



## Press Release

### **Gambia vs. Myanmar case on the Rohingya genocide by Myanmar**

**Dhaka, 23 January 2026**

Bangladesh takes serious exception to the recent submissions made by Myanmar before the International Court of Justice (ICJ), in which the Rohingya people were referred to as 'Bengalis' to create a narrative of illegal migration and reinforce internal security threats, and thus seek to justify 'clearance operations' as a counter-terrorism operation as well as to divert attention from the atrocity crimes committed on them in the 2016-17 period.

The Rohingya is a distinct ethnic group that evolved over centuries in Arakan even before it became part of the Barman Kingdom in 1785. Given their presence in the old Arakan capital Myo-Haung or Mro-Haung or Rohaung, they were called as people belonging to Roshang or Rohang in Chittagong and by extension in greater Bengal. As such, it was a clear case of exonym in the beginning. When the Rohingya started to come under gradually intensifying process of marginalization in Burma, the community accepted this nomenclature of Rohingya to self-identify. They have a deep historical, cultural and social root with Arakan of Burma and present-day Rakhine. Their presence in the region predates modern borders and is well documented in historical records, colonial demographic accounts, and independent scholarship. Attempts to portray the Rohingya- a well-settled community in Arakan a few decades before the independence of Burma- as foreigners or migrants are inconsistent with historical facts.

The Rohingya were integral part of Myanmarese politics, society and government, until promulgation of 1982 Citizenship Law, when the Myanmar government decided to exclude them from their State and society purely on ethno-religious considerations. Despite economic, cultural and political marginalization as part of a planned scheme to destroy the community, the Rohingya continued to enjoy voting rights, till they were fully disenfranchised during the 2015 general elections. Myanmar has persistently denied them of their rightful constitutional guarantees to equal rights and participation as equal members of Myanmar society. As the final act of this process of planned destruction of the Rohingya as a community, they were evicted out of Rakhine to render them stateless.

The Rohingya possess a distinct ethnic identity, cultural heritage, traditions, social practices, and language, that is very distinct from Bangla despite similarities with its Chittagonian dialect. The systematic effort to call the Rohingya as "Bengalis" is a denial of their inherent right to self-identify and to use that nomenclature debate to justify their exclusion, persecution, and eventual ethnic cleansing in the 2016-17 period. Categorizing them as 'Bengali' has been part of a systematic campaign by Myanmar State to deny the Rohingya of their fundamental rights including citizenship and human rights, although the community was agreed as "lawful residents of Burma" in the bilateral repatriation agreement with Bangladesh in 1978. Regardless of the nomenclature, these lawful residents belonging to the (Rohingya) community were assured integration into the Myanmar society as equal members in the subsequent bilateral agreement.



Such effort to create a narrative seeks to divert attention from the root causes of the Rohingya crisis and undermine international efforts aimed at justice, accountability, and finding durable resolutions. Denying the Rohingya their inherent right to self-identify forms the core of the efforts to destroy the community, by evicting them from Rakhine and making them stateless.

Persistent Myanmar efforts in over eight years to avoid realizing its legal obligations to create conducive atmosphere in Rakhine and to facilitate return of the Rohingya to Rakhine are certainly in clear violation of bilateral arrangements signed in 2017-18. This tendency to stall return of the Rohingya to Rakhine by evident inaction and by citing excuses might also be interpreted as evidence of Myanmar's intention to destroy the Rohingya community.

Additionally, on 18 July 2023, Bangladesh protested Myanmar's claim on 'half a million Bangladeshi people took refuge in Rakhine during Bangladesh's Liberation War' which they made at a diplomatic briefing by the Union Minister of Foreign Affairs on 6 July 2023. Myanmar did not produce any document in support of their claim which Bangladesh then demanded. In 1971, Rakhine had a population less than 1.7 million and presence of such a huge refugee population (around 30% of State population) would have certainly created commotion, stressed socio-economic situation in Rakhine and had captured global attention then. Even if some people from present day Bangladesh might have sneaked into Burma to avoid hardships of war in 1971, their continuation in a socially backward, economically inferior Rakhine with very little opportunities for better livelihood defies any logic. Subsequent census conducted in Burma for the Rakhine state do not provide any demographic evidence of such an unsubstantiated assertion.

The Government of Bangladesh calls upon Myanmar and others having authority over Rakhine to demonstrate a genuine commitment to the recognition of Rohingya as an integral part of their society and State, and facilitate their return by creating conducive atmosphere in Rakhine and their reintegration with equal rights, in safety and with dignity.

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