Unnatural Disaster
AID RESTRICTIONS ENDANGERING ROHINGYA AHEAD OF MONSOONS IN BANGLADESH
Daniel Sullivan
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Cover Photo: Rohingya camps in Bangladesh during the last rainy season.
The monsoon and cyclone seasons and crises to come. The Rohingya are one of the most vulnerable populations in the world, survivors of a brutal campaign of ethnic cleansing in Myanmar. Now another humanitarian catastrophe is imminently threatening the nearly one million Rohingya refugees in Bangladesh with the beginning of the monsoon and cyclone seasons. The camps in which the Rohingya refugees live are extremely vulnerable to the impacts of monsoonal rains and cyclone strength winds. The humanitarian response, including preparation for the monsoon season, has been significant and substantial – but it has also been hamstrung by a number of obstacles and lack of effective management and coordination by the Government of Bangladesh and the United Nations system. Failure to overcome these challenges is unnecessarily putting lives at risk.

The Government of Bangladesh. The Government of Bangladesh deserves tremendous credit for opening its borders to hundreds of thousands of fleeing Rohingya, providing land for refuge, and working with the international community to provide lifesaving aid. But at the same time, Bangladesh’s government has refused to recognize the Rohingya as refugees and to provide the rights and protections that go with that status. It has imposed restrictions on the use of durable materials to build shelters, limited the land granted for camps, and made it difficult for international humanitarians to gain the visas and approvals needed to provide aid to the Rohingya. It is also pursuing an ill-advised proposal to relocate the Rohingya refugees to Bhashan Char Island in the Bay of Bengal, posing unacceptable risks to their well-being, since the island is prone to significant cyclone and flooding risks.

The UN agencies. The United Nations system responded robustly to the waves of Rohingya refugees who entered Bangladesh last year. Its agencies, funds, and programs have distributed hundreds of millions of dollars in emergency aid that has safeguarded hundreds of thousands of lives. At the same time, the UN system has created its own inefficiencies. A unique and complex hybrid international humanitarian structure in Bangladesh, with unclear lines of coordination and accountability, has led to inconsistencies and delays in meeting needs on the ground. Most urgently, this structure is undercutting efforts to prepare for the monsoon and cyclone seasons.

Root causes. Of course, the root causes of this crisis, as well as any ultimate solution, lie within Myanmar. International pressure and advocacy must remain focused on that nation’s government, which is responsible for both ethnic cleansing and crimes against humanity. At the same time, it is clear that most of the Rohingya refugees are unlikely to be able to return to Myanmar in the near future. Steps must be taken to ensure that both their humanitarian and protection needs are met.

In April 2018, a team from Refugees International (RI) traveled to the Rohingya camps in Bangladesh to assess the humanitarian situation and overall response. This report is based on dozens of interviews with local and international humanitarian actors, UN and government officials, and Rohingya refugees in the camps.
RECOMMENDATIONS

To the Government of Bangladesh:

- Remove bureaucratic barriers hindering the humanitarian activities of international nongovernmental organizations (NGOs), including by establishing clear and consistent guidance for NGO registration, project approvals, and visas. Preapprove visas for medical and other aid personnel likely to be needed in a surge capacity during the monsoon and cyclone seasons.

- Streamline the government’s humanitarian response structure, including through appointment of a single senior official in the Prime Minister’s Office who can serve as the focal point for the response. This individual should have strong knowledge of humanitarian issues and have direct access to the prime minister.

- Update Bangladesh’s 2013 National Strategy and National Task Force related to the Rohingya in the country to reflect the significantly increased numbers seeking refuge and the emergency needs likely to arise with the monsoon and cyclone seasons.

- Provide additional safe and suitable land for the Rohingya and establish smaller, less crowded camps for the Rohingya in Bangladesh.

- Refrain from moving the Rohingya to Bhashan Char Island in the Bay of Bengal, in recognition of serious concerns about protection, freedom of movement, access to livelihoods, logistics, and the availability of aid and services—in addition to significant cyclone and flooding dangers.

- Allow more durable shelters, including ones constructed with concrete bases and walls, particularly for structures that might serve as emergency cyclone shelters in the camps.

- Recognize that the Rohingya are refugees with accompanying rights—including access to justice, health services, cash and livelihoods, and education, as well as freedom of movement—and allow aid organizations to provide these types of services.

To the UN Agencies, Member States, and Donors:

- Urge the Government of Bangladesh to remove bureaucratic barriers hindering the humanitarian response activities of international NGOs.

- Urge the Government of Bangladesh to refrain from moving the Rohingya refugees to Bhashan Char Island, a relocation site that would pose unacceptable risks to their well-being.

- Pursue repatriation of the Rohingya to Myanmar as an ultimate goal, but ensure that any returns are safe, voluntary, and dignified, in accordance with international standards, as verified by the UN Refugee Agency (UNHCR). A Memorandum of Understanding between UNHCR, the UN Development Program, and the Government of Myanmar should be concluded as a framework in support of these efforts.

- Donors should fully fund the efforts laid out in the 2018 Joint Response Plan for the Rohingya humanitarian crisis
(currently funded at just 17 percent), including lifesaving aid for Rohingya refugees and the local host community in Bangladesh.

• As a matter of urgency, the leadership of the three key UN humanitarian agencies – UNHCR, the International Organization for Migration (IOM), and the Office for the Coordination of Humanitarian Affairs – should carry out a joint visit to Bangladesh to develop and adopt measures to strengthen management, coordination, coherence, and accountability in the international response. At a minimum, this should include:
  • At the national level, stronger and more unified articulation and promotion of key humanitarian issues by the UN’s Strategic Executive Group, which is leading the UN’s overall humanitarian response.
  • Provision of greater power and authority to the person chosen to oversee the international humanitarian response at the field level in Cox’s Bazar – the Senior Coordinator of the Inter Sector Coordination Group – and to sector coordinators in the field, to ensure coherence among agencies and consistency in provision of services in the camps, and to guarantee that individual agency interests do not sideline sector best practices.
  • New guidelines and terms of reference that reflect more coherent and accountable management practices as described above.
  • A commitment to an interim review of how the international humanitarian response structure is being operationalized as part of a forthcoming midterm review of the Joint Response Plan guiding the humanitarian response to the Rohingya crisis. A more comprehensive review should follow after the emergency of the monsoon season.

To UN Member States:

• Increase international pressure on Myanmar, where the root cause and ultimate solution to the Rohingya crisis lie. The UN Security Council, whose representatives visited Myanmar and the Rohingya camps in Bangladesh in April 2018, should:
  • Place targeted sanctions on high-level Myanmar military officials.
  • Impose a multilateral arms embargo on the Myanmar military.
  • Refer the case of abuses against the Rohingya to the International Criminal Court.
A HUMANITARIAN CRISIS AND THE LOOMING CATASTROPHE

The Origins of the Crisis

The violence in Myanmar sparked one of the fastest-growing refugee crises in modern history. Through the end of 2017, hundreds of thousands of Rohingya crossed into Bangladesh, and many of them were deeply traumatized. They were fleeing what UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein described as “a textbook example of ethnic cleansing.”1 Hundreds of villages were burned, roughly 7,000 Rohingya were killed (according to conservative estimates), and countless women were raped in systematic attacks by Myanmar’s military and by local mobs.2 The Rohingya have experienced decades of persecution in Myanmar, including large-scale expulsions in the late 1970s and early 1990s, but never at this level of magnitude. To date, the violence has led nearly 700,000 Rohingya, two-thirds of their entire population that had been living in Myanmar, to flee to Bangladesh.3

The Looming Catastrophe

The camps for the Rohingya, especially the mega-camp, are highly congested and are made up of bamboo and plastic shelters, many built on the sides of dirt hills shorn of vegetation and prone to landslides or in low-lying areas prone to flooding. The seasonal rains begin in April and May, first with monsoon winds and related storms, and then with cyclones arriving shortly thereafter. Already, a few deaths have been reported after relatively moderate rains. UNHCR has identified 150,000 Rohingya as particularly vulnerable to flooding and landslides, and it has pressed for their urgent relocation. The Government of Bangladesh has granted hundreds of additional acres for this purpose; but clearance to work on the land was only


3 An estimated 693,000 Rohingya have fled Myanmar since August 2017, according to the Inter Sector Coordination Group. This does not include tens of thousands of Rohingya estimated to have fled violence during the fall of 2016; see Inter Sector Coordination Group Situational Update, May 10, 2018, https://www.humanitarianresponse.info/en/operations/bangladesh/document/situation-report-rohingya-crisis-coxs-bazar-10-may-2018.
granted in late March, and significant earthworks need be built to reinforce the hills. At the time of this report, only about 16,000 Rohingya have been relocated. As one humanitarian official warned RI, the window has closed for all but mitigation and “a massive disaster is coming.”

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Beyond the immediate dangers of landslides, flooding, and high winds, the rainy season also threatens to unleash a health crisis. Standing water and deficient waste management in the overcrowded camps create a high risk of the spread of disease and acute watery diarrhea. Latrines that were rapidly dug during the initial emergency influx, many of which were poorly constructed in flood-prone areas or are already full, threaten to overflow. Humanitarian workers expressed concern to RI that sanitary waste products and even improperly buried dead bodies are likely to surface with heavy rains. Already, during the first emergency months, there were outbreaks of cholera, measles, and diphtheria in the camps—even though diphtheria has largely been considered a disease of the past. Massive vaccination and quarantine efforts have helped check diseases from spreading further, but current services are likely to be overwhelmed in the coming months.

Belated efforts to prepare for the monsoon and cyclone seasons have begun in earnest. Massive efforts to shore up hillsides and reinforce roads vital to aid delivery were evident throughout RI’s visit. Additional bamboo and tarps have been distributed. Community training and awareness outreach are ongoing to ensure that the Rohingya refugees have evacuation plans. Still, efforts to prepare for the severe weather ahead are being hampered by bureaucratic barriers, by the Government of Bangladesh’s unwillingness to allow for longer-term planning, and by the international community’s confused coordination attempts.
THE RESPONSE BY
THE GOVERNMENT OF
BANGLADESH

Avoidable Barriers

Although the Government of Bangladesh has been largely
welcoming in the face of one of the fastest growing and
massive influxes of refugees in modern history, humanitarian efforts have also been undermined by bureaucratic barriers placed on the international aid community and an unwillingness to plan for the longer term. The process and guidelines for international humanitarian organizations to gain permissions to provide aid have been onerous and inconsistent. Different ministries and levels of government require overlapping paperwork, and there is often a disconnect between what the central government in Dhaka directs and what the local government in Cox’s Bazar accepts. This has had significant negative consequences for the humanitarian response.

Visas

One of the most glaring examples of this disconnect was highlighted when several UN and international NGO workers were detained by local authorities in February 2018 for working without appropriate visas. A lengthy visa process tied to even more onerous project approvals and unclear guidance led many international NGO workers to operate with tourist, business, or on-arrival visas (90 percent of international NGO staff members, according to one estimate shared with RI). Intervention at the highest levels eventually led to the release of the detained humanitarian workers, but many aid group activities came to a halt for several days.

Significant efforts have been made to address these visa issues. Top level UN officials in the country are working with the Bangladesh Ministry of Foreign Affairs, the NGO Affairs Bureau, and the Home Affairs Ministry to convert more than a hundred visas to N-visas, which will allow international humanitarians to continue their work. But neither the outcome nor the timeframe for this is guaranteed, given that obtaining N-visas for international staff members, the majority of whose positions are not tied to projects approved by the NGO Affairs Bureau, requires changing policy controlled by several different ministries. The Office of the Refugee Relief and Repatriation Commissioner, which leads the operational humanitarian response at the Cox’s Bazar level, has also begun issuing camp passes to help regulate who enters camps and, ostensibly, to avoid future detentions of NGO workers by local authorities.

However, visa requirements remain onerous for foreign aid workers, who are subject to lengthy delays (some NGOs said that visa approvals can take two to three weeks). Even if conversions are completed, it is unclear how another tranche of visas needing conversions can be avoided. NGOs are also already anticipating a need to scale up quickly to be able to respond to the rainy season crisis, but they worry that their efforts will be significantly delayed by the visa process. This will particularly affect NGOs in the health sector, which are already constrained in their capacity to combat ongoing disease outbreaks and are expecting needs to spike considerably during the monsoon season.

NGO Registration and Project Approvals

Of greater consequence have been the processes for NGO registration and for obtaining clearances to implement foreign-funded response activities. NGOs seeking to work in Bangladesh must first go through a registration process that can take several months. Any entity using foreign funding is also required to fill out lengthy Foreign Donations Forms, so-called FD6s or FD7s—depending, respectively, on whether they involve development projects or emergency humanitarian response projects. Each application is labor intensive, requiring detailed budget and material information. Approvals take several weeks and are subject to changes by government authorities. FD7s, which can be obtained more quickly than FD6s, are not permitted for projects outside designated camp boundaries, meaning that crucial work in host communities has been held back. Once approved, NGOs with FD6s or FD7s must open domestic bank accounts and identify approved vendors. The approved budgets are closely reviewed on a monthly basis, with regular reporting required at the local and national levels, and most approvals must be renewed.
every three months. Flexibility for approved projects is extremely limited, even if needs and conditions change on the ground.

NGOs seeking to distribute aid materials must also obtain certificates of approval at the local-government level, and entire truckloads are subject to inspection. It is not uncommon for previously allowed materials to be disallowed or for approvals to be delayed until a project’s proposed implementation period has already passed. Some NGOs, even after having secured all the necessary approvals from the relevant authorities in Dhaka and Cox’s Bazar, have been blocked by the camp-level authorities from implementing their work, including vital preparedness activities for the monsoon season. As one humanitarian official told RI, “Decisions on which NGO activities are allowed and which are not are often arbitrary and rarely informed by assessments or a solid understanding of what priority assistance needs to be delivered.”

In one case, which was shared with RI, an approval was challenged by an official at the local level because the price of lentils purchased for distribution was slightly different from that indicated in the proposal for the project and because the color of the pens delivered was different from that indicated in the proposal. The entire operations of an NGO were halted for one week until these “issues” were resolved.

“Decisions on which NGO activities are allowed and which are not are often arbitrary...”
— Humanitarian official

A large portion of the Rohingya refugees in Bangladesh are women and children.
The upshot is that critical services are either being delayed or prevented outright. A confidential review shared with RI estimated that since the start of the influx, millions of dollars in funding granted by donors could not be utilized or was severely delayed due to the handling of FD6 and FD7 applications by the authorities. This has prevented hundreds of thousands of Rohingya refugees from accessing services. The approval process is also inhibiting efforts to strengthen local capacity. Activities are being delayed, and the uncertainty about longer-term projects and salaries is straining relationships with local partners and staffs.

These delays and inconsistencies may already be costing lives, and their impact will be exacerbated with the coming strains of the rainy season.

In the case of the protection sector, an April situation report from the humanitarian community’s coordinating body, the Inter Sector Coordination Group, noted that “the prolonged registration process of humanitarian agencies and FD7 is hindering the deployment of new actors as well as the expansion of the existing partners into providing much needed protection services, including child protection.”

An emergency response review conducted by the Disasters Emergency Committee, a consortium of 13 UK aid agencies, concluded in March 2018 that “engaging the government to find ways to speed up the approval process of NGO projects receiving foreign funds should be an urgent priority, particularly given that such bureaucratic impediments are resulting in insufficient and often poor-quality, humanitarian responses.” This recommendation remains urgently relevant as the rainy season arrives.

To be sure, the Government of Bangladesh has legitimate concerns, and it has every right to regulate the activities taking place within its territory. Also, the influx of support from various groups at the start of the emergency led to several problems. Unregulated distributions of clothes and food items, for example, led to dangerous crowding and deaths. Bad actors, such as the international trafficking cartels that were already active in the region, are already targeting the vulnerable Rohingya population. And of course, lax oversight of NGO activities is not in the interest of the government, the international aid community, or the refugees. However, such regulation can and should be done in a more consistent and transparent manner.

These delays and inconsistencies may already be costing lives, and their impact will be exacerbated with the coming strains of the rainy season. Now is not the time to make the provision of international aid more difficult. Rather, in anticipation of greater needs, NGO registration and FD6, FD7, and visa processes and approvals should be streamlined on an urgent basis. This is particularly true of the health sector because surge capacity will likely be needed to prevent outbreaks of disease.

The Lack of Long-Term Planning

Another problematic aspect of the Bangladeshi government’s stance is its refusal to allow planning and projects that are deemed too “long term.” These include references to several services that are integral to any refugee response, such as education, protection, and livelihoods. More fundamentally, this refusal shows a reluctance to recognize the Rohingya as refugees and to offer them the rights and protections that go along with this status. As one humanitarian representative told RI, all protection issues revolve around the fact that the Rohingya have not been registered as refugees.

This failure to engage in longer-term planning has led to several challenges for service delivery on the ground. For
instance, approvals for education or livelihood projects have been discouraged and restricted. Perhaps the most immediate consequence has been the failure to allow stronger building materials for shelters and for the community learning centers and mosques that will serve as shelters if a cyclone hits the camps. Likewise, the use of concrete or brick for structures has been heavily restricted. Extra land was granted, but work clearance was only granted in late March, and local officials have still threatened to stop earthworks efforts.

The Bangladeshi government’s reluctance to allow for longer-term planning seems to stem partly from domestic political pressures ahead of the December 2018 general elections and partly from a desire not to let the Government of Myanmar off the hook by creating incentives for the Rohingya to stay in Bangladesh. The Bangladeshi government has legitimate worries about the impact of Rohingya refugees on the local economy. Already, cheaper unofficial day labor has indeed altered the market for the host community, increasing food prices and driving down wages. The education in host communities has been disrupted by the use of schools for army barracks and international aid storage in the first months of the crisis. Government officials conveyed to RI their concern that educated Rohingya will be reluctant to return to Rakhine State or that they, with a language very similar to the Chittagonian dialect of Bangla, will be able to pass themselves off as Bangladeshi and strain the capacities in local schools.

However, by refusing to plan for the long term, the Government of Bangladesh is laying the groundwork for tremendous problems down the line. As one refugee told RI, “Now we feel like floating in a river. We are neither in Bangladesh nor Myanmar.” A central long-term risk is an idle, uneducated youth population in the camps. About 55 percent of the Rohingya population in Bangladesh are children. Education is essential to equip refugees as best as possible for future solutions, wherever those might be located. As one UN official told RI, “We can’t afford a lost generation. . . The worst enemy in camp is idleness.”

There has been some recognition by the government of the consequences of failing to engage in longer-term planning. The spread of disease has led to belated openings for efforts from foreign doctors. The diphtheria outbreak in November 2017, for example, led to speedy approvals of foreign doctors so they could conduct vaccination campaigns.

The Bangladeshi government must also consider the risk of undermining the recognition of its robust response within the international community. As one humanitarian official told RI, “All the goodwill built up with the international community could be washed away if landslides bury Rohingya.”

Finally, the Government of Bangladesh should update its national strategy and coordination structure concerning the Rohingya who are seeking refuge in the country. The current response is still based on the 2013 National Strategy on Undocumented Myanmar Nationals (referring to the Rohingya in Bangladesh), which is being implemented by the National Task Force consisting of representatives from 22 ministries and headed by the minister of foreign affairs. An overlapping mix of ministry roles and interlocutors for UN agency and NGO actors is further confusing the response. A streamlined structure overseen by a single official with sufficient authority in the Prime Minister’s Office would help to address these challenges.

**Repatriation**

The importance of long-term planning is underscored by the reality that most Rohingya in Bangladesh are unlikely to be able to safely return to Myanmar in the near future. Although the height of the ethnic cleansing campaign

has passed, conditions in Rakhine State continue to cause Rohingya to flee to Bangladesh. At least 8,000 Rohingya arrived in the first four months of 2018. Most new arrivals cite hunger and ongoing security concerns as reasons for leaving. One woman interviewed by RI, a 40-year-old mother, had just arrived in Bangladesh from Myanmar a few days before. She cited starvation, a lack of access to medical care, and the Rohingya’s inability to leave their village to farm, fish, or pursue other livelihoods. As she told RI, “I feel safe here. Here we don’t have to fear for the military. Here we can hear the call to prayer. Here I don’t have to fear for the arrest of my son.”

The ultimate goal for resolving the Rohingya refugee crisis must be the safe, voluntary, and dignified return of the Rohingya to their homeland in Myanmar. But the sad reality is that conditions in Myanmar are far from safe for the Rohingya who remain in Myanmar, let alone those who might seek to return. Until the impunity, restricted access, and denial of basic human rights are addressed, repatriation and an ultimate solution to the crisis will not be possible.

At the moment, the Government of Bangladesh is pursuing repatriation as the only viable and durable solution. It signed a memorandum of understanding on repatriation with the Government of Myanmar in November 2017, and thousands of names have been submitted for review, though no repatriations have yet taken place. The UNHCR signed a separate memorandum of understanding with the Government of Bangladesh in April 2018, establishing a framework of cooperation for the safe, voluntary, and dignified return of refugees, in line with international standards. This is an important step toward ensuring that any improvement of conditions in Myanmar can be independently verified. Yet, as of this writing, conditions are not conducive for repatriation, as stated by UNHCR. Negotiations are also taking place toward a memorandum of understanding between UNHCR, UNDP, and the Government of Myanmar to provide a framework for eventual returns. Conclusion of this agreement would provide for independent verification of the necessary conditions for returns to begin.

In RI’s view, in no way should repatriation take place at this time.

In RI’s view, repatriation should in no way take place at this time. The truth is that it is unknown if and when repatriation could be a durable solution. In the meantime, it is critical that the Rohingya in Bangladesh be provided with the level of aid and protection only possible through long-

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term planning, and they should not be warehoused in an environment of vulnerability.

The Problem of Bhashan Char Island

RI is deeply concerned about the Government of Bangladesh’s proposal to move 100,000 Rohingya to Bhashan Char Island, which is 37 miles off the coast in the Bay of Bengal. This idea has surfaced from time to time for several years, but each time, it has been roundly rejected by international donors and agencies. Among the chief concerns is that the island is actually a buildup of silt that only surfaced in the past two decades, and that the island lies in an historical track of cyclones in the region. The island has been known to experience significant flooding during much of the year.

However, this idea of relocation to Bhashan Char Island has regained new life with the current crisis, and the government has argued that it is an answer to calls for more space for Rohingya. The government argues that this is a viable alternative to the dangerous conditions faced in the camps with the onset of the monsoon and cyclone seasons. In recent months, with the support of Chinese and British contractors, Bangladesh has carried out extensive preparation, including building embankments and permanent structures. It has formed a consultative group involving UN and NGO representatives, and in April 2018, it provided two technical briefings about plans for the island, claiming that it will be ready for the Rohingya by June 2018.

However, beyond the vulnerabilities to cyclones and flooding, serious concerns remain unaddressed, particularly those pertaining to protection, freedom of movement, access to livelihoods, and logistics and the availability of aid and services. To begin with, those refugees moved to Bhashan Char Island would in all likelihood be unable to visit their family members who remain in the camps in Cox’s Bazar—nor, according to officials, would fishing be available as a means for livelihood. This lack of freedom of movement could render the island effectively an arbitrary detention center, in violation of international standards.

Before any discussion of relocating people to the island, the Government of Bangladesh should, at a minimum, allow thorough and independent technical and protection assessments by UNHCR and other international actors to determine the feasibility of such a move.

The Rohingya refugees also remain without any formal information about the island and thus are unable to make any informed decisions about whether they are willing to be moved. And the Government of Bangladesh has not been clear how it would ensure that any relocation would be fully informed and voluntary. As one Rohingya refugee asked RI, “How will we survive there with water, cyclones, and storms?” Another said, “We won’t go to the island even if the military threatens to shoot us.” Similarly, one humanitarian worker, citing the island’s vulnerabilities to cyclones and flooding, told RI, “We don’t want to send people to a mass grave.”

“How will we survive there with water, cyclones, storms?”

— Rohingya refugee

The international community should be unified in rejecting the proposal to move refugees to Bhashan Char Island. Resources and efforts would be much better focused on granting more land to refugees in areas that are not vulnerable to landslides and flooding.

THE RESPONSE: A PROBLEMATIC INTERNATIONAL HUMANITARIAN ARCHITECTURE

Over many years, the reluctance of the Government of Bangladesh to recognize the Rohingya as refugees and to allow a normal international refugee response led by UNHCR has resulted in the establishment of a uniquely
RI believes this has had a negative effect on the current humanitarian response. But within these governmental constraints, UN agencies have also created their own inefficiencies.

In particular, a lack of clarity in coordination structure and lines of accountability among UN agencies has led to inconsistencies and delays in the provision of humanitarian services on the ground. The international humanitarian architecture in the country has also led to a sense among many NGOs that humanitarian concerns raised on the ground are not being heard or are not being sufficiently championed by the UN team to officials of the Government of Bangladesh.

The Hybrid System

At the heart of this situation are the unique roles of and relationship between UNHCR and the International Organization for Migration (IOM) in the Rohingya response. For various historical and political reasons beyond the scope of this report, the Government of Bangladesh had mandated IOM as its lead international partner for the Rohingya humanitarian response—relegating UNHCR, the traditionally mandated lead agency for refugee responses, to a much smaller portfolio of officially recognized refugees. With the onset of the emergency in August 2017, the government allowed UNHCR’s mandate to expand to cover all the newly arrived Rohingya, while maintaining a significant role for IOM.

Organizational chart of the international humanitarian response to the Rohingya crisis in Bangladesh.

Following a period of uncertainty, the global heads of IOM, UNHCR, and the Office for the Coordination of Humanitarian Affairs (OCHA) came to an agreement on a new humanitarian structure. The result is a hybrid approach that combines elements of a typical cluster-based non-refugee humanitarian response with those of a traditional refugee response. In such a cluster approach, which typically is used for coordinating responses to non-refugee humanitarian emergencies, various lead agencies are accountable for the delivery of services within certain areas or “clusters” (e.g., food and shelter), and the ultimate accountability for coordination lies with a humanitarian coordinator. In a traditional refugee setting, UNHCR is ultimately responsible for all aspects of coordination and the delivery of services.

The international humanitarian architecture in Bangladesh, though dealing with refugees, has a system of “sectors” resembling a traditional OCHA cluster system—as shown in the flow chart above. It is headed not by UNHCR or a humanitarian coordinator but by a Strategic Executive Group (SEG), which is made up of representatives from various UN agencies, donors, and international and local NGOs. The SEG serves as the main liaison with the national government and is chaired by three individuals: the UN resident coordinator (who is also the country representative from the UN Development Program) and a country representative from IOM and from UNHCR.

At the operational level, in Cox’s Bazar, humanitarian efforts are overseen by an Inter Sector Coordination Group (ISCG), which is led by a senior coordinator who manages coordination with the district-level government and reports to the SEG co-chairs. Each sector (e.g., health, shelter) has one or more coordinators, who have been seconded from relevant agencies and in theory guided by the ISCG senior coordinator. However, there is also a head of a sub-office group at the Cox’s Bazar level (made up of the heads of all UN agencies and selected NGO representatives based in Cox’s Bazar), which is chaired by the ISCG senior coordinator—but with parallel lines reporting directly to the SEG. In addition, there is a split between camps overseen by UNHCR in some locations and those overseen by IOM in others—a design originally established to accelerate the speed of response.

In practice, there is little clarity in the lines of reporting or ultimate accountability for what happens in the field. The humanitarians with whom RI spoke pointed to specific agency interests being prioritized over those that would be in the best interest of a given sector or wider intersectoral coordination. There is also often a lack of common guidance to ensure a clearly shared understanding among the UN agencies, NGOs, and government representatives that are meant to oversee humanitarian activities in camps. The result is a lack of consistency and adherence to quality standards across sectors. Although these are not uncommon issues in the early stages of a large-scale emergency response, a particular lack of clarity and specific accountability in this system exacerbates challenges in Bangladesh. These sentiments were echoed in the March 2018 Disasters Emergency Committee report noted above, which observed that “with the SEG being the mechanism accountable for the Rohingya refugee response, the result is collective accountability, where no single entity within the UN system can be held accountable for any potential failures or for sub-standard performance.”

A Problematic Division of Labor

In theory, the geographic division of labor between IOM and UNHCR for camp management should be a workable issue. Sector coordinators should ensure that services are provided consistently, no matter who oversees a camp. In practice, however, IOM and UNHCR have pursued different approaches in their respective camps, leading both to inconsistency and delays in service delivery. One example, which was shared with RI by several humanitarian actors, was the inclusion of differing groups of materials in the shelter kits distributed to refugees, depending on whether they were in camps run by IOM or UNHCR. The practical consequence of this was that many refugees who heard through friends or family members that different materials were available moved to other camps to try to get them. This also led to a general sense of inequality in service provision. Humanitarian officials report to RI that this particular example has been addressed and that the current shelter upgrade kits to prepare for the monsoon season are now essentially the same. However, at the time of RI’s visit, several Rohingya refugees and leaders com-
plained about broader ongoing inconsistencies, beyond shelter kits, in distributions between camps.

Several humanitarian actors told RI that UNHCR in particular has prioritized its own partners for the allocation of services without regard to the sector coordinators. NGOs receiving non-UN funding complain that they have been sidelined. Some sector coordinators have had a similar experience. This is problematic because sector coordinators are presumably best placed to understand which partners have the capacity to deliver the best quality of services in a particular camp. As one aid official told RI, “Clearly, such behavior not only shows disregard of the sector structure that both agencies are meant to be leading; it also jeopardizes the coverage and quality of the services delivered and puts highly vulnerable refugees even more at risk during the rainy season, when relocations are going to become much more frequent.”

Of most urgent concern is the impact of the division of labor on preparations for the monsoon and cyclone seasons. RI welcomes the approach of IOM, UNHCR and other UN agencies in carrying out terracing, drainage, and heavier earthmoving works through a joint engineering platform. However, significant differences remain in the training and rollout schedules between IOM and UNHCR camps for efforts to raise awareness among refugees on how to prepare for the rainy season. These differences are leading to discrepancies in the level of preparedness across camps. The danger here is that the overall rollout will be substandard and the response will be marked by an uneven delivery of services and gaps due to a lack of consistent communication and oversight.

Differences in Camp Governance

Another area of concern is disagreement over the best system for camp governance among the Rohingya population. The current governance system for the camps involves a system of mahjis—Rohingya refugee leaders selected by the Bangladeshi army rather than chosen by the camp population. These leaders are unpaid and lack the accountability of being elected, creating incentives for exploitation, an issue raised multiple times by humanitarian workers and camp residents in conversations with RI. UNHCR has suggested an alternative camp committee system, in which leaders would be elected. There is precedence for this system in a pilot program carried out in the official refugee camps in 2016. However, according to RI’s interviews with various humanitarian actors, IOM is hesitant to change, warning that a shift away from the pre-existing system of mahjis will unnecessarily lead to tensions. For the moment, both systems are being pursued. Whatever the end result, the lack of transparency in how this debate is playing out risks producing tensions and confusions that will negatively affect the ability to monitor needs and get consistent messages out to the community.

The Lack of Oversight and Accountability

In addition, the lack of oversight and accountability inherent in the hybrid system is weakening the collective ability of humanitarians to overcome challenges as they arise over the course of the response. For example, in the water, sanitation, and hygiene sector, a rush to provide latrines and water pumps during the initial emergency phase led to substandard placement and construction. At times, water pumps were placed too close to latrines or in areas that will be flooded in the coming rainy season. According to ISCG’s most recent update, 2,699 latrines have been decommissioned and another 15,000 have been emptied. Also, 5,000 latrines out of more than 47,000 constructed are no longer functional. Although the actors that built the latrines are responsible for identifying and decommissioning problematic constructions, many of these actors are no longer on the ground. Massive desludging and decommissioning needs remain, but a lack of accountability is slowing efforts to fix the problem. Perhaps of most cause for concern are the blurred lines of accountability and oversight that are preventing quality...
control in some of the most sensitive areas of service. RI spoke with multiple actors involved in gender-based violence (GBV) programming who cited the current structure as failing to address critical issues or even worsening an already challenged response. The widespread experience of sexual violence among refugees and the need for ongoing protection from GBV in the camps has led to an abundance of funding and programs related to GBV and for women and girls in the camps. However, the rapid scaling up has led to serious quality concerns, including unqualified practitioners; a lack of awareness of standards, including those for privacy; and improper distribution. This means that some of the issues of most concern pertaining to trafficking and sexual exploitation are not being adequately addressed. Although these issues did not arise from the current coordination structure, this structure has clearly prevented or slowed the ability to deal with them effectively.

Are Humanitarian Concerns Getting Lost?

Humanitarian workers also report feeling that NGOs are slipping between the cracks of arguments between the big players. As one humanitarian told RI, when IOM and UNHCR disagree on something, the default is that no guidance is passed down to implementing partners. Likewise, there are concerns that negotiations between IOM or UNHCR and the government are often only belatedly shared with NGOs. This lack of information flow is leading to delays and problems with planning and implementation. As one example, a project on social cohesion involving both refugee and host communities was delayed because of a disagreement over whether it should be limited to refugees. Also, operational NGOs on the ground often express frustration that though their concerns are heard at the Cox’s Bazar level, they rarely make it to the Dhaka level—and specifically, to the SEG.

Alongside these concerns, there is the sense that the UN leadership in Bangladesh is prioritizing longer-run development interests beyond the Rohingya, and thus is reluctant to jeopardize its relationship with the government. This comes at the expense of a stronger stance on humanitarian issues, even within the SEG, despite its humanitarian mandate. Critics point to a failure to engage in a timely and robust fashion on key humanitarian issues like the government’s Bhashan Char Island and repatriation plans. Several humanitarians expressed regret that the UN’s leadership and donors did not push back earlier with a unified message of opposition to relocation to the island. Even with respect to repatriation, where UNHCR has come out strongly with clear benchmarks, humanitarians wonder why this is not a public, joint position with IOM and the SEG.

Addressing the Challenges

Much effort has been put into improving coordination between the members of the international humanitarian response team. The organizational lines are sketched out in the Joint Response Plan, but too much ambiguity remains in practice. At the time of writing, a retreat for IOM and UNHCR staff members and partners involved with site management was reportedly being planned. Such efforts should serve to bring further cooperation and consistency. But as long as lines of accountability remain unclear, many of the challenges identified above are likely to prevail.

As long as lines of accountability remain unclear, many of the challenges identified above are likely to prevail.

To begin with, sector coordinators should be strengthened through the support and backing of the ISCG and relevant agencies and thus be able to provide ultimate guidance across camps, regardless of whether IOM or UNHCR is managing them. The head of the suboffice group should similarly reinforce the roles of sector coordinators in its reporting to the Dhaka level. At the same time, the ISCG senior coordinator should be empowered to both rein-

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11 A forthcoming RI report will explore the issue of services for women and girls in greater depth.
force sector coordinators and to represent humanitarian concerns from the field to the SEG. As permanent IOM and UNHCR country representatives are appointed (both are currently interim appointments), they should address remaining coordination issues as a matter of priority, and pursue stronger advocacy on behalf of humanitarian. NGOs should improve coordination among themselves. The establishment of an NGO platform with dedicated coordination staff in the coming weeks will be a welcome step in the right direction.

As a matter of urgency, the principals of IOM, OCHA, and UNHCR, who established the current system, should carry out a joint visit to Bangladesh to clarify coordination and accountability in the humanitarian response ahead of the monsoon and cyclone seasons. The visit should result in the release of guidelines reinforcing how coordination and accountability in the system are meant to work and introducing new structures in light of the pending emergency. As a means of ensuring more accountability, the principals should also oversee a review of how the overall system is being operationalized. This could be done on an interim basis as part of the Joint Response Plan midterm review and in a more comprehensive manner at a date after the monsoon season.

Finally, the Joint Response Plan guiding the Rohingya humanitarian response in Bangladesh needs to be fully funded by international donors. The plan estimates that $951 million will be needed to provide lifesaving aid to Rohingya refugees and the local host community from March to December 2018. As of May 2018, only 17 percent of the needed funds have been provided.\(^\text{12}\)

**CONCLUSION**

Another level of humanitarian catastrophe is looming for the Rohingya refugees in Bangladesh. Although the root causes of this crisis and its ultimate solutions lie with Myanmar, unacceptable barriers are also hindering the current humanitarian response in Bangladesh. Until conditions become conducive for the voluntary return of the Rohingya refugees to Myanmar in safety and dignity, efforts must be made by the Government of Bangladesh, supported by the international community, to ensure the most effective response for their well-being. While the Government of Bangladesh has taken bold steps to open its doors to the fleeing Rohingya, even bolder steps are required to reach sustainable solutions. A restrictive response that denies recognition and rights of refugee status for the Rohingya has not been successful in the past and will not be successful now. The Government of Bangladesh must give international agencies and NGOs the space to help. And the international community must address its own manufactured inefficiencies and the dangers of lost lives and prolonged suffering that will result if it compromises on humanitarian principles.

Refugees International Senior Advocate for Human Rights Daniel Sullivan and Senior Advocate for Women and Girls Francisca Vigaud-Walsh traveled along with RI Board Chair Eileen Shields-West to Bangladesh in April 2018 to assess the humanitarian situation and response for Rohingya in the country. RI extends its special thanks to the Rohingya refugees who shared their stories.

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