International mechanisms towards the Rohingya crisis

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Abstract—The Rohingya crisis is extremely complex and will be very difficult to resolve if the only solution to the problem is up to the Myanmar Government alone and the Rohingya people. This is because the crisis involves gross violations of humanitarian principles. Resolving this conflict demands the participation of members of the international community as the violations fall within the realm of International Humanitarian Law, the International Covenant on Civil and Political Rights and the Responsibility to Protect (R2P). International mediation may also be required to resolve the conflict. The R2P seems to be an effective mechanism to solve this phenomenon. Unfortunately, there are some limitations so the R2P has not been applied yet. Not only all the mechanisms mentioned earlier share some components in different dimensions but they can be all together applied and be of support in solving this crisis more effectively. However, the Myanmar government and the Rohingya people are the key factors needed to accept these mechanisms in order to prevent further violence and bloodshed and to bring sustainable peace to Arakan or the Rakhine state of Myanmar.

Keywords: Rohingya, Myanmar, international mechanism

Introduction

For over seventy years since the end of World War Two, there have been continuous attempts to develop strategic mechanisms to facilitate cooperation in maintaining peace and stability between nation states. As a matter of fact, the nature of the conflicts that have increased is not between nation states but in the form of internal conflict within national boundaries. These conflicts often stem from different forms of inequality and injustice that have impinged upon liberty and fundamental human rights as well as conflicting political ideologies that exist

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within groups. Internal conflicts have, in many cases, developed into armed civil conflict which may be classified as civil war as, for instance, in Uganda, Nepal, Yugoslavia, and Sudan. Some intractable inter-group conflicts such as the case of Palestine, Patani[1] or the genocide in Rwanda and Bosnia (Chalat 2012) and the Rohingya in Myanmar, have resulted in international institutions recognizing and cooperating in determining proper mechanisms to address serious allegations of human rights abuses that have occurred in the conflicts.

The Rohingya have been described in a special session of the United Nations Human Rights Council as the world's most persecuted minority (UNHRC 2017). The situation of the Rohingya Muslims is dire with the growing tendency for their situation to become more severe. Nevertheless, as in most conflicts, there are diverse opposing arguments in the debate pertaining to the root causes of the Rohingya conflict. The Myanmar government explains that the Rohingya people have their origins in India, in the era of the Mughal Empire which governed India from the 16th to the 19th century. During the period of colonization, the British brought the Rohingya people into Bangladesh claiming that they had originated in Bangladesh and they also moved them into Rakhine state in Myanmar. On the other hand, Sarawut Aree (2017) states that Rohingyas have lived in Arakan, presently known as Rakhine, from time immemorial and the place was influenced by Islam between the 7th and 16th century. Historically, Rohingyas were established by the British Empire as a counter-rebellion troop prior to and during the Greater East Asia War in the Pacific. Their struggle for self-governance dates back to even before the military coup d'état in 1962. However, the Myanmar government nowadays claims that the Rohingya are from Bangladesh and that the British brought them in during the colonization of Burma so they continue to urge the international community to call the Rohingya people "Bengali" (The Nation 2017) and continue to refuse the Rohingya any recognition of citizenship.

The United Nations has revealed that since late August 2017 approximately 582,000 Rohingya refugees have fled from Myanmar to Bangladesh and it is estimated that there are 15,000 refugees stuck on the Myanmar frontier (UNHCR 2018). This represents one of the most frightening refugee phenomena that should not be allowed to occur nowadays. The situation is more concerning since Myanmar is

in a powerful position as it is considered to be a strategic economic investment area for developed nations. On the other hand, the increasingly global trend towards the rise of right-wing politics within many developed countries means that many countries are more reluctant to accept refugees. In many regards, it is more difficult for the international community to handle the Rohingya refugee crisis. Nevertheless, the United Nations High Commissioner for Human Rights has stated that the violence against the Rohingya is a crime against humanity and bears the hallmarks of genocide and coincides with the research of Amnesty International that classifies the situation as that of a dehumanizing apartheid regime that falls within the scope of a crime against humanity (UN 2017) according to the Rome Statute 1998, and added that there were reports of almost 700,000 refugees in late November 2017 (Amnesty 2017).

At the beginning of 2017, panic grew within the international community after official statements of trans-national Islamist and Jihadist groups such as IS, Al Qaeda, and the Taliban announced that Myanmar is a battlefield and that they needed to give importance to their public declaration of protecting Rohingya Muslims (International Crisis Group 2016). Their support in training and budget has been linked with the Rohingya armed military wing previously known as Harakah al Yaqin founded in 2016 and currently known as the Arakan Rohingya Salvation Army (ARSA). ARSA utilizes guerilla warfare tactics with handmade ammunition supported by trans-national alliances with armed groups in Bangladesh, Pakistan, and India (Asia Foundation 2017).

The Burmese government and army has a strong stance in handling the Rohingya problem. Despite their claim that it is a domestic and an internal issue, they have never accepted the Rohingya as Myanmar citizens. Myanmar's 1982 Citizenship Law has classified the Rohingya as "stateless" as it delisted them from the 135 "national races" that are given access to full citizenship (Zarni and Cowley 2014).

Furthermore, they continue to take strict military action to suppress the ARSA army especially since nine Myanmar officials were killed in late 2016. These actions were inhumanely and indiscriminately directed at unarmed Rohingya men, women and children (Asia Foundation 2017). The severe measures taken by the Myanmar government and military in the villages of Rakhine State resulted in

large scale forced migration to neighboring countries. Furthermore, it encouraged the international bodies to develop strategies to solve the Rohingya crisis through mechanisms such as the International Humanitarian Law, the International Covenant on Political Rights and Responsibility to Protect. Therefore, this article aims to study the development and implementation of the aforementioned mechanisms as a means of solving the severe human rights abuses against the Rohingya people.

Responsibility to Protect

"International intervention" is a broad based concept that has different types of implementation. It ranges from the utilization of national troops or international troops to the use of the International Criminal Court, forms of economic embargo to create unfavorable economic or political circumstances between nations, as well as diplomatic measures to determine the outcome of the intervention.

While certain groups perceive intervention within the scope of military intervention, the United Nations Charter, Article 2(7), states that the United Nations does not have the authorization to intervene in matters which are essentially within the domestic jurisdiction of any state. If any state does not follow this agreement, the state that is violated has the right to protect itself and protect its political independence. The invasion of other countries is defined as an international criminal violation that must be condemned.

Whilst there are many mechanisms instituted to solve conflicts and maintain peace in the field of human rights, such as the United Nations Charter which was established as the main structure that provides the authority for the National Security Council of UN member states to maintain international peace and stability, their efficiency in implementation is often questioned as a defective act against UN principle maintenance in protecting humankind and peace. This can be seen in the case of Kosovo in 1999 when the intervention of the UN via the North Atlantic Treaty Organization occurred from the motivation to change political power from the previous government for the political benefit of a global superpower (ICISS 2001). On the other hand, the UN was slow to act in their intervention of the conflict in Rwanda, resulting in the human tragedy of genocide and civil war resulting in

the deaths of over a million within four months.

The maintenance of peace and definition of intervention by the UN are still ambiguous in practice. Each state cannot interfere with the internal acts of another, but superpower countries can use the UN to interfere in some cases and not interfere in others without an obvious standard that determines which cases merit intervention by troops and which cases merit intervention by political or economic actions. There are also questions relating to the process of making decisions about intervention.

The proposal in the report of international committees on the "Intervention and Sovereignty of the State" in 2005 suggested that the non-intervention clause section 2(7) be maintained and that the right to intervene on an humanitarian basis by the UN also be maintained according to the UN Charter in Chapter VII, emphasizing that the state has the duty to protect the humanity of its people within the state and the protection of its people is a responsibility that must be upheld within certain standards. It also maintained that the UN was still responsible for protecting people in cases where the state is causing harm and acting as a potential threat to its people or if the state cannot protect its people which is in violation of human rights according to the four Responsibilities to Protect (R2P) principles as follows;

> Genocide: includes acts committed with the intent to destroy, in whole or in part, a national, racial or religious group which includes, killing members of the group, causing serious bodily or mental harm to members, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part and imposing measures intended to prevent births within the group.[2]
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> Ethnic Cleansing: the act of rendering an area ethnically homogeneous by force or by intimidation to remove groups from the area. The removal of another ethnic or religious group by violent and terror inducing means may also include efforts to erase the history of a specific ethnic or religious group.[3]
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> Crimes Against Humanity: includes acts when committed as part of a widespread attack against any civilian population to systematically destroy lives, and human dignity by murder, extermination, enslave-

> ment, deportation or forced population transfer, imprisonment or deprivation of physical liberty, torture, rape, persecution against any collective group based on racial, national, ethnic, cultural, religious or gender, enforced disappearance and the crime of apartheid.[4]
>
> War Crime: there is no one single document that codifies all war crimes, but they include war crimes in armed conflict and inter-state wars in particular when committed as a part of a plan or policy or large scale commission of such crimes which includes willful killing of civilian casualties, the use of child soldiers, torture, compelling a prisoner of war to serve in the forces of a hostile power, unlawful deportation or transfer or unlawful confinement to taking of hostages.[5]

It is emphasized that the decision-making process for those responsible for protection must be carefully determined, and military intervention must be the last measure to implement. Diplomatic channels or economic mechanisms should be implemented first. It is also stated that the negotiation process between the coercive, conflicting parties should take place in order to avoid military intervention. However, if the measures taken are unsuccessful, the General Assembly could vote on whether interventions could be carried out. Moreover, the use of the veto power in the General Assembly per means to provide humanitarian assistance for those in need.

The role of fact-finding commissions by neutral international agencies is important in the humanitarian field. The fact-finding process must be unprejudiced and thorough in order that the evidence may be utilized at a later stage. The International Committee of the Red Cross[6] is a credible, international agency that has access to reliable and unbiased information. Moreover, independent expert bodies should also be included in the fact finding process. However, as the United Nations Security Council is relatively ambiguous in its scope of intervention, concerns over the monopolizing role of superpower nations have led many to question whether the responsibility to provide humanitarian assistance is part of a political agenda or not. The author believes in the power of intervention and multilateral parties in maintaining and sustaining peace for the international community.

However, the non-binding R2P resolution has gained traction over

United States objections (Intergovernmental Commission on Human Rights 2017) From the draft, the United States and many other countries have acknowledged some key principles, which were grounded upon the principle of national sovereignty which supports the notion of non-interstate intervention as each state has a responsibility to protect its population. It can be seen that since the US has a veto on the UN Security Council and by exercising their veto power, if there is no consensus among the five permanent members on how the R2P should be followed, it will not be considered as a principle of international order, as was evident in the UN General Assembly in 2005. Nevertheless, the effort to intervene in order to protect human lives through the most effective measures is still a matter which needs to be supported at present. The author acknowledges that intervention that undermines national sovereignty as a principle presently depends on political motives, namely the benefits and security of the superpower nations. In other words, intervention in cases like Iraq and Afghanistan; which was undertaken because of terrorism without substantial evidence has, in turn, promoted the spread of international terrorism today (Maluleem 2016). Furthermore, the current humanitarian crisis and human rights violations faced by the Rohingya still cannot be solved or averted by the international doctrine of R2P.

The International Covenant on Civil and Political Rights

Since the end of World War Two, the Universal Declaration of Human Rights has been progressively developed and realized with the purpose of "promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion." Two more international human rights treaties were released in the appendix; the International Covenant on Civil and Political Rights (1966) released in the International Covenant on Economic, Social and Cultural Rights (1976). Moreover, there were seven additional specific treaties released as follows; the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabil-

ities, the Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Labor (United Nations Human Rights Office of The High Commissioner).

The right to self-determination[7] is contained in article 1 of International Covenant on Civil and Political Rights as well as article 1 of International Covenant on Economic, Social and Cultural Rights. It is most often referred to in the context of societies which are ridden with conflict based on racial, ethnic, or cultural identity as a means to peacebuilding in disputed territories faced by past experiences of colonization. It states that "All peoples have the right to self-determination." By virtue of that right they can freely determine their political status and freely pursue their economic, social and cultural development. In the past it was used in providing a framework of autonomy for those under colonization to maintain their rights over the management of resources and the economy. However, at present it is applied to state parties bound by international law without the concern for the realization of the right leading to separatism.

In disputed territories, non-state actors have asked for the Right to Self-Determination in political status changes such as Bangsamoro Self-Determination (Lingga 2004), the Occupied Palestinian Territory, the Free Papua Movement and the Patani United Liberation Organization, which in turn has made the principle of the Right to Self-Determination worrying in international politics and security.

Modern states, including Thailand (Tassanakulphan 2017), interpret the International Covenant with regards to self-determination in two aspects; internal and external. Internal self-determination is the right to govern oneself without outside interference, while external self-determination is the right of peoples to determine their own political status and to be free of alien domination and includes the formation of their own independent state (Chanruang 2017). In reality it is very difficult for modern nation states to accept external self-determination as a means of conflict resolution to determine their own political status and to be free of alien domination, and includes the formation of their own independent nation state. However, in some cases, conflict management takes the form of a public referendum to reach a decision on political status based on the consensus of the population in the restoration of peace; such cases include Timor-Leste and South Sudan (Molnar 2004). Thus, in many regards self-determination is

seen as having a significant role in peacemaking both in the past and the present.

In the pursuit of peace and global justice, the concept of human rights is supported by mechanisms such as the United Nations Committee of Human Rights, which investigate human rights violations from all over the world. It was established with the aim of fostering cooperation amongst civil society organizations in order to motivate a greater number of human rights actors worldwide. Therefore, it is clear that there are civil society movements that still advocate the right to self-determination for conflict and political power management and resolution.

The Human Rights principle has also improved the international justice system under the Rome Statue in 1988, with the International Criminal Court, in order to judge criminal cases of human rights violations including current cases and past cases such as the President of South Sudan's genocide case,[8] the Rwanda genocide, and the Cambodian genocide. It works with the underlying belief that a sustainable peace process that may result in maintaining peace must manage and solve problems in relation to historical injustice and grievances.

International Human Rights Law

Another important peacekeeping convention is the Geneva Convention on International Humanitarian Law (IHL), established in 1949, which is a law approved by almost all member states because of its principle to protect humanity in war territories or armed conflict[9] including internal armed conflicts. IHL has four treaties including the Convention for the Amelioration of the Wounded and Sick in Armed Forces in the Field, the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Convention Relative to the Treatment of Prisoners of War and the Convention Relative to the Protection of Civilian Persons in Time of War.

IHL acknowledges that political security and international security could not systematically and continuously avoid all forms of wars or armed conflicts. Consequently, the covenant has been set to protect those faced with humanitarian issues arising from armed conflict. In the state of war, there are cases of human rights abuses so it acts as a

protection measure for the innocent; women, pregnant women, the elderly, people who are not involved with armed conflict, prisoners, medical persons or places as well as humanitarian assistance committees in battlefields. The protection of children and schools is given precedence. Also, children's involvement in conflicts is not permitted as the issue of child soldiers is a serious violation.

Furthermore, international humanitarian and human rights law has also specified that the use, production, and possession of biological weapons, land mines, and chemical weapons are considered as violations. However, such enforcement and implementation have only been limited to some member states. While superpower nations can only control additional production, it is unfeasible to demolish all forms of the aforementioned weapons. Thus, so long as these super powers still possess such weapons it suggests questionable effectiveness in terms of the implementation of international humanitarian law as well as a threat to humanity as a whole.

Mediation

One of the interesting and successful experiences from conflict management or peacebuilding is through mediation to settle disputes between parties. Mediation and the settlement of disputes through international mechanisms as facilitators is a means of promoting the peaceful settlement of disputes through agreement. The involved third party as facilitator must also be approved by all the negotiators. So, the act of mediator has to be unbiased as well as politically influential on all sides. In a protracted conflict, an influential external mechanism will be assigned, which can consist of any state, many states, or a highly reliable international organization, regional and sub-regional organizations as mediator.

In principle, mediation and facilitation are quite different in terms of their involvement in the peace process. Mediation like facilitation, involves a third-party, which participates in polishing proposals and sometime makes suggestions of its own. The facilitator's role is to facilitate the peace process in terms of logistics, protocol, and venue, while the mediator takes facilitation forward by playing a role in peace architecture by making suggestions and recommendations with the aim of bringing the two conflicting sides to common ground and,

hopefully, a solution. But in practice, the involvement of the third-party, and the line between facilitation and mediation, is never clear. Moreover, a mediator can also work towards polishing the process to reduce redundancy and look for ways of placing the two negotiating parties on an equal footing even though, in reality, one side may have more resources and a greater capacity to deal with the issue at hand. However, it is important in mediation that the belligerents are comfortable with the role, responsibilities and mandate of the third party. Facilitator and/or mediator cannot be seen as favoring one side over the other. To obtain this level of comfort, the mediator will have to establish a strong enough mechanism to guide and implement the peace process but too often a facilitator goes beyond its designated mandate as it oversees the peace talks. This results in mistrust from the two negotiating parties because they may see the actions of the facilitator or mediator as being agenda-driven.

Role of the mediator in negotiating the Free Aceh Movement

An examples of the role of external mechanisms as negotiators is the case of Aceh, Indonesia in the success of the peaceful settlement of the disputes. The process began with the international NGO organization called Center for Humanitarian Dialogue (HDC), which is established in Switzerland and is well-known as a long time as peacemaker in developing countries. The process began with information gathering and formal mediation began in 2000.

HDC works on the main principle that the peace process has to begin with negotiations with the inferior party; that is not a state or in other words, a non-state actor. The initial measure taken by HDC was to improve the political capabilities of the political wing of the armed group called Gerakan Aceh Merdeka (GAM), which sought to gain independence for Aceh from Indonesia. In the early stages of negotiation, HDC as the mediator worked with the Indonesian National Armed Forces facilitating trust building with GAM in 2000. Accordingly, this resulted in the development and implementation of the ceasefire agreement but the situation worsened when HDC did not have enough potential to follow up on the agreement. Afterwards, in 2003, the peace process with HDC was halted and the Indonesian National Armed Forces harshly applied fully-fledged military suppression as a counterinsurgency measure within the region.

Later in the same year, GAM was willing to negotiate again by working with another NGO under the guidance of Juha Christensen, a Finnish businessman in Indonesia, in association with Jusuf Kalla, the minister of public welfare at the time, who later became vice president. In the new process, GAM wanted to improve the quality of negotiations and also wanted a more powerful mediator. Juha facilitated contact with the former Finnish president, Martti Ahtisaari, who was the founder of the NGO called the Conflict Management Initiative and agreed to be the negotiator. Juha contacted the Indonesian government through his peer, Jusuf Kalla. In 2004, Kalla and Bambang Yudhoyono (then president of Indonesia) agreed to join the peace dialogue. They had set a plan of negotiation with all sides but when the tsunami occurred and took the lives of almost two hundred thousand Acehnese people, negotiations were temporarily halted.

During that time, international intervention for humanitarian aid was immense in providing assistance and funding for the victims of the tsunami. Moreover, the international community seized the opportunity to pressure the Indonesian government and GAM to hold peace treaty talks as the condition for development funding. The financially driven pressure was considered a third-party intervention. The process was driven hastily under the same mediator, Martti Ahtisaari, and eventually achieved a treaty for Aceh to gain self-governance. Also, during the transition to a peaceful resolution, the Aceh Monitoring Mission, was set up including two member states of the European Union, Norway and Switzerland, and ASEAN members, Brunei, Malaysia, Philippines, Singapore, and Thailand

The role of facilitator for Bangsamoro peace process facilitation

The peace process in Bangsamoro or Mindanao had a different approach to Aceh because the Facilitator in the case of Bangsamoro and the Philippines Government Peace Dialogue was the Government of Malaysia and OIC. Also, the International Monitoring Team Mindanao was set up to include Japan, Norway, Saudi Arabia, Brunei, Indonesia, and the European Union, which supported and examined all the agreements from the ceasefire agreement, Bangsamoro Basic Law and gave other formal advice on different sectors such as assistance with the economy and education development programs (Srida 2006). Local NGO organizations also took part in providing knowl-

edge, planning, supporting civil society in peacebuilding (Conciliation Resources 2009) through funding from the Asia Foundation and the Center for Peace and Conflict Study.

These examples show that there were different international mechanisms for peace-making coordination of both cases in South East Asia which were diverse in terms of their procedures and methods of settlement of their dispute. However, the fundamental basis was to have a proficient mediator in order to build trust with the conflicting parties with the main purpose of peace-making. It is certain that the competition of various agencies to become a mediator had some political motives and benefits such as gaining international reliability as a leading country in peace settlement issues as well gaining popularity within their country as well in their role as mediator.

In the process of the peace dialogue, having a mediator with relative political power is necessary in providing information to maintain the ongoing nature of the dialogue. Their influence in the continuity of the mediation process requires significant patience and time in their overall commitment. In addition, having the mediator is helpful in ensuring that the settlements made are progressively realized to ensure the maintenance of peace after the agreements have been made.

Challenges of the utilization of international mechanisms for peace-making in the Rohingya crisis

The declaration to fight for the Rohingya made by the radicalized Islamic terrorist group, IS, raises concerns for stability and peace in the international community as it could result in regional jihadist expansion, incentivizing more external armed Islamic terrorist groups which could include other transnational terrorist groups. This encouragement to fight on the behalf of the Rohingya may cause more problems as those who join the fight may not have a proper understanding of the root causes of the conflict. Furthermore, it will lead to a substantial growth of Islamophobia within the region. Thus, continuance of their dispute will in fact likely endanger the maintenance of international peace and security in the region—all of which is a result of the fact that there has been no international institution or subsidiary agencies to seriously suggest appropriate measures of settlement for the Rohingya crisis. Therefore, it is important to recognize that the

Rohingya problem is a humanitarian crisis that is rooted in political factors and it is not merely a religious conflict between Muslims and Buddhists.

The Myanmar government and armed forces have made no attempt to approve Rohingya as their official citizens and continue to use violent methods in forcibly pressuring Rohingya to migrate out of the country. It is necessary for the international community to utilize mechanisms of peacebuilding and conflict resolution to solve the humanitarian crisis faced by the Rohingya, especially through the mechanism of the international doctrine of the Responsibility to Protect (R2P). The paradox of the current situation is that R2P works on the notion of protecting citizens whereby the Myanmar government is not liable for the Rohingya as they have been rendered stateless. However, from the onset of the violence, it has been evident that the Myanmar government has failed to take on their responsibility to protect an ethnic group in Myanmar, therefore, the UN must apply diplomatic or economic measures to pressure the Myanmar government to call for the amendment of the contested citizenship law in order to accept Rohingya as their citizens in order for the human rights of the persecuted Rohingya to be "properly respected."

Nevertheless, as R2P is a proposal that has not attained the status of a legal norm, it is the author's opinion that the standardization of humanitarian intervention and the maintenance of peace must be affirmed as fully binding legislation by the consensus of the UN members. Member states as well as civil society organizations must advocate the education of the R2P principles in order to implement the right of humanitarian intervention in reality. Most importantly, member states must accept the humanitarian principles as well as give importance to the crimes against humanity that are occurring at present.

Since 2016, the Rohingya issue has been regarded as an internal armed conflict. So, the conflicting parties including the Myanmar armed forces, ARSA and the international community must pay attention to the violations of the IHL that all member states of UN are legally bounded by. Therefore, violations by the military in their counterinsurgency measures resulting in the deaths of unarmed men, women and children, violence towards and rape of Rohingya women to accusations of the Rohingya being terrorists as well as placing

landmines on the migration routes, all are considered as violations of fundamental human rights.

The Rohingya advocacy for the right to self-determination under the convention of the International Covenant on Civil and Political Rights is currently far-fetched in comparison with that in Mindanao, Aceh, or the Karen ethnic group in Myanmar. As mentioned earlier, even though the Rohingya have the legitimacy to be recognized as an ethnic group like other ethnic minority groups in Myanmar, they are still perceived by the Myanmar State as "stateless" with limitations in their political legitimacy in advocating for natural or territorial resources. Nevertheless, they possess the right to (self) identification to be recognized and identified as Rohingya not Bengali as often urged by the Myanmar government to the international community.

The author also believes that the international community should identify the Rohingya people as Rohingya, because the right to identify oneself should regarded as a fundamental, basic political right. In a way, the advocacy of identifying Rohingyas as Bengali is a political discourse (Panjor 2016) that has political motives in limiting their civil and political rights, especially the right to self-determination, which on the other hand, gives legitimacy for the Myanmar government to "determine" which groups can or cannot stay within its territorial boundaries from the role of the state. Therefore, by advocating that the Rohingya be called Bengali, namely as illegal immigrants from Bangladesh, the Rohingya are facing institutionalized persecution and ethno-racial discrimination.

Peace dialogue as a platform to mediate disputes is an essential measure to alleviate conflicts at any level. The author believes that there should be dialogue between representatives of the Rohingya people as well as representatives of the Myanmar government through the use of mediation with the careful selection of the facilitator that would enable talks about internal self-determination. Another important dialogue that needs to take place is the internal facilitation which would include Buddhists who have a deeply rooted hatred towards the Rohingya and Buddhists who sympathize with the Rohingya people in order to mitigate and counterbalance the negative reactions and human rights abuses towards their fellow Muslim compatriots in accordance with the principles of Buddhist philosophy.

Conclusion

In conclusion, international mechanisms need to be continuously improved to support peacebuilding and the maintenance of peace in an era when conflict is prone to be more multi-dimensional and complex. The proposal of Responsibility to Protect in the intergovernmental panel should be realized in principle and practical implementation. While it is clear that it is difficult to change the power dynamics and structure of the current international political system, the advocacy to implement and progressively realize the principals of R2P should begin with individuals. Moreover, it should begin with a change in how we choose to perceive the international humanitarian mechanism by viewing it as "our" tool instead of merely a "foreign concept."

As evaluated throughout the article, there are different "alternative choices" in the tools, mechanisms, and measures for peacebuilding and maintaining security. Therefore, the state can make the appropriate choice that will reflect its political will in resolving disputes in the specific context of the particular conflict. The cases of Aceh and Bangsamoro are examples of successful outcomes from the peace process. In the protracted and violent case of the Rohingya humanitarian crisis, all parties must consider the use of international mechanisms to safeguard human rights as well as including the provision of a "third party" peace dialogue to discuss the various human rights violations as well as agreements to settle the disputes. The Rohingya as an ethnic group that is a part of our "humanity" should have access to the assistance and help of the international mechanisms in their survival against the threat of genocide, ethnic cleansing, and crimes against humanity, in order for them to live collectively within the territorial boundaries they call "home."

Endnotes

1 Patani is a political territory in the south of Thailand and includes four provinces; Pattani, Yala, Narathiwat and four districts of Songkla; Tepha, Sabayoi, Jana, and Natawee. Patani is the historical name for the region. Moreover, Patani and the southern Provinces maintain discourse in the political conflict over the name. (Panjor 2016)

2 www.un.org/en/genocideprevention/genocide.html
3 www.un.org/en/genocideprevention/ethnic-cleansing.html
4 www.un.org/en/genocideprevention/crimes-against-humanity.html
5 www.un.org/en/genocideprevention/war-crimes.html
6 The International Committee of the Red Cross (ICRC), established in 1863, at Geneva by Henri Dunant and four members to protect human rights issues in states of war and post-war periods (www.icrc.org/en).
7 Resolution 1514 (XV) United Nations General Assembly on 14 December 1960 and 1966 in ICCPR section 1 from 47 sections
8 The Prosecutor v. Omar Hassan Ahmad Al BashirICC-02/05-01/09, www.icc-cpi.int/darfur/albashir
9 Armed conflict is a battle using weapons caused by political conflict, which is the pattern battle. Currently, the definition of armed conflict includes internal and inter-state conflicts, digi.library.tu.ac.th/thesis/la/1596/03PART-1.pdf

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