

Comparing UN Interventions in Forced Displacement: The Rohingya Muslims (2016–) and South Sudanese (2013–).

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Abstract

This article delves into the nature of the conflicts in Myanmar, targeting the Rohingya Muslims, and in South Sudan, affecting civilians through civil war. By bringing together information and data provided by the UN and other sources showcasing how the United Nations, its Children's Fund (UNICEF), Refugee Agency (UNHCR) and its mission in South Sudan (UNMISS), the article explores the nature of the UN's interventions and compares the specificities of each case, and how aid was delivered either differently or similarly for the Rohingya and the South Sudanese. It finds that while the UN provided life-saving humanitarian aid in both countries, the nature of the required assistance differed; help in refugee camps with food, water and medicine was crucial for the Rohingya, whilst the South Sudanese required immediate physical protection from insurgent movements. The main findings point towards the necessity for more defined protection mechanisms and accountability measures, which may contribute to preventing similar future crises.

Keywords: United Nations, displacement, refugee, Rohingya, South Sudan, humanitarian, UNMISS, UNICEF, UNHCR

1. Introduction

1.1. Background information

The Rohingya are a Muslim ethnic minority group who have lived for centuries in the West of Myanmar, more specifically, the Rakhine state¹. This ethnic group has not yet obtained official recognition by the state of Myanmar as a community; many lack documentation and even citizenship. Since the 1980s, they have been recognised by Doctors Without Borders as the largest stateless

population worldwide². Due to their lack of protection, the Rohingya have been subjected to consistent persecution, abuse and violence for decades, causing around 1.1 million people to flee to surrounding countries, mainly Bangladesh and Malaysia. More than 931,000 have been displaced to the same refugee camp in the Kutupalong region of Cox's Bazaar, Bangladesh, making it the largest refugee camp in the world³.

¹ UNHCR (2023b). Rohingya Refugee Crisis Explained. [online] www.unrefugees.org. Available at: <https://www.unrefugees.org/news/rohingya-refugee-crisis-explained/>.

² Doctors without Borders (2022). The Rohingya: The world's largest stateless population. [online] Médecins Sans Frontières Australia | Doctors Without Borders. Available at: <https://msf.org.au/rohingya-worlds-largest-stateless-population>.

³ UNHCR (2023a). Inside the world's Five Largest Refugee Camps. [online] www.unrefugees.org. Available at: <https://www.unrefugees.org/news/inside-the-worlds-five-largest-refugee-camps/>.

South Sudan is the newest country in the world, established in 2011 following a fatal civil war. Only two years later did a large-scale conflict⁴ erupt in this country as a consequence of ethnic tensions between President Salva Kiir's Dinka and former Vice President Riek Machar's Nuer communities⁵. The situation escalated to the point of large-scale fighting, causing the internal displacement of 2.22 million South Sudanese and 2.32 million immigrants in neighboring countries, mainly Sudan, Uganda, and Ethiopia⁶.

As a response to these conflicts, the United Nations and its humanitarian branches, including UNICEF, UNHCR, and the WHO, as well as specific missions such as UNMISS, have been deployed to assist in providing aid to these displaced populations. In Bangladesh and South Sudan, the UN supplies food, shelter, and medical aid to the respective Rohingya and South Sudanese refugees. The provision of UN aid for these refugees is unquestionably crucial, serving as a lifeline for thousands, albeit with limitations. However, UN personnel often encounter difficulties accessing conflict zones and assisting the most impoverished populations.

1.2. Article synopsis

This article argues that the United Nations played a pivotal role in mitigating the forced displacement of the Rohingya

Muslims (2016–) and the South Sudanese (2013–), saving thousands of lives. However, its interventions revealed significant shortcomings in scope, resource allocation, and long-term solutions. The paper examines these interventions, evaluates their outcomes, and compares them to highlight lessons for future crises.

This work will be supported by sources and reports from the UN or its affiliates, as well as papers that provide critical analyses of these crises.

This study will first examine the UN's intervention in the Rohingya crisis, followed by an analysis of the former's role in helping dilute the South Sudanese emergency. In the third and comparative part, the study will compare these interventions and assess them from a bilateral perspective while also reviewing their shortcomings.

2. The Rohingya Muslims and UN aid

2.1. Background

The late 1970s witnessed the emergence of a new wave of prosecutions targeting the Rohingya people in Rakhine State, then part of Burma, in a process initially named Operation Dragon King, "consisting of mass arrests, persecution, and horrific violence"⁷. This began the long process of forced displacement that relocated more than 1.1 million people to date⁸ to Bangladesh and other neighboring countries. In August 2017, armed attacks caused one of the most significant exodus of Rohingya,

⁴ UNHCR (2023c). South Sudan Refugee Crisis Explained. [online] Unrefugees.org. Available at: <https://www.unrefugees.org/news/south-sudan-refugee-crisis-explained/>.

⁵ Aufiero, P. and Tut Pur, N. (2021). South Sudan at a Crossroads. [online] Human Rights Watch. Available at: <https://www.hrw.org/news/2021/07/09/south-sudan-crossroads>.

⁶ UNHCR (2023d). South Sudan situation. [online] Global Focus. Available at: <https://reporting.unhcr.org/operational/situations/south-sudan-situation>.

⁷ Doctors Without Borders (2020). Timeline: A visual history of the Rohingya refugee crisis. [online] Doctors Without Borders - USA. Available at: <https://www.doctorswithoutborders.org/latest/timeline-visual-history-rohingya-refugee-crisis>.

⁸ Doctors without Borders (2022). The Rohingya: The world's largest stateless population. [online] Médecins Sans Frontières Australia | Doctors Without Borders. Available at: <https://msf.org.au/rohingya-worlds-largest-stateless-population>.

many of them traveling for days and through jungles and bays (notably, the Bay of Bengal) to reach safety in Bangladesh⁹.

2.2. UNHCR involvement

In response, the United Nations High Commissioner for Refugees (UNHCR) established a large refugee camp in Cox's Bazar¹⁰ in the South of Bangladesh, providing immediate shelter for the thousands of incoming refugees following the attacks. Such was their role as the leading international organization working to uphold world peace and security, as stated in the UN Charter. Immediately upon the refugees' arrival, UNHCR personnel were sent to provide medical aid, food, and sanitation resources in a round of efforts to contain possible spreads of disease, especially dengue fever¹¹, as well as famine¹². Additionally, in the refugee camps, the climate significantly impacts the conditions in which the refugees live, as it is located in a tropical monsoon area, prone to landslides and heavy rainfall¹³. This becomes especially detrimental during monsoon season, which lasts from June to October¹⁴, accounting for a substantial part of the year. Issues with

water, sanitation, and hygiene (WASH) also posed severe challenges for the refugees, as water supplies often fell short of World Health Organisation (WHO) recommendations¹⁵, which is around 50-100 liters per person per day, the minimum being 20; some areas even received water for less than 2 hours per day. In response, the Central Emergency Response Fund, a humanitarian fund established by the United Nations General Assembly in 2005¹⁶, allocated \$11.5 million in 2017 and \$27.6 million in 2018¹⁷ to WASH services in Bangladeshi refugee camps hosting Rohingyas, which was used in the construction of additional sanitation facilities such as toilets and water pumps, in an attempt to reduce the risk and spread of waterborne diseases.

Moreover, small-scale economic activities such as running small businesses are encouraged by the UNHCR; only about 50,000 displaced who arrived in Bangladesh in 2017 were granted refugee status, leaving more than 880,000 without official status and, therefore, unable to access goods and services outside the camps¹⁸. However, this does not imply that they cannot participate in economic activities within the camps; rather, this is encouraged. Many must have a source of income to provide for their families, causing them to enter into trade businesses, thus

⁹ UNHCR (2023c). Rohingya Refugee Crisis Explained. [online] www.unrefugees.org. Available at: <https://www.unrefugees.org/news/rohingya-refugee-crisis-explained/>.

¹⁰ Dwi, R. and Nur Aulia Safira (2024). The Role of the United Nations in Handling The Rohingya and Uighur Conflict in 2017–2022. *Advances in Social Science, Education and Humanities Research/Advances in social science, education and humanities research*, [online] pp.795–804. doi:https://doi.org/10.2991/978-2-38476-236-1_85.

¹¹ World Health Organisation (2022). Dengue in Rohingya refugee/Forcibly Displaced Myanmar Nationals (FDMN) camps in Cox's Bazar - Bangladesh. [online] www.who.int. Available at: <https://www.who.int/emergencies/disease-outbreak-news/item/2022-DON401>.

¹² Dwi, R. and Nur Aulia Safira (2024). The Role of the United Nations in Handling The Rohingya and Uighur Conflict in 2017–2022. *Advances in Social Science, Education and Humanities Research/Advances in social science, education and humanities research*, [online] pp.795–804. doi:https://doi.org/10.2991/978-2-38476-236-1_85.

¹³ United Nations Development Programme (n.d.). Strengthening Disaster Risk Management and Community Resilience in Cox's Bazar. [online] UNDP. Available at: <https://www.undp.org/bangladesh/projects/strengthening-disaster-risk-management-and-community-resilience-coxs-bazar>.

¹⁴ UN News (2024). Millions impacted by 'catastrophic and massive floods' in Bangladesh. [online] UN News. Available at: <https://news.un.org/en/story/2024/09/1154036>.

¹⁵ United Nations (2010). The Human Right to Water and Sanitation Media Brief 1 UN-Water Decade Programme on Advocacy and Communication and Water Supply and Sanitation Collaborative Council. [online] Available at: https://www.un.org/waterforlifedecade/pdf/human_right_to_water_and_sanitation_media_brief.pdf.

¹⁶ CERF (2016). Who We Are | CERF. [online] Un.org. Available at: <https://cerf.un.org/about-us/who-we-are>.

¹⁷ Damanik, A.F. (2016). THE ROLE OF THE UNITED NATIONS CHILDREN'S FUNDS (UNICEF) IN HANDLING ROHINGYA CHILDREN REFUGEES IN BANGLADESH 2016-2018. *Journal of International Islamic Law, Human Right and Public Policy*, [online] 2(1), pp.47–64. doi:<https://doi.org/10.59733/jishup.v2i1.47>.

¹⁸ Joint Data Center on Forced Displacement (2020). Refugees who mean business: Economic activities in and around the Rohingya settlements in Bangladesh. [online] Joint Data Center. Available at: https://www.jointdatacenter.org/literature_review/refugees-who-mean-business-economic-activities-in-and-around-the-rohingya-settlements-in-bangladesh/.

creating a subsistent internal economy supported by the UNHCR, as described in the UNHCR-Yale report published in June 2022, entitled “The Impact of Financial Assistance Through Volunteer Programmes In Cox’s Bazar Refugee Camps”¹⁹. According to this study, participation in such economic activities not only provides crucial income for family necessities but also contributes to reduced depression rates and fosters household resilience against financial shocks.

2.3. UNICEF involvement

Furthermore, the thousands of children who left Rakhine state with heavy trauma are also a source of great concern for the United Nations Children’s Fund (UNICEF). The latter helped create areas within the refugee camps designed to offer psychosocial support to children. They encourage structured “playtime” and other activities to restore a sense of normalcy and prevent these children from losing their childhoods. To ensure that they receive an education, 9,000 teachers²⁰, mainly consisting of volunteers and Rohingyas, actively participate in weekly education programs for the refugees. These efforts are directed at preventing the emergence of a “Lost Generation” of more than 500,000 Rohingya children, as was outlined in the report published by UNICEF in August 2018, entitled “Futures in the Balance: Building

Hope for a Generation of Rohingya Children”²¹. In this report, UNICEF describes how, in just under one year, more than 140,000 children became enrolled in formal education of some kind in the refugee camps in Bangladesh, with approximately 1,200 learning centres²² in operation, providing educational services primarily to children under the age of 14 (deemed a priority).

Additionally, the report describes UNICEF’s involvement with community outreach in the refugee camps, aimed at tackling dangerous misconceptions such as measles injections causing sterility in girls. More than 1,020 volunteers (many of them Rohingyas) hired by UNICEF and their partners, Pulse and BRAC²³, go from house to house to help inform the refugees on issues such as childbirth, nutrition and locations of WASH services, constituting an extensive community mobilisation program. Furthermore, UNICEF established an organised aid delivery system in coordination with the Bangladeshi government to reinforce camp security and ensure refugee protection in Cox’s Bazar, named the “Joint Response Plan for the Rohingya”, devised in 2018²⁴. With the help of the Bangladeshi government, the UN ensured the upkeep of the non-refoulement principle, which effectively prevented the forced return of the refugees to Myanmar and,

¹⁹ UNHCR and Yale Y-RISE (2022). THE IMPACT OF FINANCIAL ASSISTANCE THROUGH VOLUNTEER PROGRAMMES IN COX’S BAZAR REFUGEE CAMPS. [online] UNHCR Operational Data Portal (ODP). Available at: https://data.unhcr.org/en/documents/details/93863?_gl=1.

²⁰ UNICEF USA (2022). Inside Look: How UNICEF Supports Rohingya Refugees in Bangladesh. [online] UNICEF USA. Available at: <https://www.unicefusa.org/stories/inside-look-how-unicef-supports-rohingya-refugees-bangladesh>.

²¹ United Nations Children’s Fund (2018). FUTURES IN THE BALANCE: BUILDING HOPE FOR A GENERATION OF ROHINGYA CHILDREN. [online] Available at: <https://www.unicef.org/media/95336/file/UNICEF-Child-Alert-Rohingya-Aug-2018-EN.pdf>.

²² United Nations Children’s Fund (2018). FUTURES IN THE BALANCE: BUILDING HOPE FOR A GENERATION OF ROHINGYA CHILDREN. [online] Available at: <https://www.unicef.org/media/95336/file/UNICEF-Child-Alert-Rohingya-Aug-2018-EN.pdf>.

²³ BRAC (2021). South Sudan – BRAC International. [online] Bracinternational.org. Available at: <https://bracinternational.org/south-sudan/#our-programmes>.

²⁴ Strategic Executive Group (2019). Joint Response Plan For Rohingya Humanitarian Crisis: March-December 2018. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/JRP%20for%20Rohingya%20Humanitarian%20Crisis%20-%20FOR%20DISTRIBUTION.PDF>.

therefore, guaranteed asylum for the displaced. The Joint Response Plan (JRP) also addressed pressing issues such as food security by providing more than 12,200 metric tons of food every month²⁵ to sustain the refugees and ensuring that malnutrition is avoided through medical screenings for children and nutrition support programs. Over 43 primary health centers and an additional 144 health posts were established to ensure that the refugees obtained medical care, and the JRP also provided obstetric care to 53,266 pregnant women, ensuring maternal health was prioritized in the camps.

2.4. UN diplomatic efforts

The UN's diplomatic efforts in holding Myanmar's government accountable for their role played in the genocide are also of note, as they coordinated with neighboring countries' governments to find solutions for the displaced. Indeed, The UN specifically condemned Myanmar's actions and the hindrance of humanitarian aid to affected regions in General Assembly Resolution 34/22, which was proposed in February-March 2017: "Calls upon the Government of Myanmar to continue efforts to eliminate statelessness [...] in particular relating to the Rohingya minority"²⁶. In this resolution, the UN also initiated a fact-finding mission aimed at gathering evidence to shed light on the human rights violations occurring in Rakhine state by military and security forces, which

included brutal killings, rape, and unlawful destruction of property²⁷. Persistent lobbying by the UN as a result of the findings of this mission caused many groups on the international stage, including NGOs and humanitarian organizations (e.g. Amnesty International, Save the Children), to raise awareness for and send aid to the Rohingya cause.

3. UNMISS in South Sudan

3.1. Background

The United Nations Mission in South Sudan (UNMISS) was established in July 2011 to support the development of the newly independent South Sudan, which became independent on July 9, 2011, and to ensure its stability²⁸. In December 2013, the South Sudanese civil war began when fighting broke out between two factions of the Sudan People's Liberation Movement (SPLM). On one side were the governmental forces led by President Salva Kiir, and on the other were the opposition forces, known as the Sudan People's Liberation Movement-in-Opposition (SPLM-IO), led by Kiir's former deputy, Riek Machar²⁹. Less than two days later, the fighting between these two groups spread to residential areas, resulting in large-scale killings and abuses. Given that the attacks were also ethnically motivated, many Nuer people were targeted and killed in specific neighborhoods, often 200 or 300 at a time. These attacks prompted thousands to seek refuge in

²⁵ Strategic Executive Group (2019). Joint Response Plan For Rohingya Humanitarian Crisis: March-December 2018. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/JRP%20for%20Rohingya%20Humanitarian%20Crisis%20-%20FOR%20DISTRIBUTION.PDF>.

²⁶ United Nations General Assembly (2017). Human Rights Council Thirty-fourth session Resolution adopted by the Human Rights Council on 24 March 2017 34/22. Situation of human rights in Myanmar. [online] Available at: <https://documents.un.org/doc/undoc/gen/g17/081/98/pdf/g1708198.pdf>.

²⁷ United Nations General Assembly (2017). Human Rights Council Thirty-fourth session Resolution adopted by the Human Rights Council on 24 March 2017 34/22. Situation of human rights in Myanmar. [online] Available at: <https://documents.un.org/doc/undoc/gen/g17/081/98/pdf/g1708198.pdf>.

²⁸ United Nations (n.d.). UNMISS. [online] UNMISS. Available at: <https://unmiss.unmissions.org>.

²⁹ Aufiero, P. and Tut Pur, N. (2021). South Sudan at a Crossroads. [online] Human Rights Watch. Available at: <https://www.hrw.org/news/2021/07/09/south-sudan-crossroads>.

UNMISS bases, more specifically in Bor, Juba, Akobó, Bentiu, Malakal, and Melut³⁰; this caused the South Sudanese government's relationship with UNMISS to worsen and even led to hostile remarks made by government officials as well as anti-UN demonstrations. By March of the following year, around 85,000 people had relocated to eight specific UNMISS bases. Security Council Resolution 2132 raised the mission's troop level to 12,500 personnel and the police component to 1,323^{31,32}. This represents one of the most vigorous UN Security Council mandates, taking exceptional measures to ensure civilian protection in South Sudan through active peacekeeping.

3.2. Protection of Civilian (PoC) sites in South Sudan

Many Protection of Civilian (PoC) sites were established by UNMISS, representing a "temporary last resort" and providing refuge for civilians under "imminent threat of physical violence"³³. However, with growing threats of violence, these sites became semi-permanent, hosting more than 200,000 internally displaced people, a number which grew every day. In these sites, security is provided by the United Nations Police (UNPOL), who conduct 24-hour patrols around the camps, and in some sites, such as Bentiu and Malakal in Northern South Sudan, have even

introduced "holding facilities" for perpetrators of violence³⁴. This has been proven to significantly lower rates of violence; in 2016, there were 275 incidents reported in the Malakal PoC site, which decreased to less than 170 in 2018. Search and seizure operations carried out by the UNPOL and the overall increased protection of the inhabitants in the camps caused them to emphasize the role of the police in their daily lives in interviews conducted by volunteers at UNMISS³⁵. Tens of thousands of lives were estimated to have been saved by the establishment and upkeep of these PoC sites, in which emergency relief in the form of food, water, and shelter was provided to the fleeing masses³⁶.

3.3. UNMISS Protection of Civilian Strategy (PCS)

Moreover, UNMISS established a Protection of Civilian Strategy (PCS), which outlines how they will engage in protection activities for people not in the PoC sites. There are three tiers to the UNMISS PCS: protection through the political process, providing protection from physical violence, and establishing a protective environment³⁷. Although the PoC sites are given unofficial priority status and absorb many of the mission's resources, hundreds of thousands of civilians in urban and rural areas remain in need of humanitarian aid. Therefore, UNMISS personnel

³⁰ Stamnes, E. (2015). The United Nations Mission in the Republic of South Sudan (UNMISS): Protecting Civilians in a Volatile Environment. [online] Available at: <https://www.files.ethz.ch/isn/193787/NUPI-Policy-Brief-24-15-Stamnes-3.pdf>.

³¹ UN Security Council (2013). Resolution 2132 (2013) /: adopted by the Security Council at its 7091st meeting, on 24 December 2013. [online] United Nations Digital Library System. Available at: <https://digitallibrary.un.org/record/762863?ln=en&v=pdf>.

³² EPON (Effectiveness of Peace Operations Network) (2019). Assessing the Effectiveness of the United Nations Mission in South Sudan / UNMISS. [online] EPON. Available at: <https://collections.unu.edu/eserv/UNU:7595/EPON-UNMISS-Report-LOWRES.pdf>.

³³ Kilroy, W. and Ryan, K. (2024). Institutionalising an Emergency Response: 'Protection of Civilians' Sites at UN Bases in South Sudan as a Way to Deal with Violence Against Communities. *Civil wars*, 26(1), pp.1–34. doi:<https://doi.org/10.1080/13698249.2024.2302724>.

³⁴ EPON (Effectiveness of Peace Operations Network) (2019). Assessing the Effectiveness of the United Nations Mission in South Sudan / UNMISS. [online] EPON. Available at: <https://collections.unu.edu/eserv/UNU:7595/EPON-UNMISS-Report-LOWRES.pdf>.

³⁵ EPON (Effectiveness of Peace Operations Network) (2019). Assessing the Effectiveness of the United Nations Mission in South Sudan / UNMISS. [online] EPON. Available at: <https://collections.unu.edu/eserv/UNU:7595/EPON-UNMISS-Report-LOWRES.pdf>.

³⁶ Kilroy, W. and Ryan, K. (2024). Institutionalising an Emergency Response: 'Protection of Civilians' Sites at UN Bases in South Sudan as a Way to Deal with Violence Against Communities. *Civil wars*, 26(1), pp.1–34. doi:<https://doi.org/10.1080/13698249.2024.2302724>.

³⁷ United Nations (2015). Report of the Secretary-General on South Sudan. [online] Available at: <https://documents.un.org/doc/undoc/gen/n14/249/82/pdf/n1424982.pdf>.

must address these issues simultaneously, as outlined in the official UNMISS Protection of Civilians Strategy, 15 September 2014³⁸. As part of these efforts and mainly to address the 2nd tier of the PCS (protecting from physical violence), high visibility patrolling of certain areas has been ordered by UNMISS, and the use of force is effectively allowed by personnel in cases of danger being presented to civilians. The mission also collaborates with local Civil Society Organisations (CSOs) such as the South Sudan Human Rights Defenders Network (SSHRDN)³⁹, creating early warning systems to prevent incidents of violence having detrimental effects on internally displaced persons (IDPs), as well as making the reporting of such events more manageable. Through these cooperative efforts, UNMISS can strengthen its preventative measures and support more robust protection frameworks within the PoCs.

3.4. Humanitarian aid

UNMISS also facilitated humanitarian aid by establishing safe passage for individuals trying to escape during heightened violence and conflict, especially in otherwise inaccessible regions. By sending humanitarian convoys and rehabilitating supply roads, the mission delivered life-saving humanitarian aid to more than 100,000 people⁴⁰ mostly living in rural areas, some of which were often conflict-prone. According to the UN Office for the

Coordination of Humanitarian Affairs (OCHA)⁴¹, even the people living in high-constraint areas in the West and North-East of South Sudan, such as Western Bahr el Ghazal and Longochuk, in which access is complicated due to the presence of armed groups and checkpoints, were able to receive some form of humanitarian assistance via UNMISS⁴². By facilitating external assistance, the mission is vital in delivering support and resources that can help improve their well-being and resilience. This initiative addresses crucial needs that the IDPs might not have met otherwise.

3.5. Legal action

Furthermore, UNMISS's Human Rights Division (UNMISS HRD) were actively involved in creating reports that documented the human rights violations, extra-judicial killings and sexual violence crimes that were committed against the South Sudanese since the outbreak of the war. In a specific report documenting an attack on Bentiu in Unity State in October 2014⁴³ official findings were evident in showing that there had been intentional targeting of civilians by armed forces and that women, in particular, had been abducted and subject to sexual abuses during the attack. For example, witnesses observed and reported 4 SPLM-IO groups entering the Catholic Church

³⁸ UNMISS Protection of Civilians Strategy, 15 September 2014, para 31.

³⁹ South Sudan Human Rights Defenders Network (SSHRDN) (2020). Our organization - South Sudan Human Rights Defenders Network. [online] South Sudan Human Rights Defenders Network. Available at: <https://sshrdn.org/about-us/our-organization/>.

⁴⁰ EPON (Effectiveness of Peace Operations Network) (2019). Assessing the Effectiveness of the United Nations Mission in South Sudan / UNMISS. [online] EPON. Available at: <https://collections.unu.edu/eserv/UNU:7595/EPON-UNMISS-Report-LOWRES.pdf>.

⁴¹ UN Office for the Coordination of Humanitarian Affairs (2018). South Sudan: Humanitarian Access Snapshot (September 2018) - South Sudan. [online] ReliefWeb. Available at:

<https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-access-snapshot-september-2018>.

⁴² United Nations Mission in South Sudan and United Nations Human Rights Office of the High Commissioner (2015). The State of Human Rights in the Protracted Conflict in South Sudan. [online] Available at:

https://unmiss.unmissions.org/sites/default/files/human_rights_update_report_of_4_december_2015_final.pdf.

⁴³ UNMISS (2014). Special Report: Attack on Bentiu, Unity State, 29 October 2014. [online] Available at:

https://unmiss.unmissions.org/sites/default/files/unmiss_hrd_-_attack_on_bentiu_october_2014.pdf.

in Dere, in which more than 150 people had taken refuge. A short while later, people witnessed the killing of a 15-17-year-old boy from a group of 11 men outside the church by an SPLM-IO soldier, and the remaining ten were soon killed⁴⁴. These reports were invaluable in raising awareness in both the international community and the South Sudanese government of the atrocities endured by the South Sudanese people over the years. Following the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), signed into effect in Addis Ababa, Ethiopia, in 2018⁴⁵, these reports are permitted to be used by prosecutors on both the national and international stage if deemed necessary, to urge accountability for “serious human rights violations, abuses, war crimes, or crimes against humanity”⁴⁶. Therefore, UNMISS was involved not only in providing humanitarian aid to the South Sudanese but also in pursuing legal action, focusing on international accountability for crimes committed during the civil war.

4. Differences and difficulties

Although the United Nations and its specialized branches have played an unmistakably crucial role in helping the displaced persons in Myanmar and South Sudan, their interventions have differed mainly in scope, nature, and

effectiveness. The analysis of the difficulties and shortcomings of the interventions are based on the following objective criteria for “success”:

- Immediate humanitarian impact (e.g. lives saved, physical aid packages delivered)
- Sustainability of interventions (e.g. long-term infrastructure, repatriation plans)
- Accountability mechanisms (e.g. addressing legal and systemic barriers).

It is also recognized that it is infrequent, albeit impossible, for third-party interventions to be perfect and provide unmitigated humanitarian aid.

4.1. Nature of interventions

In South Sudan, UNMISS's primary goal is to protect civilians from physical violence, primarily by establishing PoC camps. This allows the fleeing groups to find “safe havens” within their periphery, where they can receive immediate protection from physical attacks and receive food, water, sanitation services, and medicine. With the creation of these PoC sites came a strategic base for the UN peacekeepers, from which monitoring and intervention are facilitated.

Contrastingly, in Myanmar, UNICEF and UNHCR concentrated their efforts on facilitating safe passage to Bangladesh for the Rohingya people. The goal of the intervention largely stemmed from adhering to the needs of the displaced populations following cross-border displacement to neighboring countries, namely Bangladesh.

⁴⁴ UNMISS (2014). Special Report: Attack on Bentiu, Unity State, 29 October 2014.

[online] Available at:

https://unmiss.unmissions.org/sites/default/files/unmiss_hrd_-_attack_on_bentiu_october_2014.pdf.

⁴⁵ Intergovernmental Authority on Development (2018). REVITALISED AGREEMENT ON THE RESOLUTION OF THE CONFLICT IN THE REPUBLIC OF SOUTH SUDAN (R-ARCSS) ADDIS ABABA, ETHIOPIA 12 SEPTEMBER 2018. [online] Available at:

<https://docs.pca-cpa.org/2016/02/South-Sudan-Peace-Agreement-September-2018.pdf>.

⁴⁶ Intergovernmental Authority on Development (2018). REVITALISED AGREEMENT ON THE RESOLUTION OF THE CONFLICT IN THE REPUBLIC OF SOUTH SUDAN (R-ARCSS) ADDIS ABABA, ETHIOPIA 12 SEPTEMBER 2018. [online] Available at:

<https://docs.pca-cpa.org/2016/02/South-Sudan-Peace-Agreement-September-2018.pdf>.

The UN was, therefore, more focused on deterring ethnic conflict and violations of humanitarian law on a wide scale by ensuring the safety of those residing in the PoC sites in South Sudan; “Without UNMISS, there would have been a genocide here” was the sentiment shared by many South Sudanese to the Global Observatory⁴⁷. This reflects the importance of physical safety in a country plagued by civil war, consisting of armed conflict and widespread danger for unprotected civilians.

In Myanmar, the Rohingya ethnic minority was subject to targeted ethnic cleansing, forcing them to seek refuge in bordering countries, which was the foremost cause for UN intervention. Facilitating the transition and accommodation to other countries became UNICEF and UNHCR's priority following the outbreak of violence in Rakhine State.⁴⁸

4.2. Shortcomings

In South Sudan, while the PoC sites established by UNMISS are vital, there are no guarantees that the mission will be able to cover far more territory and people if the sites are phased out due to political or economic reasons⁴⁹. This presents barriers to the sustainability of the UN's operations in the country, as refugee camps, such as those in Cox's Bazar, do not form long-term infrastructure able to safely and effectively accommodate refugees by an

adequate humanitarian standard. Furthermore, the success of the immediate humanitarian impact received by the Rohingyas has suffered changes since the food rations were cut by 30% in 2023 due to a lack of funding for the UN World Food Programme (WFP)⁵⁰. This caused 90% of the camp to lack access to adequate diets by November of that same year, and many have had to ration their food for month-long periods. This constitutes a severe case of food insecurity, contributing to the shortcomings of the UN's interventions for the Rohingya.

Within the refugee camps, refugees who were repatriated to Myanmar were often not adequately informed about the process and what awaited them upon their arrival; this went against the UNHCR's responsibilities. UNHCR personnel also assumed the insufficient effort to reduce abuses in specific areas in the camps, and when field staff criticized this, they were effectively removed from the operation⁵¹. This shows that UN involvement in specific Rohingya camps was flawed, and their shortcomings were often concealed from the public, indicating limited effectiveness of accountability mechanisms for interventions concerning the Rohingya.

Additionally, facilitating the voluntary relocation of thousands of internally displaced people and effectively creating homogeneous ethnic areas might benefit South Sudan in the short term, but it will likely reinforce ethnic rifts, which is not a sustainable approach to establish in the

⁴⁷ The Global Observatory (2019). Impact of UN Mission in South Sudan Complicated by Dilemmas of Protection. [online] IPI Global Observatory. Available at: <https://theglobalobservatory.org/2019/12/impact-un-mission-south-sudan-complicated-by-dilemmas-of-protection/>.

⁴⁸ UNHCR (2018). UNHCR steps up call for unhindered access in Myanmar's northern Rakhine state | UNHCR. [online] UNHCR. Available at: <https://www.unhcr.org/news/briefing-notes/unhcr-steps-call-unhindered-access-myanmars-northern-rakhine-state>.

⁴⁹ Norwegian Refugee Council (2017). PROTECTION OF CIVILIANS SITES LESSONS FROM SOUTH SUDAN FOR FUTURE OPERATIONS. [online] Available at: https://www.nrc.no/globalassets/pdf/reports/poc-sites_lessons-from-south-sudan-copy.pdf.

⁵⁰ European Civil Protection and Humanitarian Aid Operations (2024). Food ration cuts in Bangladesh: a year of struggles and hope for Rohingya refugees - European Commission. [online] civil-protection-humanitarian-aid.ec.europa.eu. Available at: https://civil-protection-humanitarian-aid.ec.europa.eu/news-stories/stories/food-ration-cuts-bangladesh-year-struggles-and-hope-rohingya-refugees_en.

⁵¹ Faye, M. (2021). A forced migration from Myanmar to Bangladesh and beyond: humanitarian response to Rohingya refugee crisis. *Journal of International Humanitarian Action*, 6(1), pp.1–7. doi:<https://doi.org/10.1186/s41018-021-00098-4>.

wake of civil war, according to the Global Observatory⁵². Moreover, a report published by the UN Office for the Coordination of Human Affairs (OCHA) shows that more than 4.3 million people still require humanitarian aid in South Sudan⁵³. It also shows that the lack of funding in specific mission sectors is flagrant. For example, of the \$255 million needed for the refugee response in South Sudan, only \$70.4 million was received. This presents a serious shortcoming of the value of the humanitarian aid provided to the South Sudanese, as it effectively lacked sufficient funding to complete the mission's preliminary goals. Furthermore, accountability for improper conduct by UN forces is difficult due to the nationality-based immunities granted to the peacekeepers, which make them not subject to South Sudanese law⁵⁴. Legal barriers are significant for UNMISS, particularly regarding its ability to hold the government and rebel forces accountable for serious human rights violations. The South Sudanese legal system is weak and does not facilitate the operation of independent bodies within its territory⁵⁵.

4.3. Safe return, or lack thereof

The UN inevitably has limited reach in Myanmar. Safe return, or “repatriation”, of the refugees to the homes they were expelled from is either impossible, difficult or very undesirable. Refugees who arrived in the Bangladesh camps in 2019 reported that harassment, forced labour, and arbitrary arrest were still common in Myanmar⁵⁶. They also revealed not only the unwillingness of the government to guarantee safe conditions for returnees but also their adoption of certain policies that are actively worsening the situation, such as the requirement for Rohingyas to carry with them a National Verification Card (NVC) at all times⁵⁷. More than 400 villages were damaged or destroyed during “clearance operations” carried out by the military⁵⁸, creating a severe barrier to safe return for the Rohingyas.

Similarly, in South Sudan, safe return is not guaranteed by UNMISS, as there is no promise that ethnic, physical and sexual violence will not remain an occurrence in the places from which internally displaced peoples (IDPs) fled⁵⁹. As was previously established, the PoCs were meant to be a temporary solution to an imminent influx of thousands of refugees. Still, they became semi-permanent places of residence for thousands who had had their homes

⁵² The Global Observatory (2019). Impact of UN Mission in South Sudan Complicated by Dilemmas of Protection. [online] IPI Global Observatory. Available at: <https://theglobalobservatory.org/2019/12/impact-un-mission-south-sudan-complicated-by-dilemmas-of-protection/>.

⁵³ OCHA Financial Tracking Service (2023). South Sudan Humanitarian Response Plan 2023 | Financial Tracking Service. [online] Unocha.org. Available at: <https://fts.unocha.org/plans/1111/summary>.

⁵⁴ United Nations General Assembly (1946). No. 4 CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS Adopted by the General Assembly of the United Nations on 13 February 1946 CONVENTION SUR LES PRIVILÈGES ET IMMUNITÉS DES NATIONS UNIES. [online] Available at: <https://www.un.org/en/ethics/assets/pdfs/Convention%20of%20Privileges-Immunities%20of%20the%20UN.pdf>.

⁵⁵ UN General Assembly (2024). Evaluation of the contribution of the United Nations Mission in South Sudan to strengthening the rule of law and accountability in South Sudan :: report of the Office of Internal Oversight Services. [online] United Nations Digital Library System. Available at: <https://digitallibrary.un.org/record/4038535?v=pdf>.

⁵⁶ Sullivan, D. (2019). Abuse or exile: MYANMAR'S ONGOING PERSECUTION OF THE ROHINGYA. [online] Available at: <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2023/03/BangladeshFINAL.pdf>.

⁵⁷ Potter, R. and Win, K. (2019). NATIONAL VERIFICATION CARDS -A BARRIER TO ROHINGYA REPATRIATION Burma Human Rights Network. [online] Available at: https://progressivevoicemyanmar.org/wp-content/uploads/2019/07/NVC-A_barrier_To_Rohingya_Repatriation_Report_by_BHRN.pdf.

⁵⁸ Selth, A. (2018). MYANMAR'S ARMED FORCES AND THE ROHINGYA CRISIS. [online] Available at: <https://www.usip.org/sites/default/files/2018-08/pw140-myanmars-armed-forces-and-the-rohingya-crisis.pdf>.

⁵⁹ Forced Migration Review (2024). Shared obstacles to return: Rohingya and South Sudanese - Forced Migration Review. [online] Forced Migration Review. Available at: https://www.fmreview.org/return/sullivan/#_edn1.

destroyed and systematically looted by armed forces⁶⁰ at the beginning of the conflict. The latter events caused repatriation to be extremely difficult and often unwanted by many South Sudanese, as their relocation would mean a lack of security, lesser access to humanitarian aid, and insufficient information sharing⁶¹.

4. Conclusion

This study underscores the necessity for the UN to integrate stronger accountability mechanisms and sustainable repatriation strategies into its interventions. Where governments are unable to accept accountability or reduce state and opposition-led violence, the UN can create intermittent and permanent camps to house refugees in Myanmar and South Sudan, providing them with sanctuary following periods of extreme and ethnic-based violence.

Differences have been found between the UN's involvement in Myanmar and South Sudan. Aside from the fact that they present as inherently different conflicts, the issues in South Sudan are primarily focused on providing physical protection from violence, often stemming from the SPLM-IO opposition group. In contrast, the Rohingyas sought refuge and humanitarian aid in Bangladesh following an ethnically driven violent outbreak in Rakhine state.

In both crises, the UN has been met with particular limitations, mainly regarding safe return processes and legal obstacles preventing it from attaining a larger scope of distressed populations. In South Sudan, threats of violence hinder progress in reducing refugees' reliance on the PoC sites. In Myanmar, the lack of government protection and the destruction of homes make the Rohingyas' return undesirable.

Future efforts should prioritize collaborative frameworks with host nations and address the root causes of displacement to prevent recurring crises. UN officials and personnel may use the events in South Sudan and Myanmar as an example of the vitality of humanitarian aid to displaced peoples, both internationally and internally. By taking further legal action and increasing funding for refugee camps and PoC sites, issues such as overcrowding, poor sanitation, and crime can be avoided in a bid to reduce the tangible effects of ethnically motivated violence in vulnerable countries.

⁶⁰ Amnesty International (2017). South Sudan: Killings, mass displacement and systematic looting as government forces purge civilians from Upper Nile. [online] Amnesty International. Available at: <https://www.amnesty.org/en/latest/news/2017/06/south-sudan-government-forces-purge-civilians-from-upper-nile/>.

⁶¹ Forced Migration Review (2024). Shared obstacles to return: Rohingya and South Sudanese - Forced Migration Review. [online] Forced Migration Review. Available at: https://www.fmreview.org/return/sullivan/#_edn1

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