

1 May 2020



Statement on Rohingya refugees at sea

The Asia Justice Coalition – a network of organizations that have come together to focus on international justice and accountability in Asia – expresses its grave concern at the plight of Rohingya refugees stranded at sea.

Currently, it is estimated that there are two boats with more than 500 refugees that are being denied permission to disembark and have been ‘pushed back’ at sea by Malaysia. On 16 April 2020, nearly 400 Rohingya refugees who were adrift at sea, and denied sanctuary in Malaysia were permitted to disembark in Bangladesh. The situation is again critical now, with the grave threat of loss of life.

We take this opportunity to recognize and appreciate the generosity of the Bangladeshi government and people in hosting a million refugees, at a time when much of the international community has turned their back on refugees. We make this urgent appeal directly to the Honourable Prime Minister of Bangladesh, Sheikh Hasina, to continue to do the right thing in protecting the Rohingya refugees and permit those stranded near its coast to safely disembark in Bangladesh.

No human being should be left to die at sea. The risk of starvation and death is high, confirmed by those who disembarked previously. This is particularly tragic in light of the Covid-19 global pandemic. In keeping with the spirit of humanity and its role in leading the international community in a more compassionate response to the situation of the Rohingya, we urge Bangladesh to accept these Rohingya as well.

The actions taken in denying the refugees sanctuary imperil the lives of the Rohingya and are in contravention of international human rights law and international refugee law. Myanmar is yet to create conditions that are conducive for voluntary, safe, or dignified return of Rohingya who fled mass atrocities in Myanmar. The role and responsibility of Myanmar was reflected in the provisional measures order issued by the International Court of Justice on 23 January 2020.

The Malaysia government is risking lives by pushing back overloaded boats of Rohingya refugees and is violating its international obligations. The authorities tried to justify their actions by claiming that those on the boat would bring Covid-19 into the country, and that foreigners are prohibited from entering the country.

Any government measures that restrict human rights for reasons of public health or national emergency must be lawful, necessary and proportionate. Subjecting those who arrive to a period

of isolation or quarantine may be reasonable. But the pandemic does not justify a blanket policy of turning away boats in distress, risking the right to life of those on board.

We call on all member states of ASEAN to cooperate, to save lives, to not push back any refugee boats, and to ensure that an even graver humanitarian crisis is averted. Furthermore, the sole responsibility of safeguarding the principle of humanity is not limited to a few, but rests on all states and we call on the international community to do more to alleviate this dire situation. The Rohingya have suffered enough and must be provided a safe haven.
