

# MORAL AMBIGUITY ON THE ROHINGYA

Relevant for: International Relations | Topic: India - Myanmar

India's abstention from voting on a UN Human Rights Council draft resolution, in March this year, on the "situation of human rights in Myanmar" needs closer examination. Co-sponsored by the European Union (EU) and Bangladesh, the resolution "expresses grave concern at continuing reports of serious human rights violations and abuses in Myanmar", particularly in Rakhine, Kachin and Shan States, and calls for a full inquiry into these by the Council's own mechanism and the International Criminal Court (ICC).

Conscience call: On Rohingya crisis

In its follow-up explanatory statement, India's permanent representative to the UN in Geneva, Rajiv Kumar Chander, said that it would "only be counter-productive" to support "extensive recommendations regarding legislative and policy actions" and "threatening Myanmar with punitive action, including at the ICC, to which that state is not a signatory".

It is understandable that as a non-signatory of the Rome Statute, New Delhi would register its dissent against any punitive interventions by the ICC on another non-signatory country (Myanmar).

However, what is deeply unfortunate is India's continued diplomatic and moral passivity on the Rohingya crisis.

Despite the Myanmar Army facing charges of serious war crimes, including genocide — according to a UN Fact-Finding Mission (FFM) and several other international human rights organisations — India refuses to take a strong moral stand for the sake of maintaining cordial bilateral relations with Naypyidaw.

India continues to toe Myanmar's line on the issue, which harps on the "complexity" of the whole situation, lays emphasis on economic development rather than political rights for the Rohingya, lays stress on internal inquiries instead of international mechanisms, and even refuses to call the Rohingya community by its name.

Wrong on the Rohingya

In fact, Prime Minister Narendra Modi has not even publicly condemned the horrible atrocities that the Rohingya have faced at the hands of Myanmar's security forces. On his last visit to Myanmar in September 2017, he simply expressed concern at the "loss of lives of security forces and innocent people due to the extremist violence in Rakhine State". There was no reference to the excessive and arbitrary force used by security forces on Rohingya civilians in response to the "extremist violence".

Radhika Coomaraswamy, who was a part of the three-member UN FFM, during a recent briefing, said, "Acknowledging that human rights violations have been committed, holding people accountable and reforming the Tatmadaw is the only way forward." India, for its part, continues to maintain ties with the Myanmar armed forces (Tatmadaw), supplying them with combat hardware and imparting UN peacekeeping training. An edition of the India-Myanmar bilateral army exercise, IMBEX 2018-19, took place this January at Chandimandir.

According to the arms transfer database of the Stockholm International Peace Research

Institute (SIPRI), India is one of Myanmar's top arms suppliers, and weapons sales includes military aircraft, artillery, naval vessels and reconnaissance equipment, armoured vehicles, anti-submarine torpedoes and missiles.

In the city of refugees: Rohingya camps in Bangladesh's Cox's Bazar

One analysis by the Dutch advocacy group, Stop Wapenhandel (Stop Arms Trade), claims that India transferred combat equipment in violation of international embargoes.

India's core logic here is to "modernise" the Tatmadaw with the intent of securing its 1,640-km plus border with Myanmar and forge a sustainable strategic partnership at China's doorstep. But, in this inflexible realpolitik approach, there is little space for end-user accountability and human rights. Whether Myanmar is using some of its India-supplied weapons to maim non-combatant civilians in Rakhine State and other ethnic regions is a question that New Delhi has not asked so far. Further, Indian companies continue to invest in Myanmar, with several having direct links with Tatmadaw-owned businesses.

India has so far refused to exert any pressure on Myanmar, instead choosing to balance ties with Dhaka and Naypyidaw by sending humanitarian aid to both. But India's soft, backfoot approach is being increasingly seen by Bangladesh, which is hosting nearly a million Rohingya refugees, to be tilted in Myanmar's favour.

Rohingya issue: The road to deportation

Bangladeshi journalist Humayun Kabir Bhuiyan argues that "Indian policy regarding the Rohingya crisis has always favoured Myanmar." He also flagged India's recent abstention as another sign of New Delhi's no-support for Dhaka on the Rohingya issue. It is clear that if India continues to tacitly favour Myanmar at international forums, its much-valued bilateral ties with Bangladesh may suffer greatly.

Instead of just pushing one-time economic aid into Bangladesh and Myanmar, India could have forged a regional 'compact', much like the Jordan Compact on Syria, to ensure sustained humanitarian assistance in addressing the short- and long-term needs of the displaced Rohingya population. This would have ensured uniform donor interest and better monitoring of where aid is going to. Instead, India has deported (or refouled) more than a dozen Rohingya refugees from its own territory back to Myanmar, in violation of international and domestic legal norms.

Using the geo-economic leverage that it enjoys with Myanmar, India could compel Myanmar to bring the alleged perpetrators of war crimes to book or at least get a guarantee that such conduct would not be repeated in the future. But New Delhi does not want to corner Aung San Suu Kyi, whose own relations with the Generals remain dicey.

For now, India is happy to be in a stable, but morally tenuous, friends-with-benefit relationship with Myanmar. The victims continue to be the stateless Rohingya.

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