



FROM THE SURVIVAL OF ROHINGYA REFUGEE CHILDREN IN THE CAMP TO THEIR BASIC RIGHTS: THE UNFULFILLED PROMISES OF THE CONVENTION OF THE RIGHTS OF THE CHILD

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RESEARCH ARTICLE



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Abstract

Rohingya refugees are the world's biggest refugee population which consists of children more than 50 % of the whole population. Since 2017 influx Bangladesh has been hosting approximately more than one million refugees. Rohingya refugee children are facing several problems in day to day life in the camp to fulfill their fundamental requirements. The convention of the rights of the child (CRC) is the most ratified convention which is specially developed for the children. In the camp environment in spite of ensuring the rights to the rohingya Refugee children the CRC has failed to serve the promises to the rohingya refugee children. This article focuses on the gaps between the condition of the children living in the refugee camps of Bangladesh and the normative commitments of the CRC. This article examines each and every fundamental rights guaranteed under the CRC including nationality, health, protection, education and participation. This study argues that Rohingya refugee children remain confined within a humanitarian survival framework rather than a comprehensive rights-based protection regime. This article argues that adopting conventions like CRC is not enough. The implementation and proper reflection of the convention is more essential. In the case of refugee children reflection of the convention like CRC can reduce the risk of their lives.

Keywords: *CRC, Rohingya Refugee Children, Lives at risk, Fundamental Rights of the refugee children, The Rohingya Refugee Camp of Bangladesh, Implimentation of the CRC*

Introduction

Children are the future of our society. But if the lives of the child at risk then it is a big concern for whole society. Especially, refugee children needs more care. Due to the persecution their fundamental rights has been severely affected. They have been facing several challenges. Many of them spend significant portions of their childhood in displacement settings (United Nations High Commissioner for Refugees [UNHCR], 2024). History of rohingya refugee crisis can be traced through Myanmar's history of 1982. In 1982, the government of Myanmar denied to provide the citizenship right to rohingya community. Rohingyas are the Muslim minority group of Myanmar. After that the rohingya community faced violations and restrictions. They became stateless. They cannot enjoy their fundamental rights (Human Rights Watch, 2020). After that the Military Junta of Myanmar government started an operation which is also known as the ethnic cleansing operation. They started fleeing to neighbors' country to protect their lives. In 2017, seven lakhs rohingyas were came to Bangladesh. The government of Bangladesh announced themselves as host country. They establish refugee camps at the Cox Bazar district of Bangladesh (UNICEF, 2323). According to UNHCR, 2024 report fifty percent of rohingya refugee population in Bangladeshi camps are children. In Bangladeshi camps the survival struggle of the Rohingya refugee children's day to day life indicates the absences of their fundamental rights. This article argues that humanitarian assistance is not sufficient to protect their lives. For wellbeing of the rohingya refugee children it is necessary to remove the barriers in achieving their fundamental rights mentioned in CRC.

Rohingya Children as forcibly displaced migrants and The Convention on the Rights of the Child

Due to Forcibly displacement refugee children's childhood is lost. Usually, Persecuted Rohingya refugee children are also facing Trauma, family separation, educational hardship, health issues, psychological and physical challenges etc. (Bhabha, 2014). In rohingya crisis before persecution the rohingya children have been violating severally in their country of origin. They had limited health and education facilities, restrictions on movement etc (International Crisis Group, 2020). In 1989, United Nations General Assembly adopted the Convention on the Rights of the Child (CRC). It is the primary international mechanism for safeguarding the children. It establishes uniformly framework of civil, political, economic, social, and cultural rights for children (United

Nations, 1989). The CRC emphasize upon four principles. Article 2 of CRC focuses on Non-discrimination, Article 3 identify best interests of the children, Article 6 ensures right to life, survival, and development of the children, Article 12 assures respect for the views of the children. Especially, for Refugee Children Article 22 focuses on adequate protection and humanitarian assistance. CRC introduced a legal international framework for every child's fundamental rights including refugee children. The rohingya refugee children also exist under the same umbrella. When the question comes to implementation of CRC the reality is different. The implementation of the conventions like CRC depends on national policies of any states. In the case of rohingya refugee children the camp governance cannot safeguard the children according CRC.

Right to Nationality

According to the CRC, the right to get Nationality or having citizenship is also a fundamental right of every child. Children have right to be registered at their birth (Article 7, CRC, 1989). In 1982, when the government of Myanmar refused to give citizenship to the rohingya community they become stateless. With the status of statelessness the rohingya children's life became dark. They had lost their all fundamental rights. They had restrictions upon movement, educational opportunities and health services etc. (Human Rights Watch, 2020). The government of Bangladesh hosts rohingya refugees but they don't acknowledge rohingya refugee children as their citizens who have born in its territory (Blitz & Lynch, 2011). Being stateless child Rohingya refugee children are also suffering a lot. Here the CRC has failed to fulfill the gap between providing the right to acquire nationality and the hardship reality of statelessness.

Right to acquire Education

Education is the key to sustainable development and social integration. The CRC recognizes education as both a fundamental right and an essential tool for empowerment (United Nations, 1989). But in the case of rohingya refugee children there are very limited opportunities for education in the camp of Bangladesh. In the camp they can acquire only basic education. Even formal education was inaccessible. Currently Myanmar curriculum has been introduced in limited learning centers. Private education is cost effective and restricted. Due to these circumstances Adolescents could not achieve their dreams of acquiring higher education. For this many children discontinued studying. Boys are involved in jobs and girls are getting married at an early age (UNICEF, 2023). Sustainable development is not possible without skills and knowledge. Lack of educational opportunities is pushing them towards a dark future.

Right to Health and Psychological Well-Being

The right to health is guaranteed under Article 24 of the CRC. Refugee children often face unique health challenges due to overcrowding and limited healthcare infrastructure. In the Rohingya camps, humanitarian organizations provide essential health services. Vaccination campaigns and maternal healthcare programs have improved survival rates. However, several challenges remain. Due to lack of food and poverty children are suffering from malnutrition. The camps are overcrowded and congested. As a result various diseases and infectious spread around like- cholera, diphtheria, malaria, skin diseases etc. Beside this, due to persecution these children are suffering a lot like- fear, trauma, mental and health challenges, depression etc. In the camp health services are limited. There are no specialized health services for children. The gap between the camp governance and implementation of CRC cannot provide health and physiological wellbeing to the rohingya refugee children.

Right to Protection from Exploitation and Violence

The CRC ensures the right to protection of the child from mental and physical abuse, exploitation, human trafficking etc. It is the responsibility of a State to give protection to the children from any kind of harmful practices (CRC, 1989, Article 19, 32, 34 and 36). Rohingya children are being exploited in various ways. Due to poverty Adolescent boys are involving in labor work. Starting labor work at such a young age is risky they faces challenges like- abuse, beating, not getting payment, accidents etc. Similarly, adolescent girls are being forced by their parents to getting married at an early age. Human trafficking or kidnapping groups easily choose them as their object to fulfill their motive (International Organization for Migration, 2022). To ensure the protection of the refugee children implementation of a strong legal protection mechanism is highly required.

Conclusion

The Rohingya refugee crisis gets huge humanitarian response. Humanitarian assistance can provide only their basic requirements but they have limitations. Only through humanitarian assistance fundamental rights cannot be granted. Even the CRC recognizes children as active participants in decisions affecting their lives. But in reality the rohingya children cannot express their views in any kind of decisions making or policy making process. In reality rohingya refugee children are trapped in an uncertain future. For being Stateless all the individual rights dissolve and gap created between the international mechanism and reality. To resolve these problems a strong political solution, voluntary repatriation and recognition of their ethnic identity is required. For sustainable development and durable solutions international cooperation is needed.

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