

GOVERNING AT THE MARGINS

A Patchwork of Policies and
Practices in the Rohingya
Refugee Response in Bangladesh

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LIST OF ACRONYMS

APBn	Armed Police Battalion	MoFA	Ministry of Foreign Affairs
CiC	Camp-in-Charge	MoHA	Ministry of Home Affairs
CSO	Civil society organisation	NGO	Non-governmental Organisation
DC	Deputy Commissioner	NGOAB	NGO Affairs Bureau
IOM	International Organisation for Migration	NTF	National Task Force
ISCG	Inter-Sector Coordination Group	RRRC	Refugee Relief and Repatriation Commissioner
MCP	Myanmar Curriculum Pilot	PMO	Prime Minister's Office
MoDMR	Ministry of Disaster Management and Relief	UN	United Nations
		UNHCR	UN High Commissioner for Refugees

EXECUTIVE SUMMARY

This report analyses the policymaking environment surrounding the Rohingya refugee response in Cox's Bazar, Bangladesh. Support has been provided by the Bangladesh government and its key aid partners have supported the response for decades, with the numbers of refugees increasing rapidly following mass atrocities committed by the Myanmar military against Rohingya in Rakhine State in 2017.¹ In 2022, the Centre for Peace and Justice, BRAC University in partnership with The Asia Foundation, undertook an analysis of governance and decision-making surrounding the refugee response, with a particular focus on the sporadic and often opaque ways that refugee camp policies are developed and communicated to camp residents. The research unearthed an 'ad hoc' system of governance mechanisms used by the Bangladesh government, and their uneven implementation, which have significant impacts on the everyday lives of refugees and on the work of humanitarian responders.

In emergency refugee contexts, especially without comprehensive domestic laws, states often develop new guidelines and rules to respond to the crisis at hand, and Bangladesh is not an exception. However, without comprehensive domestic legislation on refugee matters, policy directives, a conventional tool of governing in Bangladesh, have been used to patch together a governance framework and operational guidelines. As a result, policies are often developed in response to emerging political priorities or specific events. They may be unevenly applied in different contexts, giving rise to 'grey areas' or inequities for people living and working in camps. In addition, the improvised response gives the refugee context a sense of temporariness.

This report contributes towards filling a vital gap in publicly available research and analysis on refugee governance in Bangladesh—particularly as it reflects the perspectives and experiences of Rohingya refugees themselves. Insights are drawn from desk-based research, a review of available policy directives, and interviews with Rohingya refugees and individuals working on the refugee response in Bangladesh.

The findings indicate that the ad hoc approach to governance stems from a combination of three factors: firstly, the absence of a domestic law on refugees; secondly, the government's firm stance on repatriation as the *only* long-term solution for the Rohingya people in Bangladesh; and thirdly, reactionary decision-making and uneven implementation of directives. A key takeaway is that this system in Bangladesh is neither inherently good nor bad—after all, these makeshift policies and practices sustain the lives of almost a million Rohingya refugees amidst very limited resources. That said, some directives, especially those abrupt in their implementation and restrictive in nature, leave refugees in a state of confusion and, at times, have detrimental impacts on their lives.

There is no quick and easy solution to the protracted situation, though it is clear that the ad hoc approach may not be sufficient to govern such a vast humanitarian response in the long run and could risk deepening tensions in the refugee camps. A more coherent system founded on greater responsibility-sharing across all stakeholders involved in the refugee response, and one that guarantees rights for Rohingya refugees in Bangladesh through a domestic law, is urgently needed as the refugee response enters its seventh year since 2017's mass displacement from Myanmar.

INTRODUCTION

Following the mass forced displacement of the Rohingya people from Myanmar to Bangladesh beginning in August 2017, a vast humanitarian response was mobilised to provide shelter and aid to refugees in the southeast region of Cox's Bazar. Despite not being a signatory to the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol, Bangladesh continues to host almost one million Rohingya refugees in 33 camps in Cox's Bazar.² The Bangladesh government—with support from international organisations, particularly the International Organisation for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR)—oversees the governance of Rohingya refugees in Bangladesh. Its main policy framework is the National Strategy on Myanmar Refugees and Undocumented Nationals in Bangladesh issued in 2013. Today, camp-based Rohingya refugees in Bangladesh continue to be governed and supported by an arrangement of instruments and structures best described as 'ad hoc' (see Box 1).³

This study analyses the current ad hoc approach to supporting Rohingya refugees in Bangladesh. It examines directives as governance tools and explores their impacts on refugees and key aid partners working in Cox's Bazar.⁴ This report sheds light on the organisational and contextual features that enable this ad hoc governance approach and the wide-ranging direct and indirect impacts on Rohingya refugees.

The report is structured as follows: **Section 1** describes relevant decision-makers and infrastructure that govern Rohingya refugees in Bangladesh. **Section 2** demonstrates the ad hoc system in practice and examines it through several case studies. **Section 3** presents the varied impacts of an ad hoc approach, drawing on insights from interviews and discussions and, where relevant, corroborated with findings from other studies. **Section 4** concludes with recommendations for actors involved in the response, including the Bangladesh government, aid workers and donor agencies. Centring the voices of refugees themselves, the recommendations seek to highlight specific areas where improvements are needed, which can benefit from greater and more coordinated advocacy.

Methodology

The study was undertaken by the Centre for Peace and Justice (CPJ), BRAC University, in collaboration with The Asia Foundation as part of the Cross-Border Conflict: Evidence, Policy and Trends (XCEPT) programme. CPJ is a multidisciplinary academic institute which promotes global peace and social justice through quality education, research, training

and advocacy. In 2019, CPJ established a Refugee Studies Unit in Ukhiya, on the edge of Kutupalong refugee camp, to undertake research and other activities related to the Rohingya refugee and host communities. As a knowledge partner in the refugee response, CPJ has conducted research and undertaken non-formal learning initiatives in Cox's Bazar and advocated for justice and accountability for the Rohingya at national, regional and global levels.⁵

The study employed qualitative approaches to analyse directives issued by the Bangladesh government and their implementation and impacts on refugees' lives. A desk review, including newspaper articles and public comments from government officials, was used to identify knowledge gaps in Bangladesh's existing policy and decision-making structures and their influence (or lack thereof) on overall refugee governance and key stakeholders. These identified gaps constituted the avenues for subsequent primary data collection. Researchers also collected as many written policy directives related to the Rohingya response in Bangladesh as possible. Findings, conclusions, and recommendations in this report are drawn from the desk-based research, a review of the collected directives, and an analysis of data collected through interviews with Rohingya refugees and individuals working on the refugee response in Bangladesh.

Directives were summarised and thematically coded for review (see Annex 1).⁶ Access challenges due to confidentiality of the documents or their mode of communication (e.g., verbal instruction), limited the total number of collected directives to 27, originating from personal records and publicly available sources (e.g., from government websites and social media). Aside from two memos relating to birth and death registration that were issued before 2017, the majority of collected directives were issued in 2021, with the Office of the Refugee Relief and Repatriation Commissioner (RRRC), the Civil Surgeon's Office and the Non-Governmental Organisation Affairs Bureau (NGOAB) as some recurring issuing authorities.⁷ Most directives in the collection relate to Covid-19 policies, education, and project activities in the camps.

Semi-structured interviews conducted between July and November 2022 provide insights into ad hoc policymaking and practices, and their impacts. A total of 41 respondents took part in the research, either online or in-person in Cox's Bazar:

- Sixteen interviews with national and international aid workers, one researcher and one journalist; among the key informants, seven were women, and 11 were Bangladeshi.

- One interview and five focus group discussions (FGDs) with Rohingya refugees living in the camps in Ukhiya and Teknaf. Out of 28 Rohingya respondents, 15 were women and 13 were men. The first FGD discussed policy implementation and communication in the camps. Subsequent FGDs looked at volunteering, education and mobility.⁸

Respondents were asked to speak from their own perspectives and not from an organisational position, allowing for more nuanced perspectives and, in most cases, relatively candid conversations. The study acknowledges some limitations of the sample. Insights from Bangladeshi

government officials would have lent important perspectives to this report, but researchers decided early on to solely focus on humanitarians and refugee respondents owing to confidentiality concerns and access limitations. The Rohingya refugees participating in the discussions were, on average, more educated and had stronger social networks than other camp residents. This, however, must not undermine or minimise the quality and value of the refugees’ insights. Most Rohingya respondents shared their experiences and those of their families, friends and neighbours and also acknowledged and reflected on variation between and within the camps.

Box 1. Understanding ‘Ad Hoc’ Governance

The Bangladesh government often uses directives to issue decisions and guidelines which govern the Rohingya refugee response. The term ‘directive’ is used in this report to mean any instruction given by the government that determines how refugees and refugee camps are governed. The directives may take the form of written memoranda, notifications and circulars issued or signed by different ministries and levels of the government, or simply verbal instructions.

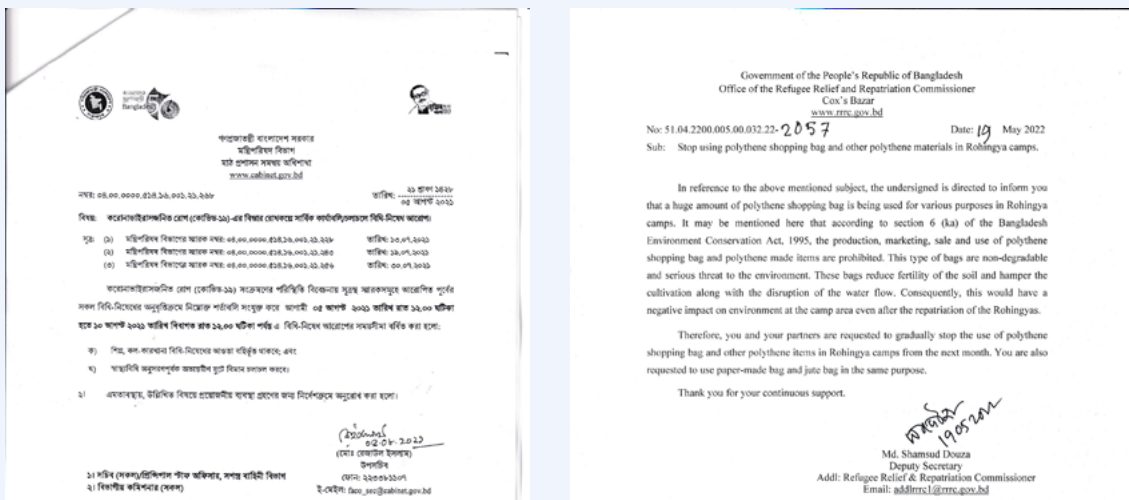


Figure 1: Excerpts from Bangladesh government directives

Many directives have been developed, issued, and communicated in an ad hoc manner since the beginning of the refugee response. Some are proactive e.g., instructions on the types of food and non-food items that can be distributed. Others are reactive, e.g., in response to specific events like local elections, rallies or the Covid-19 pandemic. While some directives have neutral or protective impacts, others have detrimental consequences. Some directives address confusion and offer greater clarity, but others contribute to loss of opportunities for refugees. Some early directives in 2018 included changes to previous birth registration rules for Rohingya children, defining the role of Camp-in-Charges (CiCs) responsible for administration, and determining what types of assistance can be extended to refugees. More directives have been issued since 2020, including around the management of the Covid-19 pandemic. Irregular operationalisation of directives in the camps, further expanded upon in Section 3 below, also contributes to the ad hoc approach.

1

GOVERNING THE ROHINGYA RESPONSE IN BANGLADESH

Rohingya refugees are supported and governed by a number of national and international actors and structures. Rohingya refugee governance and its associated actors in Bangladesh can be divided into three levels: national, local, and camp.

The Ministry of Disaster Management and Relief (MoDMR) is responsible for the overall oversight and management of the Rohingya refugee response. The **National Task Force**, established in 2013 and chaired by the Ministry of Foreign Affairs (MoFA), includes several ministries and governmental divisions that support the refugee response.⁹ The National Task Force first produced the National Strategy for Myanmar Refugees and Undocumented Myanmar Nationals in 2013 as a key reference document relating to the Rohingya people in Bangladesh.¹⁰ Figure 2 illustrates key actors, bodies and committees within the Bangladesh government that oversee and shape policymaking and administration pertaining to the Rohingya refugee response in Bangladesh.

The Ministry of Home Affairs (MoHA), which deals with matters of national security, leads the **National Committee on Coordination, Management and Law and Order**. This ‘Law and Order Committee’, formed in December 2020, has taken a strong role in the response since early 2021.¹¹ It is primarily tasked with the coordination of law and order in the camps and repatriation, also bringing the Directorate General of Forces Intelligence and the National Security Intelligence into the response. The Committee was given the prerogative to ‘observe, evaluate and review’ all activities related to Rohingya refugees.¹²

The **NGO Affairs Bureau**, under the Prime Minister’s Office, oversees all foreign funding and approval processes for projects, including those involving Rohingya refugees. All organisations that receive international funding in the refugee response require Foreign Donation approvals from the NGOAB i.e., the FD-7 and FD-6 approvals.¹³ FD-7 approvals are issued for project-specific emergency relief activities and are valid for a set duration, while FD-6s are used for longer-term projects. Despite the protracted nature of the Rohingya response in Bangladesh, NGOs and international NGOs (INGOs) still require regular FD-7 approvals for project continuation (UN agencies are exempt), highlighting the government’s stance on the response’s temporariness.¹⁴

The **Strategic Executive Group**, based in Dhaka, provides overall guidance to the refugee response in Bangladesh. Jointly chaired by the UN Resident Coordinator and chief representatives from IOM and UNHCR, it makes decisions on humanitarian response strategy and is tasked with high-level negotiations. The Group works with the Bangladesh government, including the National Task Force and different ministries, at the national level.

At the local level, the **Deputy Commissioner (DC), Union Parishads and Upazila Nirbahi Officers** lead and oversee the administration of the sub-districts in Cox’s Bazar.¹⁵ The DC office and Upazila Nirbahi Officers must sign off on all project approvals in the camps and the host community.¹⁶ The RRRC represents the MoDMR at the local level and is responsible for managing and overseeing the response in Cox’s Bazar. Thirty-three refugee camps are hosting Rohingya people in Ukhiya and Teknaf.¹⁷ Under the RRRC’s leadership, the CiCs are responsible for overseeing the day-to-day functioning of their assigned camps.¹⁸ CiCs are key decision-makers at the camp level. The operationalisation of decisions made in Dhaka is delegated to camp authorities through a mix of instructions in written (such as memos) and verbal form from the relevant local offices (such as the RRRC) on the ground. For most decisions, the CiCs are ultimately responsible for overseeing the enforcement of a directive in their camps. They are perceived as the “operational decision-maker[s]” and implementers of refugee policies.¹⁹

The **Bangladesh Army**, which alongside the Bangladesh Police plays a significant role in disaster management across the country, was assigned by the Bangladesh government as one of the key first responders in August 2017. It remained the central apparatus both for security and the distribution of food and non-food items during the initial phase of the emergency. The Armed Police Battalion (APBn), a special reserve police unit, took over this role in mid-2020, with the formation of two new battalions—APBn 15 and APBn 16—to ‘ensure law and order’ inside the refugee camps.²⁰

Majhis play an important role in facilitating relief and other activities at the camp level, although they are not formal decision-makers. A majhi is a camp resident selected by the camp authorities and tasked with helping to manage camp activities alongside government officials; the head majhi reports directly to the CiC.

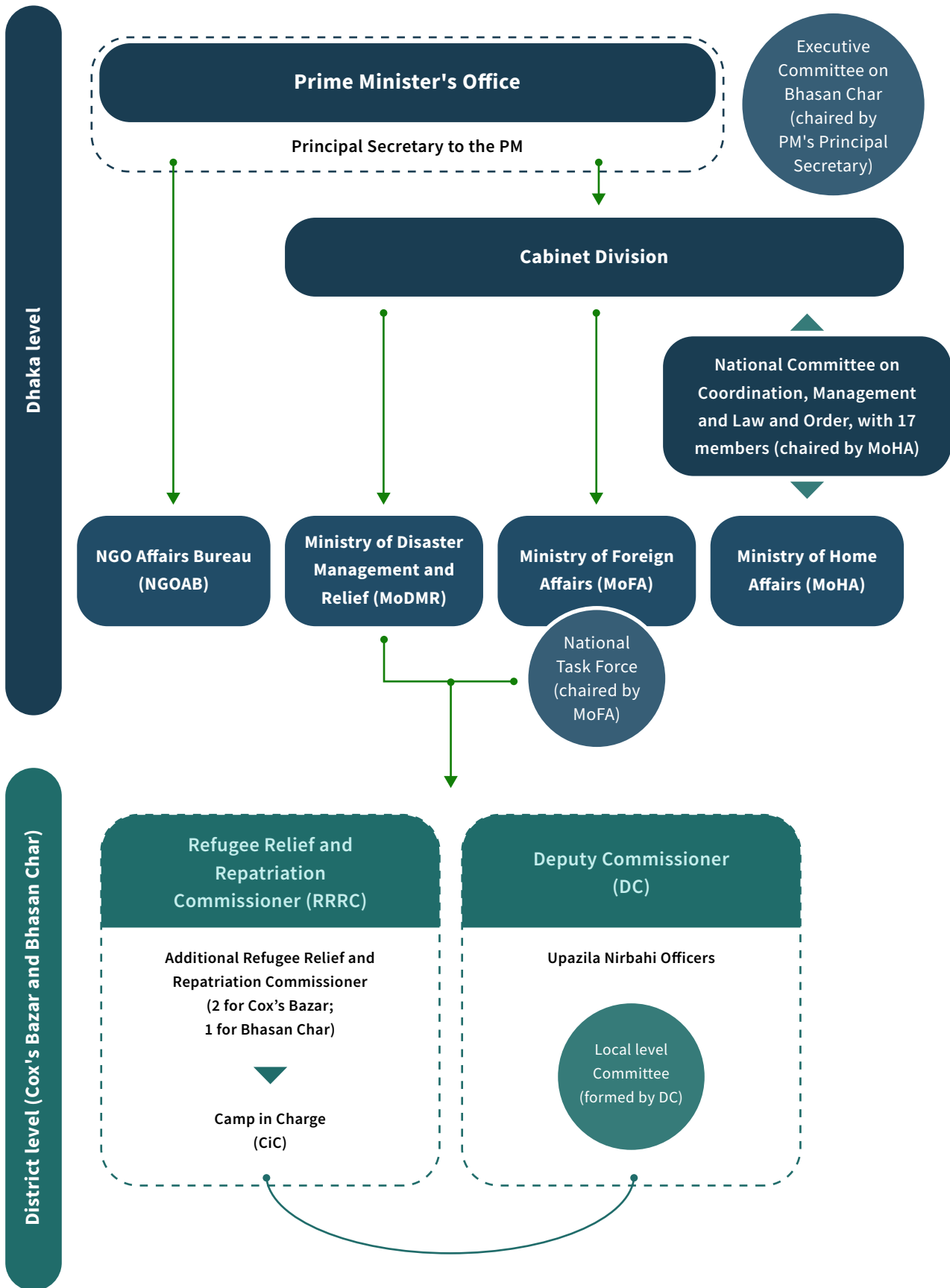


Figure 2: Key actors in the Bangladesh government's Rohingya refugee response

The **Inter-Sector Coordination Group** (ISCG) secretariat, established in 2013, coordinates the overall response in Cox’s Bazar on behalf of UN agencies. The ISCG liaises closely with the RRRC, the DC, and government authorities at the upazila level, and also ensures inter-sector coordination amongst humanitarian stakeholders.²¹ The ISCG Principal Coordinator chairs the Heads of Sub-Offices Group, which brings together heads of UN agencies and a few NGO representatives. The NGO Platform, established in 2018, provides a parallel space for international, national and local NGOs to come together for coordination, dialogue and advocacy in the refugee response.

International humanitarian response structures, much like the governance mechanisms deployed by Bangladesh, were ad hoc in the initial days of the response to the mass

forced displacement in August 2017. The Bangladesh government, resistant to giving UNHCR a more prominent role, had initially selected IOM, an existing UN presence in the country, to lead the refugee response in Bangladesh.²² A key difference between the two organisations is the protection mandate based on the 1951 Refugee Convention, which is present within UNHCR but absent in the case of IOM.²³ There was further speculation that this difference was perceived by the government as enabling their push for quick repatriation.²⁴ Given the sheer scale of needs and the deteriorating situation in Myanmar, new coordination arrangements were made by September 2017. UNHCR and IOM published a joint letter in early 2019, two years after the beginning of the response, describing their coordination arrangements.²⁵

2 AD HOC DECISION-MAKING IN PRACTICE

As explored in Box 1 of the Introduction, ‘ad hoc decision-making’ refers to the Bangladesh government’s use of directives (written and verbal) to rapidly create and enforce new policies targeting specific issues. This section illustrates ad hoc decision-making in practice, addressing some of the challenges this approach creates for refugees’ ability to understand and predict how policies will be formed and implemented.

Bureaucracy and confidentiality can challenge accountability

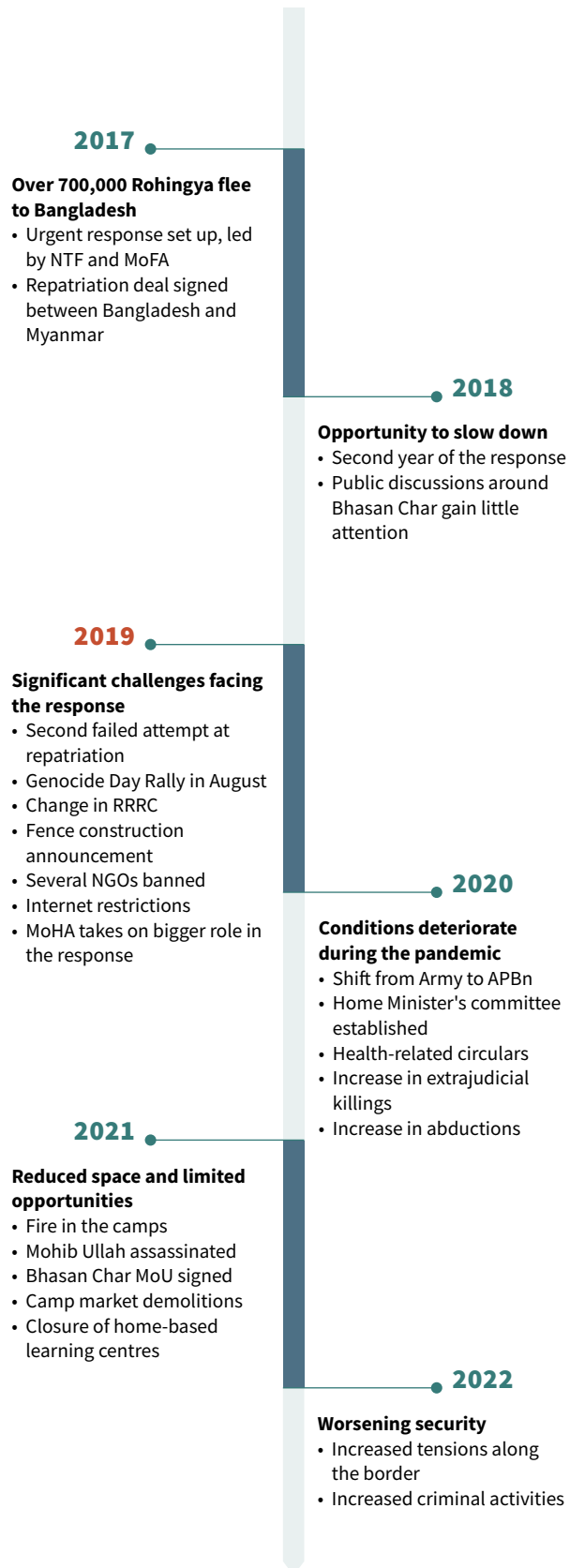
A challenge of this ad hoc approach to policy and decision-making is that ‘paper trails,’ or record-keeping of governance decisions can be difficult to track, between those issued verbally, and others which are only available to senior stakeholders in government and international organisations. Justifications behind specific decisions are also difficult to interpret, as little information is formally disclosed. While there are no written policies that directly convey hostility to refugees and aid workers, public speeches or remarks from politicians at national and local levels have indicated an approach that purposefully minimises the interest of long-term protection for refugees in Cox’s Bazar.²⁶ Many directives are kept confidential or are shared in closed circles, making it challenging to follow government decisions for those without direct access to decision-makers and copies of written directives.²⁷ Tracking decisions is further complicated as orders are sometimes lifted, replaced, or disregarded after they are

announced, and some are enforced more strictly than others.²⁸ An NGO aid worker describes the Bangladesh government’s approach: “There’s no strategy. [There’s a] lack of long-term strategy and foresight.”²⁹

An additional layer of opacity around policy documentation relates to the confidentiality of key humanitarian collaboration documents. The memoranda of understanding (MoUs) between the Bangladesh government and UNHCR are key documents on refugee governance and the rights granted to refugees in Bangladesh.³⁰ Since 2017, the Bangladesh government has signed three MoUs with UNHCR: on data sharing, on the voluntary and safe repatriation of Rohingya refugees, and on the framework of refugee policy and protection in Bhasan Char.³¹ Among the three, only the MoU relating to Bhasan Char signed in October 2021 is publicly available, having been leaked to the media by an aid worker.³² UNHCR maintains confidentiality of its agreements with the government—a feature not exclusive to Bangladesh—and makes them publicly available only after some twenty years.³³

The camp environment has become increasingly restrictive

Directives can be used to incrementally limit the rights of refugees, and there has been an overall trend towards restriction. A combination of factors contributed to shifts in the government’s approach towards the Rohingya refugee response, including two failed attempts at repatriation,



a gradual move from humanitarianism to securitisation in governance, and growing humanitarian fatigue. The ‘Genocide Day’ rally on 25 August 2019, and the government’s reaction to it, had a substantial impact, reflected by refugee and aid worker respondents to this research.³⁴ The rally marked the second anniversary of the Myanmar military’s violent campaign against Rohingya in Rakhine State, and brought together tens of thousands of camp residents in Kutupalong, demanding that Myanmar grant them rights and ensure their safe return. The rally took place after the organising civil society organisations (CSOs) had received approval from a CiC.³⁵

According to an NGO worker, the 2019 rally highlighted gaps in the Bangladesh government’s internal coordination and on-the-ground intelligence.³⁶ Citing allegations of ‘anti-repatriation campaigns,’ some immediate reactions included banning seven NGOs, such as the Adventist Development and Relief Agency and Al Markazul Islami, and giving notice to two foreign workers to leave the country.³⁷ The most publicly visible reaction was the removal of CiCs from their offices in Cox’s Bazar, along with the then-RRRC, Mohammad Abul Kalam, who was seen as sympathetic to the Rohingya people.³⁸ Most respondents noted how the scale and visibility of demonstrations “spooked Dhaka,” resulting in drastic changes.³⁹ According to an NGO worker: “The directions and changes [in 2019] came from the high level in Dhaka. [...] The scale of the rally scared the government.”⁴⁰

Measures following the 2019 rally suggest that the Bangladesh government shifted from a humanitarian to a security approach to refugee governance. MoHA, which deals with matters of security, has had a greater influence on decision-making in the response since August 2019. While the humanitarian community had built close working relations with MoFA and MoDMR due to their prominent roles in the early response, most aid agencies had little to no connection with MoHA. Further, the diplomatic community had closer ties with MoFA and did not have direct communication channels for raising concerns and advocating to MoHA.⁴¹

The Bangladesh Army, under direction from MoHA, constructed barbed-wire fences around the camps, watch towers and CCTV cameras. An INGO worker described this fencing as a “political response” rather than an operational one, as the barbed wire has hardly stopped residents from moving around.⁴² Moreover, an NGO worker suggested that the chain of command within the government had changed: before, the Prime Minister’s Office would gather information from the RRRC and DC offices, but now, it asked for direct reports from the National Security Intelligence.⁴³

Figure 3: Timeline of key events

Case Study: Education, ad hoc directives and advocacy

The education sector (also known as education cluster) in the Rohingya response is the coordinating body which oversees education-related programming and accountability within the camps, led by a UN agency and INGO in partnership. Since 2018, central decision-making has shaped the margins within which the education sector can operate. The prohibition of the use of Bangla and the Bangladeshi curriculum in the camps continues to stand as a non-negotiable mandate, while makeshift learning centres exist in place of permanent schools. Such decisions are rationalised by the Bangladesh government's stance that this refugee response is temporary, and an education based on the Myanmar curriculum will be valuable when the Rohingya people return to their homeland.

Refugees attempted to address the resulting gaps in quality education. Rohingya community leaders pioneered formal education using the Myanmar curriculum in unofficial 'private schools'. Pivotal in the promotion of education, especially among secondary school-aged children, the private schools also stood as a symbol of hope for safe repatriation. General consensus among Rohingya refugees suggested that the community believed that keeping in touch with the traditions, culture and books of Myanmar would help readjustment time and effort upon their return to Myanmar.

The education sector later used this very rationale to convince government authorities to approve the launching of the 'Myanmar Curriculum Pilot' (MCP). Originally planned to start in 2020, the MCP launch was delayed because of the Covid-19 pandemic. The original proposition made by the education sector aimed to officially recognise and include Rohingya-led private schools, but a RRRC memo circulated on 13 December 2021 ordered the immediate shutdown of private schools instead.⁴⁴ Rohingya refugees were alerted to the decision as they witnessed camp-based CiCs and other officials forcibly close the schools. This abrupt directive impacted the trust refugees had in the education sector organisations. A Rohingya respondent stated: "We trusted them [the education sector leadership]. They must have told the government where all the schools were. How else would they know?"⁴⁵ Some aid workers echoed similar disappointments, with one commenting: "They dropped the ball on education. The idea for MCP was to tap into existing networks and bring existing teachers on board, yet the decision to shut [private] schools down was only met with silence."⁴⁶

MCP teacher-hiring processes have contributed to existing tensions among refugees and aid organisations. A circular published in August 2021 required half of the teachers in a learning centre be from the host community.⁴⁷ While hiring teachers from the host community could be regarded as a move to build greater cohesion with the refugee population, many Rohingya respondents have expressed concerns over the deteriorating quality of Burmese language instruction by Bengali teachers. "My Burmese is worsening," mentioned a refugee student, highlighting an overarching belief among Rohingya respondents that the quality of hires has lowered, partly due to Rohingya teachers not wanting to be a part of MCP any longer.⁴⁸ With a mix of frustration and amusement, a Rohingya teacher noted: "Some of the [MCP] teachers were my students!"⁴⁹

Aid organisations within the education sector do not have uniform experiences. Relative to other organisations, UN agencies require fewer approvals to operate, saving critical time and effort.⁵⁰ While government paperwork is usually identified as a bottleneck across the response, smaller organisations can at times struggle to cope with abrupt decision-making, inadvertently harming service delivery for refugees. A key example would be the sudden order to reopen schools after pandemic lockdowns ended, giving aid organisations only a day's notice to restart learning centres that had been closed for months.⁵¹ An aid worker noted that during the lockdown, the NGOAB and the donor community had made demands for justification of funds received by education NGOs since the learning centres were closed.⁵² Some had succeeded in ensuring funding for maintenance, learning supplies, and salaries for teachers engaged in home-based schooling, while others failed. Many learning centres remain closed and the education sector continues to avoid answering "pragmatic questions" about future limitations.⁵³ The MCP envisions fewer shifts and fewer students per shift, with class-time per session to increase but the aggregate number of refugee students needing education is only to rise. With a static number of learning centres and restricted space within camp boundaries, it remains unclear how all existing and future students are to be accommodated through the new curriculum.

A tangible copy of a directive can provide some formality to decision-making, but the language used can still be vague and open to interpretation. One circular ordered the removal of a teaching position titled 'Senior Burmese Language Teacher,' but given how critical the Burmese language skill is to education modalities, aid workers could change the title of the role, keeping the teacher legally hired.⁵⁴ A similar example relates to the directive published on 10 May 2022, stating that two previously published memos on the lifting of Covid-19 related restrictions are considered null and void.⁵⁵ The dates on the published directives and unique reference codes were clearly mentioned though one of the memos had no connections to the pandemic and instead listed 19 points to 'strengthen collaboration and coordination between camp-in-charges and education sector', further contributing to confusion in this space.⁵⁶

Changing national and global dynamics play out on the ground

Growing humanitarian fatigue increasingly contributes to restrictive policies. The prospect of indefinitely hosting almost a million Rohingya refugees for a longer period of time was not something that the government or the host community envisioned when borders were opened to them in 2017. The lack of adequate international responsibility-sharing in responding to the plight of the Rohingya and seeking long-term solutions, coupled with the military coup in Myanmar in 2021 further derailed the prospect of safe repatriation in the near term. Generally, the Bangladesh government is perceived as flexible with NGO operations in the country. However the situation in Cox's Bazar is an exception, where efforts to "tighten and control" authority, are intended to encourage Rohingya returns across the border.⁵⁷ Following two failed attempts at organised repatriation, the Bangladesh Foreign Minister stated in a press conference that there ought to be 'lessening comfort' in the camps, suggesting that this could prompt refugees to move.⁵⁸ Although not a written directive, such public remarks by high-ranking government officials also impact how operational actors, such as officials from the RRRC's office, take action in the response.

Some shifts in approach towards refugee policymaking reflect broader trends. There has been a national "tendency of making committees" in the past ten years in Bangladesh.⁵⁹ Since December 2019, the Principal Secretary—a critical power holder in government—has led the formation of different committees, including the National Committee on Coordination, Management and Law and Order. The Principal Secretary is also the executive head of the Bhasan Char Committee and remains active in other relevant groups. The close proximity of administrative and bureaucratic roles indicates how power has been increasingly centralised towards Dhaka; the trends in the Rohingya response examined in the previous section are illustrative of this shift. However, the overall strategy set in Dhaka does not always reflect the realities in Cox's Bazar. The MoHA and the Prime Minister's Office represent centralised policymaking in the capital, where most strategic decisions originate. In most cases, decisions made at high levels in Dhaka trickle down to Cox's Bazar and camp-level authorities to enforce. The committees in Dhaka "want to see action and are not always concerned with the means."⁶⁰

Selectively ad hoc policies and inconsistent enforcement in the camps

Decisions relating to the refugee response may be made in a selectively ad hoc manner. That is, while some decisions on issues like internet access have been subject to shifting policies, the Bangladesh government has maintained its red tape on others, such as restricting cash transfers and containing the Rohingya people in smaller areas. For instance, the RRRC adheres to a list of items that aid organisations are permitted to provide refugees dating from 2018, despite their needs having evolved during that period.⁶¹ Indeed, "the NGO Affairs Bureau is still following this list five years on" and organisations are required to follow the prescribed list to get their project approvals.⁶² Stronger restrictions on cash mobilisation, including direct cash transfers to Rohingya refugees, were imposed from Dhaka, followed up by an NGOAB order prohibiting direct cash transfers to refugees in the camps in 2019.⁶³

Once issued, directive implementation is also dependent on individual decision-making and can be uneven across camps. The CiCs are the ultimate enforcers of directives in the camps, and there is variation in how CiCs impose any given directive in their camps.⁶⁴ All respondents, aid workers and refugees alike, emphasised how CiCs make decisions at the camp level, which often leads to varying levels of directive enforcement across the 33 camps. Among other factors, a CiC's background, training and tenure all contribute to how they make decisions. Earlier in the response, CiCs were mostly senior officials, and many came from MoDMR, creating some uniformity in their profiles. As of late 2022, CiCs are seconded from different ministries and departments and represent a wide range of profiles creating greater variation in enforcement.⁶⁵ Dynamics between local officials (e.g., Upazila Nirbahi Officers) and CiCs can also lead to tensions.

Some directives are prioritised over others. When instructions are clear, the CiCs often have no choice but to follow directions as "the order comes from higher-ups".⁶⁶ When many refugee-run camp markets were destroyed, refugees sought out their camp CiCs to ask why this happened and, most times, were told: "I didn't order this. The mandate came from above. This is out of my hands."⁶⁷

Box 2. Covid-19 Restrictions

Covid-related directives were issued by the offices of the RRRC and the Civil Surgeon, targeting issues ranging from data sharing with the government, to restricting movement and rolling out vaccination campaigns. For example, a memo issued by the RRRC's office on 2 April 2021 called all organisations in the camps, aside from ongoing emergency fire response in camps 8W, 8E and 9, to reduce their staff presence by 50 percent.⁶⁸ The effects of restrictive directives have been mixed. On one hand, limiting mobility (especially from outside the camps) helped minimise Covid-19 transmissions. However, Rohingya refugees' ability to move and access services from aid workers was further restricted.⁶⁹ For instance, directives limiting protection services obstructed support for those experiencing domestic abuse, including gender-based violence, in the camps during the pandemic.⁷⁰

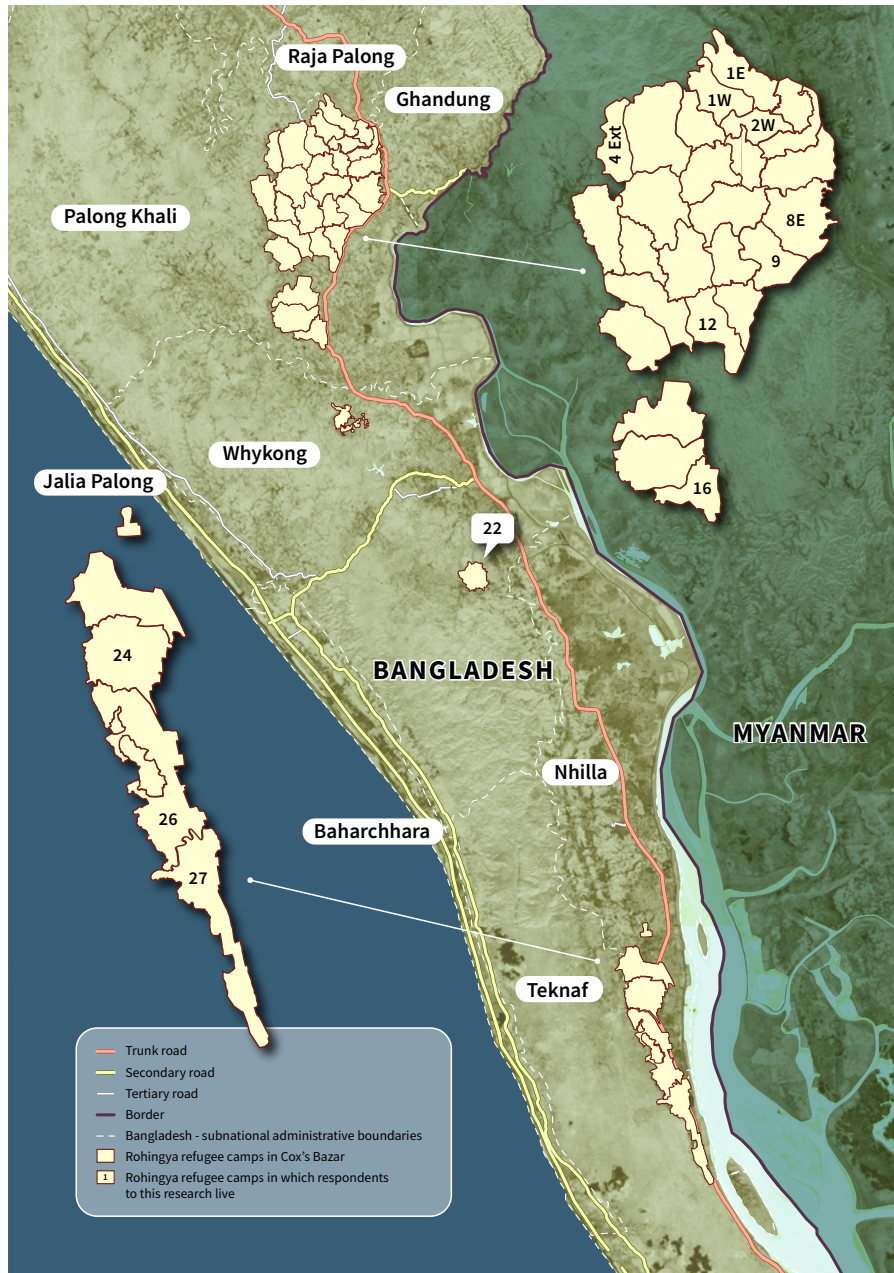


Figure 2: Map of refugee camps in Cox's Bazar
 Source: WASH Sector, ISCG, Jan 2022. OpenStreetMap, Google Map.

Case Study: Market demolitions

Between March 2021 and February 2022, 802 shops were closed during 70 demolition drives.⁷¹ Twenty-eight of 33 refugee camps were impacted by the demolitions. Communities were given up to seven days' notice in over half of the cases. Camp 22 (Unchiprang), isolated from other refugee camps, saw the highest number of market demolition events, and Camp 1E experienced the highest number of shops demolished.⁷² Camp 1E is one of the larger camps, hosting almost 41,500 refugees, its proximity to the main road contributing to its robust marketplace.⁷³ The number of shops demolished was highest in early August 2022, just before the anniversary of the Rohingya exodus, and in early December 2022.⁷⁴ Without further scrutiny, it is unclear if this variation across camps was due to differences in CiC implementation or if senior officials had ordered only specific markets to be demolished.

Local politics and perspectives play into decision-making

Governance interventions in the refugee response tend to be most volatile when public attention on the Rohingya spikes. For instance, CiCs tend to be stricter in August, the anniversary month of the 2017 exodus when many senior officials visit from Dhaka.⁷⁵ Election cycles and political agendas can contribute to how strictly some directives are imposed. For example, a memo from the Bangladesh Election Commission in 2018 restricted the movement of Rohingya refugees during the lead up to the eleventh national parliamentary elections.⁷⁶ The memo also called for limited movement of aid workers, with the exception of food, relief and medical services. Aid organisations, especially those without international backing, are careful about publicly reporting successes, in fear of increasing restrictions or additional bans following the increased visibility.

An “increasing toxicity” can be seen in local politics, media narratives and community perceptions in Teknaf and Ukhiya.⁷⁷ Local dynamics in Cox’s Bazar, particularly those relating to politics and media, contribute to what directives are issued and how they are implemented. Connections between local politics and local media surfaced during most interviews. Some local print and online newspapers, such as *Daily Cox’s Bazar*, *UkhiyaKhabor.com* and *Ukhiya-News.com*, are considered to be notorious for publishing negative pieces on Rohingya refugees, and both traditional and social media are highly divisive in Cox’s Bazar. An informant shared: “Grievances started growing in 2018... This shift in 2018 is also related to local politics. There were local elections, and the Rohingya were framed as a threat. This was aided by the security apparatus.”⁷⁸ In particular, local anti-Rohingya remarks have increased since August 2019. In a meeting organised four days after the Genocide Day rally in 2019, a district politician announced that the host community is no longer sympathetic to the Rohingya as a consequence of that event.⁷⁹ He continued that the right to stage a demonstration is limited to citizens and political parties and cannot be extended to the Rohingya people. The meeting minutes also reflected a collective call for more accountability and transparency from aid organisations, citing local residents’ apprehension about the broader refugee response.

Local CSOs and NGOs sometimes inform what directives are issued, but these may not be enforced. For example, following a call by such groups against the excessive use of plastic in the camps, a memo issued by the Office of the RRRC on 19 May 2022 required aid organisations to ‘gradually stop the use of polythene shopping bags and other polythene items’ by the following month (see Box 1 above).⁸⁰ When asked about the memo, an INGO worker suggested that “the directive was not enforced” and Rohingya respondents echoed not hearing about the ban.⁸¹

Ultimately, the ad hoc approach used by the Bangladesh government supports the strategic maintenance of the temporariness of Rohingya refugees in Cox’s Bazar, especially when the government seeks to uphold its position on speedy and voluntary repatriation. An aid worker from a UN agency pointed out: “The overarching position of the government on the refugees has hardly ever changed. They have always considered them [the Rohingya refugees] to be a temporary problem, needing temporary solutions. Rules were always in place, but the intensity of crackdown shifts with time.”⁸² This narrow focus on repatriation could explain the Bangladesh government’s unwillingness to develop comprehensive domestic laws for refugees. Although an ad hoc approach is expected in the early phases of a crisis, its continued use more than six years into the refugee response limits the quality and extent of support for the Rohingya people.

Box 3. The ‘Let’s Go Home’ Campaign in 2022

After a ban on marches and rallies in the Rohingya camps, the Bangladesh government allowed Rohingya refugees to come together on 19 June 2022 (one day before World Refugee Day) to protest for their return home.⁸³ The ‘Let’s Go Home’ campaign took place across camps in Ukhiya and Teknaf on a limited scale. While undoubtedly the Rohingya people desire to return to Myanmar in voluntary, safe and dignified conditions, this campaign is believed to have been largely encouraged and facilitated by a Bangladeshi intelligence agency.⁸⁴

Refugee respondents spoke about the push for controlled demonstrations by an intelligence agency on the fifth anniversary of the Rohingya exodus. Allegedly, they were provided with scripts for what to chant during the demonstrations. Majhi’s were given placards, banners and leaflets. A refugee respondent shared the community’s hesitance around participating in a demonstration encouraged and managed by the state: “We were told to protest, but not more than 200 people could gather. Many of us did not want to participate in the rally, fearing previous repercussions.”⁸⁵ The Let’s Go Home campaign illustrates several elements of the government’s approach towards Rohingya refugees: an unwavering stance on Rohingya repatriation to Myanmar, and increased reliance on intelligence apparatus to facilitate the push toward returns.

3

IMPACTS ON REFUGEES AND AID DELIVERY

In the context of Bangladesh, where the Rohingya people do not have refugee status, ad hoc directives and their implementation have mixed impacts on refugees and response partners. At times, policy gaps and this ad hoc approach provide a degree of flexibility to operate. Many respondents, especially aid workers, used some version of the expression ‘operating in grey areas’ to describe their working environment. This refers to a situation in which directions from the Bangladesh government are either absent or vague enough to be interpreted differently. Grey spaces can allow organisations to do their work quietly. The detrimental impacts of some directives on refugees equally deserve attention as they may give rise to unequal treatment and confusion, leaving space for inconsistent and unpredictable decision-making in the camps. This section highlights some of the key areas where ad hoc policies and decision-making have affected camp residents and humanitarian actors.

Uneven implementation of directives helps some refugees and aid organisations. Discrepancies in how CiCs implement directives allow some camp residents greater

mobility, and in effect, more opportunities outside of the stated guidelines. An INGO worker recalled how “benevolent CiCs” would sometimes delay the implementation of a certain directive if they deemed it to be harsh.⁸⁶ For instance, despite a school closure directive being issued in December 2021, the largest Rohingya-run community school wasn’t closed until March 2022.⁸⁷ Refugee respondents also noted that the impact of some directives has been inconsistent across camps. This resulted in varying and sometimes contrasting experiences stemming from the same directive. Geographical location and local leadership contribute to these experiences. The power exercised by individual CiCs to implement directives was also referenced by many refugee respondents. A Rohingya woman explained: “If you’re lucky, you might end up with a good CiC, who is merciful...then things go well and might even be peaceful.”⁸⁸ Varied and sometimes informal camp-level governance has allowed petty corruption to flourish. While some Rohingya refugees are able to navigate the ad hoc systems and practices that have emerged, others are disadvantaged and face exclusion.

Box 4. Refugee Preference for Camps

Most refugees approached for this research confirmed preferences for specific camps to which they would move if given the opportunity. While possibilities exist to buy shelters already built and relocate, changing camps is not an easy process and requires approval from the Site Management and the two CiCs (from the old and new camps) in order to transfer shelters and switch distribution lists (e.g., for rations). MF, a 22-year-old Rohingya man, recalled a friend who needed a certificate from the CiC to change shelters.⁸⁹ MF claimed that his friend went to his CiC’s office for 15 days straight without success. It was after MF’s friend made additional informal payments to the CiC that he obtained it.

Aside from leadership, perceived safety and accessibility factors also influence camp preferences. Frequent fires mean that the camps close to the roads are deemed safer. Proximity to the main road usually allows better access to markets and movement. Some camps are more securitised, meaning more night raids, restrictions, and potential for harassment. Refugees also spoke about the benefits of living closer to the host community. During internet shutdowns, some refugees paid their host community neighbours to access WIFI. If electricity is disrupted in the camps, refugee families reportedly use host community electricity lines to operate fans in their shelters.

Refugees learn about policy changes from a range of sources—if at all—before seeing them. Some overhear news updates while picking up their food rations, others through their majhis, or WhatsApp and social media, and the NGOs they work with. Being able to read a copy of a directive that specifies what new regulation the refugees must adhere to can take days, weeks or even months. Some refugee respondents recalled finding out about the decision to fence the camps after the construction work was underway. Women are further pushed to the bottom of the information chain, a gendered discrepancy in refugee life, further explored in Box 5. A female Rohingya refugee noted while others agreed: “Men tend to get the news first. Sometimes from mosques or CSOs, or even online groups and news. Women usually hear of updates from majhis, if at all.”⁹⁰ Dispirited by the limited scope to engage with decision makers on matters that impact their lives, many refugees now show a lack of interest in record-keeping. The degree of exclusion of refugees in decision-making and communication is contrary to the spirit of the Global Compact on Refugees, which Bangladesh has endorsed.

Changing policies and practices leave refugees in a constant state of confusion. The sudden issuing of directives shapes the way refugees feel about their displacement to Bangladesh, with many research respondents expressing increasing frustration at being made to feel like “criminals.”⁹⁵ The ban on telecommunications is one of the restrictions that came into effect following the Genocide Day rally in August 2019. The government restricted 3G and 4G services within the refugee camps as well as Ukhiya and Teknaf on security grounds, until officially reinstating them in August 2020.⁹⁶ One Rohingya woman recalled the day that services were cut off: “I was trying to call my friend, and it was not going through. I thought it was a [temporary] glitch, if I wait, it will reconnect. But we later found out that the [telecommunication] issues were deliberate. I felt so horrible. Why would they do this to us? Are we all criminals?”⁹⁷

Box 5. Gendered Impacts in the Camps

Camp residents experience the gendered impacts of ad hoc governance differently. Restrictions, changes in rules and norms, and largely informal justice mechanisms have had an unequal and multi-faceted impact on Rohingya women and girls.

Research respondents noted that refugees “cannot even get a single marriage or birth certificate without suffering. Birth records take months to be handed over, but deaths are recorded overnight—[the deceased are] immediately crossed off the [food] rations list. What does that say about how we are treated?”⁹¹ This statement alludes to the ways in which bureaucratic practices can present further challenges for refugees to contend with. CiCs were made responsible for registering and maintaining records of marriages in 2018, and the CiC-officiated marriage procedures commenced in mid-2020. Administrative delays are common in marriage and divorce registrations. ZB, a 23-year-old Rohingya woman, needed to move back to her parent’s shelter in a different camp following a divorce. It took over seven months to get the required permission to move camps, leaving her in an insecure position. Moreover, registering the divorce took around a year and a half.⁹² In some cases, Rohingya men take advantage of administrative delays in marriage registration processes to marry multiple women or leave their wives. Complaints to the UNHCR’s protection wing are not always effective, deepening the cycle of vulnerability and abuse for women refugees. The CiCs and majhis, who have become the *de facto* arbitrators of domestic issues, are not always equipped with the needed training or resources to handle such situations.

Other discrepancies in the ways men and women experience camp governance differently relate to movement and access to opportunities. The demolition of camp markets meant that refugees needed to travel further to get daily necessities. For families where no young men are able to undertake this work, the responsibility is shouldered by women or young girls. SN, a 36-year-old Rohingya woman, shared how some APBn officers were “keener to check women and get closer to them” and would sometimes stall them and “continue to harass” even after they had verified the needed information.⁹³ The closure of home schools has also denied access to education for many girls. Conservative refugee families may be unwilling to send their daughters to learning centres, and the directive meant that schooling for hundreds of Rohingya girls who are prevented from leaving their homes was abruptly and indefinitely stopped.⁹⁴

Humanitarian responders have to “change and adapt” in order to implement their activities and deliver services.⁹⁸ Bureaucratic hurdles may range from getting the above-mentioned FD-7 approvals to securing visas for foreign workers and facing requests for data on Rohingya volunteers. Any emergency response context, including refugee crises, and situations of armed conflict, commonly presents rapidly changing dynamics, which require aid actors to be open to regularly shifting their approach. Some of these realities apply to the Rohingya refugee situation in Bangladesh, a country that is still classified among the world’s least economically developed and has sheltered the Rohingya people with extremely limited resources. Bureaucracy, along with ad hoc decisions, increases the financial and non-financial costs for aid organisations working in the Rohingya refugee response.

Project approvals can present particular challenges for NGOs. NGOs bringing international funding for the Rohingya refugee response must gain FD-7 approvals whose validity was recently extended to one year.⁹⁹ While FD-7 approvals do not require support letters from local administrative offices, some NGOAB officers request them when processing applications.¹⁰⁰ Although FD-7 is meant to be a ‘quick turnaround’ (within three business days of submission), the actual approval process can take several weeks or months, and available funding cannot be used without FD-7s.¹⁰¹ Once submitted, the project application needs approval from multiple layers of government in the offices of both the RRRC and the DC in addition to the NGOAB. There have been cases in which changes to applications have been demanded by the RRRC’s or DC’s offices after the NGOAB approved a previous version.¹⁰² In the early phase of the response, the NGOAB and government officials were undoubtedly overwhelmed with the amount of funding and the number of projects coming into Bangladesh. However, six years on, imposition of new requirements in an ad hoc manner after NGOAB approval remains a common reason for delayed FD-7 processing.

Delays in project approvals and permissions contribute to financial and non-financial losses. Slow processes sometimes mean that smaller organisations are unable to pay their staff or volunteers: “The approval process has rarely been straightforward...[we] couldn’t pay [our refugee and host community] volunteer salaries for two months while waiting [for the FD-7 approval]”, as noted by an NGO worker.¹⁰³ Another respondent explained that their six-month project had to be implemented in two months due to delays in approvals from the RRRC and CiCs.¹⁰⁴ Getting visas for foreign aid workers is another common challenge.¹⁰⁵ As part of the government’s efforts to control the large number of foreigners coming to Bangladesh in the first years of the response, a pre-existing requirement for security clearance by a state intelligence agency was implemented only after 2019.¹⁰⁶

Pressures on the operating environment can negatively affect relationships between aid workers and refugees. Project applications can include ad hoc requests for data on refugee beneficiaries and volunteers. Research respondents confirmed that in the past, officials from the RRRC’s office and some CiCs have wanted to be part of the “beneficiary selection process.”¹⁰⁷ In a letter to the ISCG issued on 31 October 2021, the RRRC asked aid organisations to ‘involve CiCs in [the] selection of volunteers and if [they] do not, the concerned organisation will be responsible for any unexpected occurrence.’¹⁰⁸ The letter cited concerns about organisations engaging refugee volunteers who could be involved in ‘terrorist activities.’¹⁰⁹ Varying policies and guidelines regarding data-sharing protocols have meant that CiCs request refugee data in different ways.¹¹⁰ These practices, along with claims of data being shared without the informed consent of the refugees, have contributed to declining trust in humanitarians among Rohingya refugees.¹¹¹

Against the backdrop of such a trust gap, many Rohingya refugees are concerned about decreasing levels of aid. Several refugees shared how fewer volunteers were being hired in the camps, speculating that this has further contributed to gaps in communication and information-sharing between refugees and humanitarian actors. Refugees also shared sentiments of abandonment and acute disappointment as they perceived the humanitarian community’s international advocacy efforts for refugee rights to be inadequate. This disconnect and disappointment has gradually deepened due to a lack of visible advocacy against some restrictive directives imposed on refugees, including fencing of camps and market demolitions. A Rohingya refugee indicated that the deteriorating relationship with humanitarian actors had led them to reconsider engaging with Rohingya-led CSOs: “If community-based organisations are an option, why engage with NGOs for such little money? We sometimes think of NGOs as just businesses. Education programs are mostly for show, they pass even incapable students.”¹¹²

Access to food is an urgent concern in the context of decreasing aid supplies. Recent cuts in rations amid lower volunteer payment amounts, have gravely affected the lives of the refugees and their ability to buy products not included in aid packages. Starting March 2023, the World Food Programme announced that funding shortfalls are forcing them to lower food aid from USD 12 to USD 10 per refugee per month.¹¹³ Before the dust could settle on this news, another ration cut was announced after only two months – from USD 10 to USD 8 per month.¹¹⁴ The food assistance crisis presents grave concerns for Rohingya people, who were already struggling with malnutrition and starvation prior to ration cuts. The gradually worsening reality of funding shortages threatens to further burden refugees, especially if self-reliance and livelihood options remain unexplored.

In 2023, the Rohingya refugee response in Bangladesh faces multiple challenges. Critics note that the defining characteristics of the global refugee protection system are of ‘responsibility shifting’ instead of ‘responsibility sharing,’ and failure to address root causes of the plight of refugees.¹¹⁵ This results in countries from the global south—like Bangladesh—disproportionately and continuously bearing the responsibility of hosting refugees for prolonged periods of time. Bangladesh’s humanitarian response is said to be one of the larger operations to have “suffered from aid diversion to the Ukraine crisis.”¹¹⁶ Within this context of significant resource pressures, refugee response actors can instead seek improvements in the

operating environment. According to a UN employee: “As the response becomes more institutionalised and funding goes down, there is a bigger push for policy changes. [There is a collective] understanding that income generation [through improved livelihood opportunities] has to happen.”¹¹⁷ The newly established Skills and Livelihood Sector—an outcome of extensive negotiations between the government, humanitarian organisations and the donor community—could help mitigate some of the funding pressures caused by reductions in aid, as long as the process is governed by a strong framework and draws from the precedents set by past initiatives in other refugee contexts, such as in Ethiopia and Jordan.¹¹⁸



Photocredit: Ro Abdullah, 2023

Restrictive and ad hoc policies also impact host communities. For example, two successive circulars issued in 2009 and 2014 called for mandatory birth registration of all, ‘irrespective of race, religion, caste, clan or sex.’¹¹⁹ However, in September 2017, the Cox’s Bazar district administration halted registering births for all inhabitants

in the region, reportedly to prevent the Rohingya people from registering their children as Bangladeshis—which affected citizens in four municipalities and 71 unions.¹²⁰ Towards the end of 2018, the Bangladesh High Court ordered the district administration to resume the birth registration process.

Box 6. Limited Advocacy and Missed Opportunities

Ad hoc decision-making at the government level, among other factors, also has considerable impacts on how aid organisations operate on the ground, resulting in limited advocacy for Rohingya refugees within Bangladesh. Research respondents outlined some deficiencies they had seen in aid coordination and distribution, which contributed to a lack of aid “success stories.”¹²¹

Advocacy in the Rohingya refugee response is a complex calculation, and existing challenges are intensified by the country’s political environment. Firstly, vacancies in the roles of heads or representatives of UN missions created “leadership gaps and a lack of a cohesive [humanitarian] voice.”¹²² According to respondents, this has led to “a lot of missed opportunities” in advocacy in the past five years.¹²³ Early confusion about UN leadership—specifically between the IOM and UNHCR—may have made coordination and advocacy difficult. As a result, advocacy from aid organisations against restrictive policies has generally been limited to policies around food and protection.¹²⁴ Notably, aid organisations advocated strongly for allowing protection services in the camps in response to government memos asking to restrict services to food, relief and health during the Covid-19 pandemic.¹²⁵ On the other hand, there was a lack of coordinated advocacy in response to the announcement on fencing off the camps which came directly from the Prime Minister, via the Home Minister.¹²⁶ A Rohingya refugee shared how “there were individual voices, but not together...[Humanitarian] individuals took the community’s side, but did not make any public statements.”¹²⁷

Furthermore, distance between high-level officials in Dhaka and the operations in Cox’s Bazar further contributes to limited advocacy. Many respondents working for international and national organisations shared that their Dhaka counterparts do not seem to be fulfilling their advocacy role. A UN employee claimed that all Cox’s Bazar-based heads of agencies were strongly against the fencing of camps and had advocated against it. This, however, was not reflected at the senior levels. According to an aid worker, “Our Dhaka counterparts had bigger fish to fry. With a lot more at stake, they were unwilling to jeopardise relationships [with the government]. They were afraid to shake things up.”¹²⁸ Discussions on fencing the camps were happening at the same time as the UN was negotiating with the government to pause refugee relocation to Bhasan Char. Respondents speculated that silence on fencing would enable agencies to speak more strongly against Bhasan Char. It was only after massive fires broke out in Camps 8W, 8E, 9 and 10 in March 2021 that there were louder voices against the barbed wire fencing which limited the camp residents’ ability to flee and responders’ ability to access the camps.

Operations-focused and service-providing organisations have difficulty pushing boundaries and negotiating with the government. As pointed out by an INGO worker: “UNHCR [and the IOM] took the lead in the response. So there have been inevitable challenges [including a] clash between advocacy needs and [their] operational role.”¹²⁹ Many aid workers shared experiences where leadership collected grievances but did not take issues forward: “There are a number of ineffective committees. They don’t take issues to the government level.”¹³⁰ An example from the Shelter Sector points towards an advocacy gap and bureaucratic processes within the humanitarian response. The Sphere Standards suggest a minimum of 21 square metres (sqm) for a six-person household.¹³¹ However, based on instructions from the MoDMR in March 2021, most likely in light of the reality that Bangladesh is one of the most densely populated countries in the world, households with 1–6 members are to receive one unit of 13.94 sqm shelters, and households with seven members and above can receive two units up to 27.88 sqm.¹³² When aid organisations developed a position paper to be shared with the government, there were delays at multiple levels, and it was ultimately not shared or utilised, effectively halting any advocacy efforts to the government.

4

RECOMMENDATIONS

Voices from Rohingya Refugees: Areas for Advocacy

In research, especially in humanitarian contexts, it is an important responsibility to elevate local views and analysis, especially those of refugees, and not solely share what researchers think *ought to be* the most important issues. Consequently, this study asked Rohingya respondents to identify areas where more advocacy is needed from the aid and donor communities. The key areas are listed here as they were stated by respondents:

- Exert more pressure on the Myanmar government at regional and global levels to ensure safe conditions for return.
- Improve safety and security in the camps. Rohingya refugees particularly highlighted multiple criminal gangs and militant groups as the primary sources of insecurity. They also pointed to the APBn for their alleged involvement in harassment common across genders, ages and camps.
- Hire ‘better’ teachers in the camps. Most Rohingya respondents felt that the teachers recruited under the Myanmar Curriculum Pilot were not of the highest calibre which only further contributed to their disappointment with the initiative.
- Extend education to the tenth grade, education for adults and establish certification processes. Some refugees, especially men, highlighted their desire for access to higher education in third countries.
- Expand livelihood opportunities and promote positive income-generating activities. This may take the form of more opportunities for paid work in the camps and receiving the right to access work around the camps.
- Improve camp-level administrative processes, in particular processes related to marriage registration and accessing healthcare outside the camps.

On the basis of the research findings outlined above, the following recommendations are proposed to the various stakeholders involved in refugee governance in order to improve the lives of Rohingya refugees.

To the Bangladesh government:

1. **Recognise the protracted nature of the situation and plan beyond an emergency phase.** The Rohingya refugee situation in Bangladesh is no longer considered an ‘emergency’ per UNHCR’s categorisation. The current security situation in Myanmar is not conducive to repatriation in the near term. Continue to advocate for the voluntary and safe return of the Rohingya people to Myanmar, but also recognise the mid-to-long-term planning needs to support Rohingya refugees in Bangladesh. Official recognition of the situation as ‘protracted’ can also prompt donor member states to release development funds to support the refugee response.

2. **Consult stakeholders, including Rohingya refugees, in enacting domestic laws to address refugee matters.** A patchwork of policies and practices will not be sufficient to continue supporting Rohingya refugees in Cox’s Bazar and Bhasan Char until large-scale and safe repatriation becomes viable.
3. **Lower bureaucratic hurdles that impact service delivery in the camps.** Bureaucratic challenges have been well documented, including in this study. The The NGOAB has recently issued a directive for extending the duration of FD-7s from six months to one year.¹³³ While the impact of this development is yet to be analysed, improved processes across the response will help make support to refugees and the host community more cost-effective.
4. **Improve governance structures and administrative processes in the camps.** While *de facto* policies and processes exist in the camps, support and services for camp residents can be further improved with direct inputs from Rohingya refugees and their lived experiences.

5. **Until safe repatriation becomes possible, expand livelihood and education opportunities for Rohingya refugees.** While the government has taken steps on education under the Myanmar Curriculum Pilot and allowing livelihoods in Bhasan Char, more can be done to extend opportunities to refugees who lack access to current programmes. The Bangladesh government can look to the experiences of the Jordan Compact.
6. **Address the worsening security situation in the camps.** Security and safety are now top concerns among Rohingya refugees, and more needs to be done to bring the situation under control. Addressing the security situation will require close coordination with refugees and the creation of education and livelihood opportunities for Rohingya and host communities.

To aid actors and donor member states:

7. **Continue to support the Bangladesh government and the host community in the Rohingya refugee response,** including committing to and funding the Joint Response Plan and exploring other avenues for greater responsibility sharing.
8. **Promote incentives for the Bangladesh government to plan longer-term.** The case for a more comprehensive and sustainable policy governing Rohingya refugees in Bangladesh must be made from the international community, especially donor states, to the government of Bangladesh. Any case for longer-term planning must emphasise economic and security gains for the host community.
9. **Explore responsibility-sharing arrangements.** Previous negotiations and agreements with other refugee-hosting countries, such as Ethiopia and Jordan, can be consulted to incentivise the Bangladesh government to adopt an approach to supporting Rohingya refugees that integrates the immediate humanitarian response with the pursuit of long-term development and sustainable peace. Bangladesh is expected to graduate from its Least Developed Country status in 2026, which will change the country's current access to concessional funding as well as its preferential access to export markets under schemes like the Generalised System of Preferences. New trade benefits and access to concessional funding can be explored as potential incentives for promoting longer-term planning for refugees, such as expanding education and formalising access to livelihood opportunities.
10. **Build relations with different ministries within the Bangladesh government.** The study highlighted the shift in refugee decision-making within the Bangladesh government over the past five years, including the increasing role of MoHA. Insufficient communication and

working relationships with that branch of government need to be addressed going forward. More regular communication can help address this gap.

11. **Elevate Rohingya voices in decision-making and advocacy.** The Rohingya community continues to urge aid actors to meaningfully engage with and consult them before making decisions that impact their lives. Further, advocacy priorities in the humanitarian response need to be shaped by the Rohingya community's needs and perspectives.
12. **Improve advocacy and coordination among key partners.** A more coordinated and accountable approach among the humanitarian response structures, UN agencies, I/NGOs and CSOs to advocacy can better support refugees. Centre-periphery relations and disconnects within aid organisations have contributed to a mismatch of priorities between offices in Cox's Bazar and their representations in Dhaka. Information sharing and coordination must also improve at different levels, including national and regional, within aid organisations.
13. **Streamline bureaucratic processes within the humanitarian response.** Processes supporting aid organisations, especially NGOs, and advocacy efforts can be streamlined to ensure that concerns raised by NGOs and advocacy points (for example, position papers) are taken up for discussion with government bodies.
14. **Keep advocating for refugee livelihoods and education** with the refugee community's input and participation.

To all actors:

15. **Counter the growing 'anti-Rohingya' narrative.** Growing tensions between the local population and Rohingya refugees need to be addressed.
16. **Promote greater transparency and accountability.** Publish key refugee governance documents, including MoUs signed between the Bangladesh government and UNHCR. Consult Rohingya refugees on governance agreements and inform them about the contents of any signed agreements.
17. **Expand pressure on Myanmar** to improve security conditions in Myanmar and address the root causes of the mass forced displacement of the Rohingya people. The conflict in Myanmar should not be allowed to fester for decades—more international and regional coordinated interventions are needed to address the ongoing armed conflict and hold the perpetrators of international crimes accountable.

Endnotes

1. Human Rights Council, [Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar](#), 17 September 2018.
2. There were 33 Rohingya refugee camps in Teknaf and Ukhiya as of 31 March 2023.
3. Such an ad hoc approach is not exclusive to Bangladesh; ad hoc arrangements are common in other refugee-hosting non-signatory states, such as Jordan, Lebanon and Saudi Arabia. For more, see Charlotte Lysa, '[Governing Refugees in Saudi Arabia \(1948–2022\)](#),' *Refugee Survey Quarterly*, 42(1): 1–28, 2023.
4. Key partners include UN agencies, international and national NGOs and civil society organisations. These key partners are referred to as 'aid organisations' throughout the report.
5. More information about CPJ's past research on the Rohingya refugee response as well as its community-centered methodology can be found at <https://www.xcept-research.org/partners/centre-for-peace-and-justice-brac-university/>.
6. Although the study first sought to compile *all* directives issued since 2017, it soon proved to be a futile endeavour. Most written copies of governmental directives were difficult to obtain for reasons including i) many directives are unavailable to individuals beyond government officials and individuals directly copied on them, ii) aid workers may be reluctant to share directives from their records due to potential backlash, and iii) not all directives are written (some are communicated verbally). The approach for this study was adjusted accordingly to collect *as many* directives as possible. Also on record are a few meeting notes from organisations and draft policy guidelines. Some of these have been used for understanding only and have not been cited in this report.
7. There is likely to be a bias in the sample of directives gathered. Those collected by the authors of this study are, on average, more likely to have been shared broadly with various actors.
8. Interviews were conducted in Bangla or English, depending on the respondent's profile and preference. A mix of Bangla, English and Rohingya was used when interviewing Rohingya refugees. Rohingya refugees within the researchers' network were invited to participate in the study for FGD 1, and those with availability and interest participated. FGDs 2–5 invited Rohingya refugees with experience in volunteering in the camps and in teaching (either in the learning centres or home-based schools). Camps represented among the refugee respondents: 1E, 1W, 2W, 4E, 8E, 9, 12, 16, 22, 24, 26, and 27.
9. In general, the National Task Force is considered to be an inclusive and 'civilian-led' body given the presence of multiple ministries in the Task Force.
10. The strategy has not been updated since 2013.
11. The committee meetings were attended mainly by senior officials and are perceived to have become increasingly exclusionary over time.
12. '[Bangladesh forms committee to deal with Rohingya issues](#),' *The Financial Express*, 17 December 2020.
13. More information about the functions of NGOAB and process maps for FD-6 and FD-7 approvals can be found at '[Humanitarian Access](#),' Rohingya Refugee Response Bangladesh, 23 May 2023.
14. A new directive extending the duration of FD-7s was issued on 22 June 2023. Renewals are now due yearly, instead of every six months.
15. DC is the chief administrative and revenue officer of a district or an administrative sub-unit of a division representing the Bangladesh government. Upazila Nirbahi Officer is the chief executive of an upazila (sub-district). Union Parishad is the smallest rural administrative and local government unit in Bangladesh.
16. Local government plays an important role in the response, including approving projects in the district and sub-districts. The role of the DC and the Upazila Nirbahi Officers are further elaborated under Section 2 when discussing bureaucratic hurdles and the impacts of ad hoc directives.
17. '[Rohingya crisis: Governance and community participation](#),' ACAPS, 2018.
18. The Ministry of Public Administration is in charge of seconding CiCs from various ministries to the RRRC's office on a rotational basis.
19. Interview with KI 11, an NGO aid worker, Cox's Bazar, 27 September 2022, on file with the authors.
20. Mohammad Ali Jinnat and Mohammad Jamil Khan, '[Armed police battalions take charge of Rohingya camps in Cox's Bazar](#),' *The Daily Star*, 2 July 2020.
21. See ISCG Coordination Structure diagram available at: <https://www.humanitarianresponse.info/en/operations/bangladesh/inter-sector-coordination>
22. '[Bangladesh Resists Greater UNHCR Role in Rohingya Crisis](#),' IRIN, 24 October 2017 [accessed 16 March 2023]; The choice to have IOM lead the response was rumoured to have been based on the organisation's leadership's personal ties to senior government officials. These speculations were refuted by the organisation.
23. Sebastien Moretti, '[Between refugee protection and migration management: The quest for coordination between UNHCR and IOM in the Asia-Pacific region](#),' *Third World Quarterly*, 42:1, 34–51, 2021.
24. Ibid.
25. '[Joint letter from IOM and UNHCR on the collaboration between the two organisations](#),' UNHCR and IOM, 25 January 2019.
26. For example, in a press conference in August 2019, the Foreign Minister called for the 'lessening of comfort' in the refugee camps. '[Foreign Minister for lessening comfort at Rohingya camps](#),' *Daily Sun*, 22 August 2019.

27. To add to this, most aid workers in the study showed reluctance to share directives or memos that they had in their records. Fear of direct or indirect retaliation from authorities, as well as the fragility of relations with the government were commonly cited reasons; Interview with KI 8, an NGO aid worker, Cox's Bazar, 25 September 2022, on file with the authors.
28. For an example of a replacement directive, see Office of the Refugee Relief and Repatriation Commissioner. (2021). 'Memo no.51.04.2200.005.00.029.21-5125' (13 December) [on file with the authors] and Office of the Refugee Relief and Repatriation Commissioner. (2022). 'Memo no: 51.04.2200.005.00.032.22' (19 May) [on file with the authors]; '[NGOs, civil society groups call for banning the use of plastic in Rohingya camps](#),' *The Daily Star*, 6 March 2022.
29. Interview with KI 8, an NGO aid worker, Cox's Bazar, 25 September 2022, on file with the authors.
30. M Sanjeeb Hossain, 'ASILE country report – Bangladesh – D4.5 – Final country reports,' 2023, forthcoming.
31. Ibid; In addition to these, the UNHCR and UNDP also signed an MoU with the Myanmar government [a copy is on file with the authors]. The Bangladesh government also has a bilateral MoU on Rohingya repatriation with the Myanmar government.
32. Nazmul Ahsan, '[What does the UN MoU with Bangladesh govt mean for Rohingya refugees?](#)' DEVEX, 14 October 2021.
33. M. Janmyr, M. Hossain and L. Turner. (2023) '[Give Refugees Access to the Agreements that Govern Them](#),' *Border Criminologies*, 13 April 2023.
34. '[Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar](#),' Human Rights Council, 17 September 2018.
35. Shamimul Hoque Pavel, a deputy secretary, was in charge of camps 1E, 1W, 3, 4 and 4 extension. The Arakan Rohingya Society for Peace and Human Rights (ARSPH) applied for and received approval to hold this gathering from the RRRC on 22 August; Muktadir Rashid, '[Head of Bangladesh's Rohingya relief agency replaced days after mass rally at refugee camp](#),' *The Irrawaddy*, 2 September 2019.
36. Interview with KI 11, an NGO aid worker, Cox's Bazar, 27 September 2022, on file with the authors.
37. '[Bangladesh: Clampdown on Rohingya refugees](#),' Human Rights Watch, 7 September 2019; Abdul Aziz, '[2 NGOs banned for backing anti-Rohingya repatriation campaign](#),' *Dhaka Tribune*, 4 September 2019.
38. Adding to the confusion, it was unclear if the CiC or the RRRC, in reality, had the ultimate authority to approve such a rally.
39. Interview with KI 9, a UN aid worker, Cox's Bazar, 27 September 2022, on file with the authors.
40. Interview with KI 11, an NGO aid worker, Cox's Bazar, 27 September 2022, on file with the authors.
41. Insights drawn from conversations and updates from an INGO; written updates are on file with the authors.
42. Interview with KI 14, an INGO aid worker, Cox's Bazar, 29 September 2022, on file with the authors.
43. Interview with KI 11, an NGO aid worker, Cox's Bazar, 27 September 2022, on file with the authors.
44. Office of the Refugee Relief and Repatriation Commissioner. (2021). 'Memo no.51.04.2200.005.00.029.21-5125' (13 December) [on file with the authors].
45. FGD 3 with Rohingya men and women, Ukhiya, 26 September 2022, on file with the authors.
46. Interview with KI 8, an NGO aid worker, Cox's Bazar, 25 September 2022, on file with the authors.
47. Said circular is not on file with authors; Interview with KI 5, an INGO aid worker, Cox's Bazar, 2 August 2022, on file with the authors.
48. Interview with KI 2, Rohingya women, Cox's Bazar, 1 August 2022, on file with the authors.
49. FGD 3 with Rohingya men and women, Ukhiya, 26 September 2022, on file with the authors.
50. Interview with KI 13, an INGO aid worker, Cox's Bazar, 29 September 2022, on file with the authors.
51. Office of the Refugee Relief and Repatriation Commissioner. (2021). 'Memo no. RRRC/Education Sector/1-1/2021-2907' (20 September) [on file with the authors].
52. Interview with KI 13, an INGO aid worker, Cox's Bazar, 29 September 2022, on file with the authors.
53. Ibid.
54. Office of the Refugee Relief and Repatriation Commissioner. (2021). 'Memo no.51.04.2200.005.00.029.21-5125' (13 December) [on file with the authors].
55. Ibid.
56. The directives mentioned in the memo published on 10 May 2022 are on file with the authors.
57. Ibid.
58. '[Foreign Minister for lessening comfort at Rohingya camps](#),' *Daily Sun*, 22 August 2019. A tactic used to encourage the return of the Rohingya people from Bangladesh to Myanmar in the 1990s; for example, see '[Bangladesh: Information on the situation of Rohingya refugees](#),' United States Bureau of Citizenship and Immigration Services, 28 March 2001, BGD01001.ZCH [accessed 27 March 2023].
59. Interview with KI 1, a journalist, Virtual, 21 September 2022, on file with the authors.
60. Interview with KI 1, a journalist, Virtual, 21 September 2022, on file with the authors.
61. Office of the Refugee Relief and Repatriation Commissioner. (2018). 'Memo no.RRRC/NGO/MNBUJPRO/1-25/2018/1530' (4 October) [on file with the authors]
62. Interview with KI 11, an NGO aid worker, 27 September 2022, on file with the authors.
63. NGO Affairs Bureau. (2019). 'Memo no.03.07.2666.661.51.091.17-10' (23 September) [on file with the authors].
64. Such discrepancies have been documented in other reports, e.g., Ipshita Sengupta, '[An agenda for a dignified and sustainable Rohingya refugee response in Bangladesh](#),' Act for Peace, May 2021.

65. To add to this, CiCs have a wide-ranging understanding and training on refugee rights and protection. The average CiC today is much younger today and usually stays in the camps for 3–4 months before being transferred elsewhere.
66. Interview with KI 6, an INGO aid worker, Virtual, 22 August 2022, on file with the authors.
67. FGD 3 with Rohingya men, Ukhiya, 26 September 2022, on file with the authors.
68. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/1227’(2 April) [on file with the authors].
69. Also documented in other studies, including Daniel P. Sullivan, ‘[Fading humanitarianism: The dangerous trajectory of the Rohingya refugee response in Bangladesh](#),’ *Refugees International*, May 2021.
70. See Daniel P. Sullivan (2021); ‘[Needs and priorities of Rohingya refugees and host communities in Cox’s Bazar since 2017: What has changed?](#),’ ACAPS, 30 August 2022.
71. Data collected from a privately shared infographic document ‘Market Demolitions Updates—Data collection period: March 2021–February 2023’ [on file with the authors].
72. A ‘demolition event’ here refers to instances of government authorities breaking down shops and any structures supporting the informal markets in and around the refugee camps.
73. ‘[Joint Government of Bangladesh-Population breakdown as of February 2023](#),’ The Government of Bangladesh and UNHCR, 8 March 2023.
74. Abdul Aziz, ‘[Cox’s Bazar gears up for PM Hasina’s visit Wednesday](#),’ *Dhaka Tribune*, 5 December 2022.
75. FGD 4 with Rohingya women, Ukhiya, 28 September 2022, on file with the authors.
76. Bangladesh Election Commission (2018). ‘Memo no.17.00.0000.034.36.014.18(part-1)-834’(21 December) [on file with the authors].
77. Interview with KI 6, an INGO aid worker, Virtual, 22 August 2022, on file with the authors.
78. Interview with KI 7, a researcher, Virtual, 21 August 2022, on file with the authors.
79. ‘Minutes of Coordination Meeting Concerning District NGOs’ Government of the People’s Republic of Bangladesh, DC Office, Cox’s Bazar, 29 August 2019 [on file with the authors].
80. The Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no: 51.04.2200.005.00.032.22’ (19 May) [on file with the authors]. ‘[NGOs, civil society groups call for banning the use of plastic in Rohingya camps](#),’ *The Daily Star*, 6 March 2022.
81. Interview with KI 5, an INGO aid worker, Cox’s Bazar, 2 August 2022, on file with the authors. Interview with KI 2, female Rohingya refugees, Ukhiya, 1 August 2022, on file with the authors.
82. Interview with KI 16, UN aid workers, Virtual, 16 October 2022, on file with the authors.
83. ‘[It’s hell! Rohingya refugees in Bangladesh rally to ‘go home](#),’ *Al Jazeera*, 19 June 2022.
84. Katie Hatdash, ‘[Why is Bangladesh encouraging Rohingya refugees to start a ‘Going Home’ Campaign?](#)’ *The Diplomat*, 16 June 2022; Interview with KI 9, a UN aid worker, Cox’s Bazar, 27 September 2022, on file with the authors.
85. FGD 5 with Rohingya men, Ukhiya, 28 September 2022, on file with the authors.
86. Interview with KI 6, an INGO aid worker, Virtual, 22 August 2022, on file with the authors.
87. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.51.04.2200.005.00.029.21-5125’(13 December) [on file with the authors].
88. FGD 4 with Rohingya women, Ukhiya, 28 September 2022, on file with the authors.
89. FGD 3 with Rohingya men, Ukhiya, 26 September 2022, on file with the authors.
90. Interview with KI 2, Rohingya women, Ukhiya, 1 August 2022, on file with the authors.
91. FGD 1 with Rohingya men and women, Ukhiya, 1 August 2022, on file with the authors.
92. FGD 4 with Rohingya women, Ukhiya, 28 September 2022, on file with the authors.
93. FGD 1 with Rohingya men and women, Ukhiya, 1 August 2022, on file with the authors.
94. See point 11. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.51.04.2200.005.00.029.21-5125’ (13 December) [on file with authors]
95. Interview with KI 2, Rohingya women, Ukhiya, 1 August 2022, on file with the authors.
96. Muktadir Rashid, ‘[12,000 SIMs seized in Rohingya camps in Bangladesh](#),’ *New Age Bangladesh*, 7 December 2019.
97. Interview with KI 2, Rohingya women, Ukhiya, 1 August 2022, on file with the authors.
98. Interview with KI 14, an INGO aid worker, Cox’s Bazar, 29 September 2022, on file with the authors.
99. This duration was even shorter (three months) earlier in the response. It was changed to six months in 2018.
100. See the [ISCG note on NGO clearances to operate in Cox’s Bazar](#).
101. Ibid; Interview with KI 5, an INGO aid worker, Cox’s Bazar, 2 August 2022, on file with the authors; similar insights documented in Caitlin Wake and John Bryant, ‘[Capacity complementarity in the Rohingya response in Bangladesh](#),’ ODI, HPG Working Paper, 2018.
102. Interview with KI 5, an INGO aid worker, Cox’s Bazar, 2 August 2022, on file with the authors; since 2018, organisations have also been required to complete a needs assessment with every FD-7 approval. In the latest iteration of requirements issued in June 2022, organisations are also asked to submit a project completion report at the end of each project, so every six months.
103. Interview with KI 8, an NGO aid worker, Cox’s Bazar, 25 September 2022, on file with the authors.
104. Interview with KI 13, an INGO aid worker, Cox’s Bazar, 29 September 2022, on file with the authors.

105. Foreexample, see Daniel P. Sullivan, ‘[Fading humanitarianism: The dangerous trajectory of the Rohingya refugee response in Bangladesh](#),’ Refugees International, May 2021.
106. Interview with KI 7, a researcher, Virtual, 21 August 2022, on file with the authors; Interview with KI 17, an INGO aid worker, Virtual, 12 October 2022, on file with the authors.
107. Interview with KI 3, an NGO aid worker, Cox’s Bazar, 1 August 2022, on file with the authors.
108. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no. RRRC/ISCG/Letter communication/2021-4364’ (31 October) [on file with the authors].
109. Ibid.
110. The MoU signed between UNHCR and the Bangladesh government in data sharing remains confidential; M Sanjeeb Hossain, ‘ASILE country report – Bangladesh – D4.5 – Final country reports,’ 2023, forthcoming.
111. ‘[UN Shared Rohingya Data Without Informed Consent](#),’ Human Rights Watch, 15 June 2021.
112. FGD 1, Rohingya men and women, 1 August 2022, on file with the authors. This ‘trust gap’ has been documented in Jessica Olney and Azizul Hoque, ‘[Views of Rohingya refugees: Engagement and experiences with humanitarian agencies in Cox’s Bazar, Bangladesh](#),’ XCEPT, March 2021.
113. ‘[Rohingya refugees in Bangladesh face grim choices as more cuts to food assistance imminent](#),’ World Food Programme, 26 May 2023.
114. Ibid.
115. Srobana Bhattacharya and Bidisha Biswas ‘International Norms of Asylum and Burden-Sharing: A Case Study of Bangladesh and the Rohingya Refugee Population’. *Journal of Refugee Studies* 34(4): 3734–3751, 2022.
116. Interview with KI 17, an INGO aid worker, Virtual, 12 October 2022, on file with the authors.
117. Interview with KI 16, UN aid workers, Virtual, 4 October 2022, on file with the authors.
118. Cindy Huang et al., ‘[The Rohingya crisis: Bangladesh deserves a win-win solidarity compact](#),’ Center for Global Development, 2 July 2018.
119. [Bangladesh: Births and Deaths Registration Act, 2004](#), Act No. 29 of 2004, 7 December 2004.
120. Zayma Islam, ‘[No baby count in Cox’s Bazar in 4 years](#),’ *The Daily Star*, 26 August 2021.
121. Interview with KI 12, a donor advisor, Ukhiya, 28 September 2022, on file with the authors.
122. Interview with KI 6, an INGO aid worker, Virtual, 22 August 2022, on file with the authors.
123. Interview with KI 10, an NGO aid worker, Cox’s Bazar, 27 September 2022, on file with the authors.
124. Interview with KI 5, an INGO aid worker, Cox’s Bazar, 2 August 2022, on file with the authors.
125. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no. RRRC/RHU/COVID-19/Report/28/2020/1227’ (2 April) [on file with the authors].
126. Human Rights Watch, ‘[Bangladesh: Halt plans to fence in Rohingya refugees](#),’ 30 September 2019.
127. FGD 3 with Rohingya men, Ukhiya, 26 September 2022, on file with the authors.
128. Interview with KI 16, UN aid workers, Virtual, 10 October 2022, on file with the authors.
129. Interview with KI 15, an INGO aid worker, Cox’s Bazar, 29 September 2022, on file with the authors.
130. Interview with KI 11, an NGO aid worker, Cox’s Bazar, 27 September 2022, on file with the authors.
131. The Sphere Handbook sets out minimum standards for humanitarian assistance, including for shelter in humanitarian settings. For more, see <https://spherestandards.org/>.
132. A copy of the said directive could be retrieved at the time of writing this report. The references here are based on inputs from respondents and publicly available reports, including the [Technical Guidance on Shelter Construction and Settlement Planning](#) (2021).
133. The memo was issued after this report was drafted. A digital copy is with the authors.

ANNEXES

Annex 1. List of directives reviewed

1. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/2411’ (5 August)
2. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/2772’ (9 September)
3. Civil Surgeon Office. (2021). ‘Memo no.CS/COX/FDMNs/COVID-19/2021/7910’ (7 August)
4. Civil Surgeon Office. (2020). ‘Memo no.CS/COX/ADMIN/2020/8845’ (8 June)
5. Office of the Refugee Relief and Repatriation Commissioner. (2020). ‘Memo no.RRRC/RHU/Covid-19-Report/29/2020-710’ (24 March)
6. Office of the Refugee Relief and Repatriation Commissioner. (2020). ‘Memo no.RRRC/RHU/Covid-19-Report/28/2020/1331’ (24 August)
7. Office of the Refugee Relief and Repatriation Commissioner. (2020). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/432’ (25 January)
8. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/1227’ (2 April)
9. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/RHU/COVID-19/Report/28/2020/ 2478’ (10 August)
10. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.005.00.029.21-2304’ (2 June)
11. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.51.04.2200.005.00.029.21-5125’ (13 December)
12. Office of the Refugee Relief and Repatriation Commissioner. (2021). ‘Memo no.RRRC/Education Sector/1-1/2021-2907’ (20 December)
13. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.005.00.029.21-1256’ (22 March)
14. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.005.00.029.21-1923’ (10 May)
15. Bangladesh Election Commission. (2018). ‘Memo no. 17.00.0000.034.36.014.18(part-1)-834’ (21 December)
16. Office of the Refugee Relief and Repatriation Commissioner. (2019). ‘Memo no.RRRC/establishment/officer/nibo/02/2016/490’ (9 April)
17. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.005.00.032.22-2057’ (19 May)
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19. Birth and Death Registration Project, Bangladesh Secretariat. (2009). Memo no. (24 June)
20. Birth and Death Registration Project, Bangladesh Secretariat. (2014)
21. Office of the Refugee Relief and Repatriation Commissioner. (2018). ‘Memo no.RRRC/NGO/MNBUJPRO/1-25/2018/1530’ (4 October)
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25. Bangladesh Election Commission Secretariat. (2022). ‘Updated Voter List - 2022’
26. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.001.19.001.21-2600’ (20 June)
27. Office of District Judge. (2022). ‘Memo no.J/J/A/22/307’ (24 July)
28. Office of the Refugee Relief and Repatriation Commissioner. (2022). ‘Memo no.51.04.2200.005.00.029.21-3583’ (1 August)
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