

Table of Contents

- ***Rohingya refugees should follow local Syariah law in matters such as marriage***
- ***From sports to work, Rohingya women face new roles in world's largest refugee camp***
- ***Activists call for clear minimum marriage age in draft child rights law***
- ***From Myanmar to Singapore: Why the maid trafficking continues***
- ***Human Rights Watch accuses Myanmar soldiers of 'systematic' sex abuse of Rohingya***

Rohingya refugees should follow local Syariah law in matters such as marriage

By Ian McIntyre

The Sun Daily (13.02.2019) - <https://goo.gl/EWwB69> - Rohingyas and other Muslim refugees residing in Malaysia should be subject to the same Syariah laws that the citizens of this country abide by.

Lawyer Habib Rahman Seeni Mohideen said this also included legislation on marriage. For instance, he said, the Syariah law in Malaysia prohibited marriage for individuals under 16 years of age unless an exemption was granted by the Syariah Court.

The marriage must also be conducted by a certified registrar or kadi who had been given full authority to perform the task by the respective state religious authorities, he explained.

The father of the 11-year-old Rohingya girl who gave consent to her marriage to a 21-year-old man was therefore committing an offence, Habib added.

The wedding was supposed to proceed last Wednesday but was stopped by two police officers who visited the family in the company of K. Sudhakaran Stanley Singh, the founder Lifebridge Learning Centre, a school for Rohingya children funded by civil societies.

The solemnisation of the marriage, at a house in Taman Perai, Butterworth, was to be conducted by a kadi from the Rohingya community. The family has since moved to Tasek Gelugor.

Stanley had earlier expressed disappointment with the girl's father Mohamed Somir Abdul Razak for going back on his promise to allow his daughter to resume schooling. The father had reportedly said that it was a sin to allow his daughter to continue going to school.

Both deputy chief ministers of Penang — Datuk Ahmad Zakiyuddin Abdul Rahman and Dr P. Ramasamy — have called on the authorities to provide a holistic solution to the problem faced by the family.

Zakiyuddin pointed out that the rule of law must apply in the case. "This is our only guide given the family's reluctance to allow the girl to continue schooling," he said.

Ramasamy said the people should not judge the family. "They are refugees and survival is their greatest priority," he said.

The father had cited financial problems as a reason for allowing his daughter to get married.

Stanley said the state government should not be lackadaisical over the latter. "The family has been living in Penang for the last 10 years. The girl was born here and in some countries she would already be a citizen," he added.

At the same time, he said, the family should be subject to Malaysian laws.

"Majority of the people in this country reject child marriages and they also do not condone children dropping out of school," he added.

Meanwhile in Kuala Lumpur, Myanmar Ethnic Rohingya Human Rights Organisation Malaysia (Merhrom) president Zahar Ahmad Ghnai unveiled identity cards for Rohingya refugees in Malaysia. The "I Am Rohingya" ID will be issued by Merhrom.

From sports to work, Rohingya women face new roles in world's largest refugee camp

VOANews (11.02.2019) - <https://goo.gl/E1BLrR> - On a blue mat in their mud and bamboo home in the middle of the world's largest refugee settlement, Mohammad Selim is pacing his 9-year-old daughter Nasima Akter on her taekwondo drill.

As a local taekwondo champion in his Rohingya district in Myanmar before fleeing to Bangladesh 18 months ago, Selim dreamed of making a career of his sport but now he is hoping that his daughter can instead follow that path.

He said in Myanmar it was impossible to teach her, as taekwondo was considered improper for girls and he didn't have time, but their flight to camps near Cox's Bazar in southeast Bangladesh has started to change his society's rules for women.

For women and girls make up about 55 percent of the 900,000 plus mainly Muslim Rohingya living in about 34 sprawling, crowded camps in the settlement and they are needed to work or to run households as many have lost their husbands.

"I want my daughter to learn taekwondo and one day represent us as a champion," Selim, 35, told the Thomson Reuters Foundation via an interpreter watched by his wife and three other younger children in their tidy, two-room shelter.

"Our society is conservative and we prefer covering our women but in taekwondo you are covered so people can't question a girl participating. We practice inside to not get criticized but many people regret they cannot teach their daughters."

With most Rohingya now in Bangladesh for 18 months and life starting to become more routine in the camps, Selim is not the only one breaking away from the Rohingya's previous lifestyle, where women rarely left the house and were segregated from men.

He is hoping to get approval to teach taekwondo to other girls in the camps where children do not have access to a formal education but can attend learning centers until about age 14.

More than 730,000 Rohingya have fled Buddhist-dominated Myanmar since August 2017 to escape a military offensive the United Nations called "ethnic cleansing" of one of the world's most oppressed people, joining others already in Bangladesh.

The chance of returning soon to Myanmar looks remote, with Bangladesh vowing to only repatriate volunteers.

The U.N. special rapporteur on human rights in Myanmar, Yanghee Lee, said in late January it was clear they cannot return "in the near future" with the situation in Myanmar unchanged.

Myanmar has denied most allegations of persecution.

Women-only areas

Aid agencies and non-government organizations (NGOs) working alongside Bangladesh's government in the camps were aware from the outset that women and girls were vulnerable to sexual and other violence, both on their journey and in the camps.

To address this, they have set up women-only projects and committees to encourage women to get involved in the community as well as counseling services for those who faced abuse.

But not all Rohingya men used to a conservative Islamic lifestyle are happy to see women taking on new roles and making decisions, adding to the risk of domestic violence which aid groups said is on the rise in the camps as time goes by.

"Some men say it is a sin for women to work because in Myanmar we never worked," said Nuran Kis, 40, a Rohingya mother of eight, who is teaching others to sew in a women-only center.

"My husband supports me though because we need money and want to survive," she told the Thomson Reuters Foundation, sitting cross-legged in her two-room home on a hill overlooking Balukhali camp, a maze of dirt roads and makeshift shelters.

Shameema Akhter, who co-ordinates eight women-friendly spaces in Balukhali camp for BRAC, Bangladesh's largest NGO, said some men were initially reluctant to allow women and girls to come to these centers but gradually that was changing.

She said they ran craft sessions for the women and girls, taught them to sew, talked to them about the risk of rape, human trafficking, and child marriage, how to manage hygiene, and provided one-on-one counseling for anyone abused.

Akhter said when they arrived many girls were given sanitary pads, but had no idea how to use them and cut them up as face tissues while handouts of cereal, a food item not known to the Rohingya, were sold at markets for a fraction of the real value.

Most of the Rohingya are illiterate, having had limited access to education — and healthcare — in Myanmar's Rakhine state where they were refused citizenship and free movement.

"Many of the girls were depressed and traumatized about being raped or being forced by their families to get married and very shy," Akhter told the Thomson Reuters Foundation in the group's center decorated with brightly colored paper cutouts.

"But now they want to come here and learn skills that might help them and their families in the future."

Limited work

Under Bangladesh government rules, Rohingya cannot take formal employment, but they can join cash-for-work schemes run by NGOs in the camps to earn about 400 Bangladeshi taka (US\$5) a day — and some women have taken roles previously only for men.

Dola Banu, 35, is one of the women building roads and other infrastructure under a Site Maintenance Engineering Project (SMEP) run by United Nations agencies International Organization for Migration (IOM), World Food Program (WFP) and UNHCR.

"This is the first time I have ever done any kind of work like this," Banu told the Thomson Reuters Foundation via an interpreter during a break from carrying bricks for a new road.

"I like this work and want to keep doing it as long as I can to support my family," said Banu, who is raising her four children as a single mother after her husband died.

Aid workers said these new roles were giving women more confidence and more were willing to take leadership roles in the community so they could raise issues such as the need for more lighting by latrines, where women fear being attacked at night.

"This is a group going through forced societal change and women are finding new forms of confidence," said Gemma Snowdon, a WFP spokeswoman based in the beachside town of Cox's Bazar about 40 km (25 miles) from the nearest of the camps.

She said a key barrier for female-led households was childcare so they planned to launch mobile child care and boost self-reliance by teaching women skills such as growing vegetables, sewing, and even repairing mobile phones.

Some help has come from outside the settlement as well.

Launched late last year, the Testimony Tailors website lets users fund and pick garments to be made by about 40 female Rohingya, with finished items donated to refugees in the camps.

Jamila Hanan, a British-based manager at #Hands4Rohingya, which supports the project, said all the women and girls involved in the project were aged between 15 and 40 and survivors of rape or massacres.

Many had witnessed family members being killed "This cooperative is them helping themselves... It has been incredible to see them supporting each other," said Hanan.

While some Rohingya are struggling to accept women's new roles and projects such as encouraging girls to play football, for others like Nasima Akter, the changes are part of adjusting to life in the camps for the foreseeable future.

Activists call for clear minimum marriage age in draft child rights law

By San Yamin Aung

The Irrawaddy (4.12.2018) - <https://bit.ly/2G0G1j4> - Women's rights advocates have raised concerns over the absence of a clearly defined minimum age of marriage in the proposed Child Rights Law currently before Parliament.

The draft bill submitted by the Ministry of Social Welfare, Relief and Resettlement states that the minimum age at which boys and girls can marry shall be defined by both existing laws and customary laws. (Customary law refers to the traditional laws observed by the country's various religions and ethnicities.) A provision of the draft adds that in order for the marriage to be legally registered, those being married must be at least 18 years of age.

The Lower House's Bill Committee last week suggested removing the second part regarding the minimum age being 18.

Lower House lawmaker U Kyaw Soe Linn, who is also a secretary of the Bill Committee, said in Parliament that stating a marriageable age in the Child Rights Law would create inconsistencies with the country's various customary laws. He cited the Myanmar Buddhist Women's Special Marriage Law, the Christian Marriage Act and other ethnic groups' traditions relating to marriage, which prescribe different age minimums for marriage.

The Lower House voted in favor of the committee's suggestion on Nov. 28.

Lawyer and Legal Clinic Myanmar director Ma Hla Hla Yee voiced concern that the omission of a clearly stated minimum legal age for marriage from the proposed Child Rights Law would encourage child marriage.

"It is the same as allowing boys and girls to marry before they are ready under the Child Rights Law," the lawyer said.

She said that as the proposed Child Rights Law is a special law on children, it will have an influence on the interpretation of other laws. For that reason, the omission of a stated marriageable age could allow some people who commit offenses against children to escape prosecution under the Penal Code's Article 375, she said.

Article 375 defines the minimum age at which an individual can legally consent to sex with an adult as 16. Whether consensual or not, any adult who engages in sex with a minor below this age is guilty of rape under the law.

Prominent women's rights advocate Ma May Sabe Phyu, who is also a director of the Gender Equality Network, said removing the legal age for marriage and legally permitting children to marry under different customs and traditions would be in violation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), an international treaty that Myanmar signed in 1997.

As a signatory to the CEDAW, the government is obliged to enact laws that protect women and girls from being subject to harmful traditions and practices, Ma May Sabe Phyu said. The proposed Child Rights Law would do the exact opposite, she added.

Drafted by the ministry, the proposed Child Rights Law is a revision of the outdated 1993 Child Law. It would extend childhood status to the age of 18 in line with the UN Convention on the Rights of the Child (CRC), which the country signed in 1991, and provide improved protections for child rights and care.

"[Opponents of a defined age of marriage] would argue that we are seizing on one single issue in an otherwise perfect law. But that single issue is too important to ignore," Ma May Sabe Phyu said.

Legislation passed under a democratic government should comply with international conventions ratified by the country, she said.

During the Parliament session on Nov. 28, Lower House lawmaker Ma Aye Mya Mya Myo proposed a motion objecting to any omission of a minimum legal age for marriage in the legislation.

She pointed to the joint general recommendation made by the CEDAW and UN CRC committees in 2014. The committees called on the government to prevent and eliminate harmful practices frequently justified by invoking social or religious customs and values often embedded in patriarchal cultures and traditions.

"I would remind [lawmakers] that this is a special law for child rights," Ma Aye Mya Mya Myo said.

"Child marriage has many effects on girls' health, including underage pregnancy and maternal morality," she added.

Her motion was defeated, however. A total of 320 lawmakers in the male-dominated Parliament rejected it, versus 33 lawmakers who supported it.

The bill will be submitted to the Upper House for further discussion.

Lawyer Ma Hla Hla Yee called for the establishment of a minimum legal age for marriage in the Child Rights Law to prevent early and forced marriage being justified as protected traditional customs.

"It is really important that a minimum legal age for marriage be restored when the legislation is debated in the Upper House," she said.

From Myanmar to Singapore: Why the maid trafficking continues

Despite an official ban and widespread condemnation, the trade of underage girls from Myanmar to Singapore continues to thrive.

By Lynn Lee and James Leong

Al Jazeera (02.04.2018) - <https://bit.ly/2H7LeCx> - When we first heard about a 15-year-old domestic worker from [Myanmar](#) seeking help at a shelter in [Singapore](#) in 2016, we thought it was an isolated case. But at the shelter, we met three other teenage maids from Myanmar who'd also run away from their employers. One said she'd been physically abused; another fled after her male employer asked her to take a shower with him; a third told us she'd been raped.

Why were children working in Singapore? How did they even get here? We decided to investigate.

In our [2016 documentary](#), we uncovered a thriving trade in the trafficking of underage girls from Myanmar to Singapore. We discovered that this was happening despite laws in both countries designed to prevent the exploitation of vulnerable young women.

In 2014, Myanmar banned all female citizens from leaving to become domestic workers overseas. But we learned that, in villages across the country, recruiters were still telling impoverished families their lives would improve if they let their daughters go to Singapore.

What they didn't say, of course, was that doing so was illegal and that there would be risks involved. What the agents got in return was a cut of the hefty recruitment fees the girls were obliged to pay.

According to Singapore legislation, domestic workers in the wealthy island state must be at least 23 years old. However, agents regularly bribe officials in Myanmar's Immigration Department to alter birth dates on passports, allowing them to send underage girls into the country.

Some of the girls we met were barely out of their teens, but with fake documents, they were able to avoid detection in Singapore. They told us that before leaving Myanmar, their agents would instruct them to never tell anyone their real age.

The documentary went viral both in Singapore and Myanmar. But 18 months later, we discovered that very little changed. The trafficking continues.

Young, vulnerable and alone

In 2017, we heard of a series of incidents involving domestic workers from Myanmar falling from high-rise buildings in Singapore. When we investigated, we found out that at least two cases involved teenagers and realised that, despite widespread publicity, underage girls from Myanmar were still coming to Singapore.

Over six months, we visited Myanmar multiple times and tracked down the families of two girls who'd fallen from their employers' apartments. The first girl, Wain Wain, died less than a month after arriving in Singapore. We met her family, who were clearly grieving and in shock.

Ironically, their neighbours insisted that the agent who'd recruited Wain Wain was not to blame. The same recruiter had sent at least 60 village girls to Singapore and was seen as a "benefactor" who was helping lift the community out of poverty.

"Because of them, parents can earn money. Parents let them go as we are poor," says one of the villagers who sent two of her daughters to work in Singapore. "Let's say you're an employer from Singapore; you can't come directly to us. Because of the agents, we can work there. So we are grateful to them."

The second girl, Zin Zin, was just 15 when she left for Singapore with high hopes to support her family. She returned home severely injured and will likely need long-term care.

She identified the man she said helped get her a passport with a fake date of birth as Louis Zung, a member of Myanmar's parliament and founder of a company called Myanmar Global Manpower Link, the same agency we exposed in 2016.

Zung denied he was involved in any wrongdoing. However, he confirmed he remained a director of the company until 2016, two years after the ban on recruiting women to work overseas.

I often think about Wain Wain and her mysterious death. She allegedly committed suicide after being in Singapore for just a few weeks. Her sister can't believe it.

"She's not the type of person. She wouldn't dare. Her intention after our father died was to give our mother her own house," Wain Wain's sister told us.

It's likely we'll never know for sure what led to the tragedy. She was young, vulnerable and alone. And now she's gone.

Human Rights Watch accuses Myanmar soldiers of 'systematic' sex abuse of Rohingya

By Esther Htusan

The Globe and Mail (06.02.2017) - <https://tgam.ca/2kwOR81> - A human rights group urged Myanmar's government on Monday to back an independent international investigation into alleged abuses by security forces against members of the Muslim Rohingya ethnic minority, including the reported systematic use of sexual violence.

U.S.-based Human Rights Watch said in a statement that soldiers and Border Guard Police took part in rape, gang rape, invasive body searches and sexual assaults while conducting counter-insurgency operations in the western state of Rakhine from October through mid-December.

The estimated 1 million Rohingya face official and social discrimination in Buddhist-majority Myanmar, also known as Burma. Most do not have citizenship and are regarded as illegal immigrants from Bangladesh, even when their families have lived in Myanmar for generations. Communal violence in 2012 forced many to flee their homes, and more than 100,000 still live in squalid refugee camps.

"The sexual violence did not appear to be random or opportunistic, but part of a coordinated and systematic attack against Rohingya, in part because of their ethnicity and religion," Human Rights Watch said.

"These horrific attacks on Rohingya women and girls by security forces add a new and brutal chapter to the Burmese military's long and sickening history of sexual violence against women," said Priyanka Motaparthy, the group's senior emergencies researcher. "Military and police commanders should be held responsible for these crimes if they did not do everything in their power to stop them or punish those involved."

Myanmar's military has long been accused of human rights abuses against members of the country's other ethnic minorities, often while conducting counterinsurgency operations.

The United Nations High Commissioner for Human Rights made similar allegations in a detailed report released Friday. Other human rights groups have also criticized the treatment of Rohingya civilians.

The U.N. agency report, based on interviews with more than 200 Rohingya who fled to neighbouring Bangladesh, said the violence against the Rohingya has been widespread

and seemingly systematic, involving killings, enforced disappearances, torture, rape and other sexual violence, arbitrary detention and deportation, "indicating the very likely commission of crimes against humanity."

It said of the 101 women interviewed, "more than half reported having suffered rape or other forms of sexual violence."

Human Rights Watch said Myanmar authorities "have taken no evident steps to seriously investigate allegations of sexual violence or other abuses reported by non-governmental organizations" and has tried instead to discredit them.

"The government should stop contesting these rape allegations and instead provide survivors with access to necessary support, health care, and other services," Motaparthi said.

A spokesman for the Myanmar president's office could not be reached for comment. The government has consistently denied abuses and has blocked independent journalists and aid workers from visiting the military's operation zone in northern Rakhine.

The government launched what it called "area clearance operations" in northern Rakhine after attacks on border police killed nine officers. It blamed a little-known Muslim insurgent group for the attacks.

Friday's U.N. human rights report said the military operations launched in October "have likely resulted in several hundred deaths and have led to an estimated 66,000 people fleeing into Bangladesh and 22,000 being internally displaced."