and threats of violence, exacerbating their vulnerability.¹⁸

Finally, **anti-Rohingya hate speech campaigns** have been carried out throughout Bangladesh, India, Indonesia, and Malaysia. These campaigns are heavily coordinated and often **transnational**, with devastating impacts for Rohingya communities.¹⁹ However, further research is needed to determine the junta's role in driving these campaigns.

Neighboring countries far from safe havens for Burmese

Bangladesh, India, Malaysia, and Thailand all have significant **Burmese communities in exile** and governments there have either **actively participated** in the junta's TNR or **allowed the junta** to carry out **TNR** on their soil. These countries are **not signatories** to the 1951 Refugee Convention or its 1967 Protocol, or the 1954 and 1961 Conventions on Statelessness. Therefore, they **do not formally recognize refugees**, and provide at best, limited rights and protections to people fleeing the junta's repression. Domestic laws and mechanisms that do deal with refugee protection in these countries are often insufficient or contain loopholes which allow for TNR to take place. Ultimately, **strong economic ties** and **diplomatic relations** between these countries and the junta has either **enabled** certain forms of TNR or **raised the risk** of TNR for Burmese human rights defenders, migrants, and activists.

Thailand: Policy reforms bely ongoing threat of TNR

Over 100,000 refugees from Burma are sheltered in nine longstanding refugee camps along the Thai-Burma border.²⁰ However, the total number of Burmese refugees in Thailand grew after the 2021 coup, when tens of thousands more fled to Thailand. Since Feb 2024, yet another wave of young men and women fleeing the junta's conscription law arrived in Thailand.²¹ Despite Thailand's international and domestic obligations to prevent TNR-related acts, the country's legal frameworks do not sufficiently extend protections to people at risk of TNR and Burmese communities are frequently exposed as a result.

Thailand is signatory to several international treaties that protect individuals from TNR. These include the International Convention for the Protection of All Persons from **Enforced Disappearance** (ICPPED)²² and the Convention against **Torture** and Other Cruel, Inhuman or Degrading Treatment (UNCAT)²³. Article 16 of ICPPED and Article 3 of UNCAT together commits Thailand to **refrain from forcibly refouling individuals** to situations where they face reasonable risk of enforced disappearance or torture. To bring itself into line with both conventions, Thailand passed the Prevention and Suppression of **Torture and Enforced Disappearance Act** in 2022. The law took effect in February 2023. It outlaws acts of torture and enforced disappearance and provides provisions to allow for victims, their families, and other concerned parties to report cases. However, Thailand has yet to sign onto the optional protocol for UNCAT, which would commit Thailand to allowing regular visits to inspect prison conditions by a UN subcommittee.²⁴

Thailand also began implementing its **National Screening Mechanism (NSM)** in Sep 2023. Theoretically, the NSM provides individuals facing a "well-founded fear of persecution" **protection from deportation** and provides them temporary legal status.²⁵ However, the mechanism has many loopholes. Specifically, it excludes Burmese migrant workers; does not protect asylum seekers from arrest and detention under the Immigration Act; contains ambiguous language that could lead asylum seekers to be rejected and deported; and excludes groups considered as matters of 'national security', such as Rohingya and Uyghurs.²⁶

¹⁷ ALTSEAN-Burma (Dec 2023) Consultations with CBOs

¹⁸ Border Voices Team (Jun 2024) We Don't Feel Safe: Participatory Research on transnational repression against Myanmar diaspora in Mae Sot, Thailand

¹⁹ The Wire (20 Jan 2024) Rohingya Refugees File PIL Against Facebook in Delhi High Court; AFP via Myanmar Now (8 Feb 2024) Fake news, online hate swell Indonesia anti-Rohingya sentiment; Channel News Asia (15 Jun 2024) IN FOCUS: Alleged 'double standard' treatment of Palestinian, Rohingya refugees stirring debate, concerns in Malaysia

²⁰ TBC (01 Jul 2024) Refugee Camp Population: 2024

²¹ Than Lwin Times via BNI (25 Mar 2024) Surge in Arrests of Youth Fleeing to Thailand to Evade Military Draft

²² United Nations General Assembly (23 Dec 2010) International Convention for the Protection of All Persons from Enforced Disappearance

²³ United Nations General Assembly (10 Dec 1984) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

²⁴ Amnesty International (22 Feb 2023) Thailand: Law to address torture and enforced disappearance is a critical step toward justice but full enforcement is critical

²⁵ VOA (20 Sep 2023) Rights Groups, Refugees Wary of Thailand's New Asylum Program

²⁶ Bangkok Post (8 Sep 2023) Refugee screening 'ripe for abuse'; REFUGEE RIGHTS NETWORK IN THAILAND (Jun 2021) Joint Submission Universal Periodic Review of Thailand

Regardless, Thailand has remained willing to cooperate with other regional governments and the junta on extradition issues. Thailand's National Security Plan (2019) emphasized cooperation with "immigrants' countries of origin" on **security issues**. This potentially **allows neighboring countries to play a role** in determining whether individuals fleeing persecution qualify for protection in Thailand.²⁷ In June 2024, the junta's interior minister and the Thai police chief signed a Memorandum of Understanding (MoU) for the **extradition** of people suspected of major crimes. This raised concerns that the junta would use agreements like this to request the extradition of **anti-junta activists** in Thailand.²⁸

Given how limited protections remain under Thai legal frameworks, it should be little surprise that Burmese communities in Thailand are exposed to lots of TNR-related incidents. In Aug 2024, a Peace Rights Foundation report found that **14 of 19 surveyed Burmese community members** in Thailand had experienced TNR. Several individuals along the border also alleged that the junta had shared lists of anti-junta activists with Thai authorities along the border. In certain cases, Thai authorities had tried to **question**, or **arrest**, certain **blacklisted individuals**.²⁹ A report by the Border Voices Team similarly found that many of the Burmese anti-junta figures in Mae Sot who they interviewed had experienced surveillance and harassment by **pro-junta informants** and **Thai police**.³⁰

In Apr 2023, Thai authorities in Tak Province arrested three members of the anti-junta Lion Battalion who had crossed the border to seek medical treatment. Shortly afterwards, Thai authorities **transferred** the three resistance fighters **into the custody** of the **junta-aligned** Border Guard Force. Myanmar Now reported that BGF troops fired on the resistance fighters as they attempted to escape.³¹ In Jun 2024, in Mae Sot, **Thai authorities raided** the residence of Burma nationals used as an office to support IDPs. Thai police **removed photos** of NUG leaders, a Burmese flag, and kicked an office staff member. Thai authorities alleged the office was used as a PDF support office. The office staff said the office had valid documents and that Thai authorities had acted on **request** of the **junta**.³²

The ongoing perpetration of TNR has produced an **environment of impunity** that has enabled greater abuse and increased vulnerability of Burmese, particularly in border areas. Since the 2021 coup, for instance, Burmese community members in Mae Sot state that bribe demands for Burmese had quadrupled.³³ In Jun 2024, a Border Voices report stated that TNR carried significant impacts on the **mental health** of Burmese community members. The **fear** that they might be **the next victim** of a TNR-related incident forced many community members to isolate themselves and deprived them of economic, educational, and health resources.³⁴

Malaysia: Disdain for refugees from Burma permits junta TNR

Despite their steadfast anti-junta foreign policy stance, **Malaysia is a hotspot for the junta's TNR**. Malaysia is home to one of the most high-profile cases of TNR-related enforced disappearances in the region. In Jul 2023, Burma democracy activist **Thuzar Maung and her family** were abducted from their home in Kuala Lumpur. Malaysian police identified the supposed police car that left with two family cars that day as fake. Thuzar Maung was chair of the Myanmar Muslim Refugee Community and the Myanmar Migrant Workers Committee and had **worked closely with the NUG**. She and her five family members fled to Malaysia in 2015 and had registered with the UNHCR as refugees.³⁵ While the Home Affairs Ministry promised to provide refugee groups with updates on the investigation, officials have given no new case information since Aug 2023.³⁶

Malaysia remains **deeply complicit** in the junta's persecution of anti-junta activists on their soil. Malaysia has been labeled by Human Rights Watch (HRW) as holding "one of the most **punitive, arbitrary, and harmful**" immigration enforcement systems in the world.³⁷ Malaysia's government both provides **few substantive legal protections** to migrants and refugees and **works closely** with the Burmese junta's

²⁷ Freedom House (2022) Thailand: Transnational Repression Host Country Case Study; The National Security Policy and Plan (2019 – 2022)

²⁸ RFA (02 Jul 2024) Thailand, Myanmar sign agreement on extradition of criminal suspects

²⁹ Peace Rights Foundation (29 Aug 2024) Situational Analysis: TNR along Thailand borders

³⁰ Border Voices Team (Jun 2024) We Don't Feel Safe: Participatory Research on transnational repression against Myanmar diaspora in Mae Sot, Thailand

³¹ Myanmar Now (7 Apr 2023) Three Myanmar resistance fighters detained in Thailand and delivered to junta ally

³² Chindwin News Agency via X (13 Jun 2024) <https://tinyurl.com/2s3arfwx>; DVB (13 Jun 2024) Thai authorities inspect home of IDP support group in Mae Sot

³³ ALTSEAN-Burma (Dec 2023) Consultations with CBOs

³⁴ Border Voices Team (Jun 2024) We Don't Feel Safe: Participatory Research on transnational repression against Myanmar diaspora in Mae Sot, Thailand

³⁵ Benar News (17 Jul 2023) Rights group: Myanmar democracy activist, family abducted in Malaysia

³⁶ RFA (4 Aug 2024) Malaysian investigators seek public's help finding missing Myanmar activist, family

³⁷ Human Rights Watch (24 March 2024) "We Can't See the Sun" Malaysia's Arbitrary Detention of Migrants and Refugees

embassy to carry out repeated mass deportations. There are more than 160,000 refugees and asylum seekers from Myanmar registered with UNHCR in Malaysia, although the actual number of Burmese refugees in the country is likely much higher. Rohingya fleeing genocide in Arakan State and violence in Cox's Bazar make up a large majority of refugees in Malaysia.³⁸ There are approximately 800,000 Burmese migrant workers in the country.³⁹

Malaysia's Immigration Act of 1959/63 and Passports Act of 1966 do not distinguish asylum-seekers and refugees from undocumented migrants. This system results in refugees being **criminalized for irregular entry**, subjected to **arbitrary detention**, and denied **basic rights**. The potential for lengthy imprisonment, coupled with limited legal aid and harsh detention conditions, exacerbates their vulnerability.⁴⁰ In 2022, the Malaysian Government announced the implementation of the Tracking Refugees Information System (TRIS), a mandatory registry to which all UNHCR-registered refugees in the country had to sign up. Refugee communities stated that TRIS allowed the government access to **sensitive personal information** while providing holders with no protection from arrest or police harassment.⁴¹

Mandatory information collection programs like TRIS raise the concerns of refugees in part because Malaysian immigration authorities maintain a close relationship with the **junta embassy**. The embassy frequently posts on Facebook about their meetings on "repatriation" with Malaysian Interior Ministry and Immigration Department.⁴² Community members have stated that the junta's embassy has **reported names of anti-junta activists** to Malaysian police on multiple occasions, forcing them into hiding or resulting in police questioning and arrest.⁴³

As a result, the Malaysian authorities **deport people regularly**. In turn, the junta often **arrests deported individuals** upon their arrival in Burma. In Feb 2021, Malaysian authorities handed over 1,200 individuals to the junta navy shortly after the Malaysian High Court issued an order to temporarily halt the deportation.⁴⁴ In Oct 2022, Malaysia deported a group of 150 asylum seekers, including six former Myanmar naval officers, **four of whom had sought UN refugee status**. The junta **detained one officer and his wife** upon their arrival in Yangon.⁴⁵ HRW noted that deportations during Sept and Oct 2022 followed discussions between Malaysian immigration officials and the embassy in Sept 2022.⁴⁶

The **Burmese embassy** remains one of the few actors given **access to detention centers**, a position which clearly places already precarious detainees at further risk of harassment and surveillance.⁴⁷ Malaysia has prevented UNHCR from accessing detainees since 2019.⁴⁸ During 2021- mid-2022, Malaysian authorities deported over 3,000 people from Burma.⁴⁹ Since late 2023, arrests and deportation of Burmese migrants has accelerated. In Dec 2023 alone, Malaysian police carried out **near daily raids** and arrested more than **1,000 Burmese migrants**, largely in Kuala Lumpur.⁵⁰

Malaysia's government started a new repatriation program in Mar 2024 which offered amnesty to undocumented migrants in exchange for a fine and one-way ticket to their home countries. Refugee groups have viewed the policy with suspicion. It will likely only **increase TNR-related risks** faced by Burmese refugees, asylum seekers, and migrant workers in Malaysia.⁵¹

Bangladesh: Government neglect allows TNR via cross-border forced conscription

Bangladesh's lack of refugee policy, ongoing cooperation with the junta and its affiliates, and poor camp management has left the door open for the junta and its allies to commit TNR and **expand their persecution of Rohingya** to Cox's Bazar. More than 1,000,000 Rohingya refugees currently reside in camps in Cox's Bazar and Bhasan Char, the majority of which arrived after the Burma Army-led 2017

³⁸ UNHCR (31 May 2024) Operational Data Portal, Myanmar Situation

³⁹ Frontier Myanmar (14 Mar 2024) Unwanted in Malaysia, Myanmar migrants live in fear

⁴⁰ Human Rights Watch (24 Mar 2024) "We Can't See the Sun" Malaysia's Arbitrary Detention of Migrants and Refugees

⁴¹ Al Jazeera (11 Aug 2022) Refugees in Malaysia worry government tracking system a 'trap'

⁴² Ministry of Foreign Affairs Myanmar (5 Aug 2024) <https://shorturl.at/GL1RB>; Myanmar Embassy in Kuala Lumpur, Malaysia (11 Mar 2024) <https://shorturl.at/xhZni>

⁴³ ALTSEAN-Burma (Mar 2023) Consultations with CBOs

⁴⁴ Amnesty International (18 Feb 2021) Malaysia: Deportation to Myanmar puts lives in danger

⁴⁵ Benar News (27 Oct 2022) Stop interfering in Malaysia's internal affairs, govt official tells UN about Myanmar deportations

⁴⁶ Human Rights Watch (24 Oct 2022) Malaysia: Surge in Summary Deportations to Myanmar

⁴⁷ Myanmar Embassy in Kuala Lumpur, Malaysia (6 Dec 2023) <https://shorturl.at/19Sfg>

⁴⁸ Benar News (06 Jun 2024) UN rights chief: Malaysia should reinstate UNHCR access to immigration detention centers

⁴⁹ Human Rights Watch (24 Oct 2022) Malaysia: Surge in Summary Deportations to Myanmar

⁵⁰ The Irrawaddy (10 Jan 2024) Over 1,000 Myanmar Migrants Detained in Malaysia Crackdown

⁵¹ CNI Myanmar (14 Mar 2024) More and more Myanmar people in Malaysia return from illegal routes

Rohingya genocide.⁵² In Burma, the junta continues to **reject the existence** of Rohingya and have driven an “intensifying genocide” for the Rohingya remaining in Arakan State since 2017.⁵³

The majority of Rohingya refugees in Bangladesh **lack official refugee status**. Bangladesh does not have a national legal framework dedicated to ensuring refugee rights and protection.⁵⁴ The Bangladesh Constitution offers some fundamental rights and protections, including rights to protection of the law, to life and personal liberty, safeguards to arrest and detention, prohibition of forced labor, protection during trial and punishment, and right to freedom of thought, conscience and speech.⁵⁵ However, these rights are undermined by the Foreigners Act of 1946, which equates refugees with “illegal foreigners”. As a result, it is used to limit Rohingya access to work, education, and freedom of movement outside camps and raises refugees’ risk of arrest and detention.⁵⁶ The MoUs signed between the UNHCR, Bangladesh, and Burma which lay out a refugee governance framework for Rohingya remain confidential and inaccessible to the public.⁵⁷

The Bangladesh government’s **close work with the genocidal junta on repatriation plans** also raises the risk of TNR for Rohingya. In 2018, UNHCR and the Bangladesh government started issuing biometric ‘smart card’ to Rohingya refugees. In June 2021, it was reported that Bangladesh had **shared information** collected through the ‘smart cards’ **with the junta** to verify people for possible repatriation.⁵⁸ In May and Oct 2023, the Bangladesh authorities and junta leaders visited “repatriation camps” in Arakan State and camps in Cox’s Bazar as part of bilateral agreements signed between the two entities to forcibly repatriate Rohingya. After the May trip, Bangladesh’s refugee relief and repatriation commissioner in Cox’s Bazar, Mohammed Mizanur Rahman, expressed his opinion that **‘repatriation’ was the only solution**. Several days later, the head of the Myanmar wing in Bangladesh’s foreign ministry reiterated Rahman’s stance and added that the junta had offered assurances they would gradually resolve ‘the confusions that are being created’.⁵⁹

In Oct 2023, a Burma Human Rights Network (BHRN) reported that seven of the 15 Rohingya refugees they interviewed in August and September had been **pressured by junta or Bangladesh authorities** to participate in the junta’s **forced repatriation plan**. One individual stated that camp authorities threatened to withhold food and other aid from camp residents who refused to be added to a repatriation list. Several others stated that Burmese junta officials had pressured families in Burma to convince relatives in Bangladesh to join repatriation plans.⁶⁰

Since 2017, camp conditions in Cox’s Bazar have **continually worsened**. The Bangladesh Armed Police Battalion (APBn), which manages camp security, has increased restrictions for ordinary camp residents but has also failed to root out Rohingya **armed groups in the camps**. Some observers even allege that the APBn leadership have struck deals with militant Rohingya groups such as the Rohingya Solidarity Organization (RSO), Arakan Rohingya Salvation Army (ARSA), and the Arakan Rohingya Army (ARA) to allow them to operate in the camps.⁶¹ In some instances, militant group leadership has been pictured at public meetings alongside government officials.⁶²

Youth Congress Rohingya stated in a Sep 2023 research report that the Bangladesh government’s efforts to curb crime by increasing restrictions on movement not only deprived Rohingya of many fundamental rights but had **driven up crime rates** and **endangered camp residents**. Survey respondents stated that APBn officers had beaten them and that **restrictions on their freedom** of movement barred them from access to healthcare and livelihood opportunities. Nearly 70% of respondents reported they were only able to move to other camps beyond their own ‘a little bit’ and 40% said they could not go to towns outside their camp.⁶³ During 1 Jan - 19 Jun 2024, it was reported that 26 Rohingya had been murdered in

⁵² UNHCR (2024) Bangladesh

⁵³ BROUK (25 Jun 2024) The Intensifying Rohingya Genocide

⁵⁴ UNHCR Submission for the Universal Periodic Review 30th Session Bangladesh (2018)

⁵⁵ The Constitution of the People’s Republic of Bangladesh (1972)

⁵⁶ Laws of Bangladesh, The Foreigners Act (1946)

⁵⁷ Dr M Sanjeeb Hossain, European Policy Brief (February 2024) The Protracted Rohingya Refugee Situation in Bangladesh

⁵⁸ Human Rights Watch (15 Jun 2021) UN Shared Rohingya Data Without Informed Consent

⁵⁹ Frontier Myanmar (26 May 2023) Myanmar delegation visits Rohingya camps for repatriation scheme; Reuters (6 May 2023) Rohingya say will not go home to Myanmar to be stuck in camps

⁶⁰ The Business Standard (31 Oct 2023) Bangladesh-Myanmar End Coercive Repatriation of Rohingya Refugees

⁶¹ Rohingya Refugee News (6 May 2024) RSO and ARA Coercion: Fear and Uncertainty Among Rohingya Youths in the Refugee Camps

⁶² Rohingya Refugee News (20 May 2024) New Audio Clips Expose Forced Recruitment in Rohingya Camps

⁶³ Youth Congress Rohingya (22 Sep 2023) This Persecution Is The Worst There Is

Cox's Bazar, including four community leaders. In 2023, 64 murders occurred in the camps.⁶⁴ This translates to **6.4 murders per 100,000**, compared to 2 per 100,000 for Bangladesh.⁶⁵

The junta and its allied militias have taken advantage of Bangladesh authority neglect by **forcibly refouling and conscripting** Rohingya in Cox's Bazar. An internal memo from a humanitarian coordination group working in Cox's Bazar reportedly stated that during Mar-May 2024, **over 1,700 Rohingya had been forcibly conscripted from camps**. One man reported that in March 2024, armed men **blindfolded** and **kidnapped** him from a cafe in Cox's Bazar camp and **took him across the border** to a junta Border Guard Police outpost in Maungdaw Township. Another stated that in early May 2024, he and 11 others were abducted, brought to the same outpost in Maungdaw, put through training at the outpost, and severely beaten when they made mistakes. Another interviewee stated that armed men in Cox's Bazar kidnapped and extorted USD 850 from him, threatening to **send him back to Burma**.⁶⁶

The removal of Sheikh Hasina from power has brought in a new era in Bangladesh. There is some hope that new interim Prime Minister Muhammad Yunus will take steps to reduce TNR of Rohingya by **cutting the role of militant groups** in camps and **stopping forced repatriation** efforts.⁶⁷ However, what changes they will make, if any, are still an open question.

India: Junta cooperation places activists, refugees at TNR risk

India has been a clear enabler of the junta's TNR by arresting and forcibly returning refugees from Myanmar. Despite being home to nearly 100,000 UNHCR-recognized refugees from Burma, India **lacks a dedicated legal framework** for forcibly displaced people.⁶⁸ The colonial-era 1946 Foreigners Act empowers the government to regulate the entry or exit of all foreigners, regardless of status.⁶⁹ However, certain fundamental rights are enshrined in law: the Indian Constitution ensures **equality before the law** and **protection of life and liberty for** everyone on Indian territory, including noncitizens. Additionally, the Indian government published a Standard Operating Procedure in 2019 which laid out the state's responsibilities for managing "foreigners claiming to be refugees", including assessing their claims to refugee status.⁷⁰ India has made commitments to refugee protection by endorsing the UN Declaration on Territorial Asylum⁷¹ and the New York Declaration for Refugees and Migrants.⁷²

Despite this, India has taken an **incredibly harsh approach** to refugees from Burma, placing them at **high risk of TNR**. A 2017 order from the BJP government deemed all Rohingya refugees in India "illegal migrants" and called for their "**immediate deportation**".⁷³ Since then, they have repeatedly **targeted Rohingya with raids** and have **deported groups of Rohingya** on several occasions.⁷⁴ India currently holds at least 766 Rohingya in indefinite detention.⁷⁵ In one example, Indian authorities arbitrarily detained a Rohingya human rights defender, Mohammad Arfat, after they beat and arrested him in 2020. After his one-year sentence finished, the Indian government indefinitely delayed his release, awaiting confirmation of his nationality from the junta-controlled Burmese embassy.⁷⁶

India has also continued to **meet regularly** with junta leadership, allowing for cooperation on crackdowns on refugees. For instance, shortly after a Jan 2024 meeting between the Indian ambassador and junta National Security Advisor Moe Aung on security issues and border region stability, India's Home Minister announced India would fence the 1,643 km India-Burma border and stop the Free Movement Regime (FMR). The FMR allowed people to travel in a 16 km border zone for up to two weeks.⁷⁷

In line with this, India **forcibly repatriates** Burmese refugees in Manipur State. During refoulements, Indian authorities reportedly give the junta biographical and immigration details on the returned people.

⁶⁴ Dhaka Tribune (20 Jun 2024) Battle for dominance in camps claims 26 Rohingya lives in 6 months

⁶⁵ UN Office on Drugs and Crime's International Homicide Statistics database, using the latest statistics available (i.e. 2018) (<https://data.worldbank.org/indicator/VC.IHR.PSRC.P5?end=2018&locations=BD&start=2000&view=chart>)

⁶⁶ Fortify Rights (26 Jul 2024) Myanmar/Bangladesh: End Abduction, Forced Conscripting of Rohingya Civilians

⁶⁷ Nikkei Asia (27 Aug 2024) Stateless Rohingya put faith in Bangladesh leader Yunus

⁶⁸ UNHCR (2024) UNHCR India Operations

⁶⁹ The Foreigners Act (1946)

⁷⁰ VOA (17 Jul 2024) Activists say Rohingya refugees are hounded in India

⁷¹ United Nations Declaration on Territorial Asylum (1967)

⁷² The New York Declaration for Refugees and Migrants (2016); India has also signed, but not ratified, UNCAT, which prohibits refouling individuals to situations where they risk facing torture

⁷³ India NHRC (18 Aug 2017) NHRC notice to the Union Home Ministry over reported move to deport illegal Rohingya immigrants to their native country (18.08.2017)

⁷⁴ UNCERD (02 Jul 2024) India must end racial discrimination against Rohingya, cease forced deportation and arbitrary detention, urges UN Committee

⁷⁵ Forced Migration Review (May 2024) Refugee experiences of identity documents and digitisation in India and Myanmar

⁷⁶ Fortify Rights (Jun 5, 2024) India: Free Mohammad Arfat, End Indefinite Detentions of Refugees

⁷⁷ Nikkei Asia (24 Jan 2024) Myanmar border clashes cast shadow over ties with India ; Indian Express (23 Jan 2024) What is the India-Myanmar border Free Movement Regime, which the Centre is planning to end?

They also run a biometric data collection campaign for “illegal migrants” in Mizoram and Manipur states. **Sharing such data** with the junta clearly increases the risk of **refugees** and their families facing TNR.⁷⁸

During Mar 2024, Indian authorities began attempts to deport refugees that had fled Burma after the attempted coup. They planned to deport 77 refugees, mostly women and children, via border town Moreh. On 10 Mar, Indian authorities **sent 38 women** to military camps in Moreh and sent others back to Manipur’s Imphal Jail after the junta refused the refugees.⁷⁹ On 2 May 2024, India **successfully deported** 38 of the refugees.⁸⁰ Later in May, soldiers from the Assam Rifles, an Indian paramilitary force deployed along the India-Myanmar border, reportedly began forcing at least 30 refugee households towards a border post in order to repatriate them.⁸¹ Shockingly, **India has committed TNR in Burma** as well. In Mar 2023, it was reported the Assam Rifles entered Paletwa Township (Chin State) twice earlier in the year and **arrested** several Chin **anti-junta activists**.⁸²

Recommendations:

The junta is the root cause of conflict in Burma and the primary perpetrator of atrocity crimes against Burmese everywhere. Ensuring safety for people from Burmese in exile also means supporting inclusive and community-led efforts to bring an end to junta impunity permanently.

To the international community:

- **Work with Burmese community members to develop or maintain emergency support mechanisms for arrested and detained community members in exile.**
- **Ensure INGOs supply accessible, responsive, and trauma-informed emergency funding for people at risk of TNR.**
- **Ensure embassies allow for timely relocation or resettlement support in response to TNR cases.**
- **Invest in long-term, refugee-led research to improve documentation of TNR cases.**

To civil society organizations:

- **Coordinate with Burmese civil society organizations (CSOs) and host country CSOs to host TNR prevention-focused exchanges and establish procedures to collectively respond to TNR cases**
- **Provide trainings and share information so community members in exile know how to protect themselves from physical and digital TNR threats**

To host country governments:

- **Stop cooperation with the junta, junta embassies, and junta-affiliated armed groups. Instead, work with Burmese CSOs, EROs, and the NUG to ensure protection for Burmese communities in exile.**
- **Uphold accepted norms of international law and stop the forced repatriation of Burmese refugees at risk of persecution.**
- **Sign and ratify the 1951 Refugee Convention to ensure asylum seekers are provided with substantive protection from TNR threats.**
- **Establish impartial and inclusive refugee assessment mechanisms to ensure those fleeing persecution are not returned to danger.**

To Thailand:

- **Expand the NSM’s scope to include all Myanmar individuals at risk of repatriation or forced conscription, regardless of their migration status, or their ethnicity or religion.**
- **Ensure the complete implementation of the Anti-Torture Law by proactively investigating and prosecuting TNR cases.**

To Malaysia:

- **Replace mandatory information collection programs for refugees and asylum seekers with voluntary and transparent registration mechanisms that provide status to all asylum seekers**
- **Carry out public, transparent, and impartial investigations on reported TNR cases, including the disappearance of Thuzar Maung**
- **Provide NGOs and INGOs, including the UNHCR, access to detention centers and ensure full access to proper legal representation and proper living conditions for all detained individuals**

⁷⁸ RFA (17 May 2024) Indian authorities in Manipur state force Myanmar refugees out of border villagers

⁷⁹ Myanmar Now (13 Mar 2024) Deportation delayed for more than 70 Myanmar nationals detained in India

⁸⁰ Bangkok Post (2 May 2024) India starts deporting Myanmar refugees

⁸¹ RFA (17 May 2024) Indian authorities in Manipur state force Myanmar refugees out of border villagers

⁸² The Irrawaddy (20 Mar 2023) Indian Border Security Force’s Incursions Into Myanmar Alarm Chin Residents

To Bangladesh:

- **Develop and implement a comprehensive refugee protection framework to uphold the rights and safety of Rohingya refugees, aligning with international standards.**
- **Stop the entrapment of camp residents by improving access to freedom of movement and livelihood opportunities inside and in communities around camps**
- **Ensure that any repatriation process for Rohingya is voluntary, participatory, and only takes place with full access to freedom of movement, a full and inclusive citizenship, and recognition of their indigeneity in Arakan state as a collective group (ethnic nationality) entitled to social, economic, political, cultural and linguistic rights.**

To India:

- **Uphold constitutionally enshrined rights to life and liberty for all refugees and asylum seekers, including detained Rohingya refugees.**
- **Stop the forced collection of biometric information from refugees. Strengthen data protection laws to ensure that already collected data is not misused for surveillance or shared with the junta.**