THE ENGINE ROOM

Digital ID in Bangladeshi refugee camps: A case study

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Introduction

In 2019 The Engine Room worked with in-country researchers to explore digital ID systems in five regions. The goal of the project was to better understand the true effect that digital ID systems have on the local populations that operate within them.

Our researcher in Bangladesh put together a local team to overcome language and cultural barriers to communication with the Rohingya Muslim population. The team involved both male and female research assistants and interpreters, as well as translators to convert transcripts into English.

The research in Cox's Bazar consisted of ten in-depth interviews with key informants amongst the Rohingya refugee community, such as majhis[1] and other community leaders, and a senior official from the Bangladeshi Government's Refugee Relief and Repatriation Commission (RRRC), and ten focus groups with Rohingya sub-communities, including especially vulnerable groups such as people with disabilities, elderly people, women whose husbands had been killed by the Myanmar Army and survivors of torture by the Myanmar Army. This primary research was conducted in Ukhiya and Teknaf camps between March and April 2019. All quotations from refugees and key informants come from in-person interviews and discussions during this period in Cox's Bazar. More information on the methodology can be found in the global report.[2]

Repeated failed attempts to enter the camps in Cox's Bazar forced the research team to work more quickly than planned once they finally obtained permission. Lengthy waits for interviews once inside the camps also slowed work down. While the team had success putting focus groups together and interviewing community leaders and representatives of the Bangladeshi government, no UNHCR staff working in Bangladesh agreed to an interview. While writing the research outputs (in November and December of 2019), we reached out to UNHCR's Division of Programme Support and Management for comments, which we have included here.

This project aims to understand the lived experiences of individuals, not to reflect representative samples of each population. We cannot necessarily extrapolate one person's experience to the norm – though there are times when every person interviewed experienced an aspect of a system the same way – but each experience gives us insight into how a diverse range of people is impacted by digital infrastructure and protocols that are not designed to address diversity of experience and identity.

Historical context

In 2017 after decades of persecution (including the refusal of recognition in identification documents since 1982), more than 700,000 Rohingya Muslims fled Myanmar due to targeted

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[1] Rohingya community leader who is responsible for 80-120 households.
[2] The Engine Room. (2020). Understanding the lived effects of digital ID: A multi-country report.

violence carried out by the military (which controls all security forces, law enforcement and certain government positions) in what UN investigators have called an operation executed with "genocidal intent".[3] Individuals and families fled to neighbouring countries, the majority to Bangladesh, where the government agreed to shelter the Rohingya on the condition of the refugees eventually returning to Myanmar. Approximately 900,000 Rohingya refugees are in Bangladesh as of August 2019.[4]

The role of government-issued ID in the Rohingya case is particularly sensitive, given that the violence against them is specific to their identity. The Myanmar government does not recognise Rohingya Muslims as an ethnic people of Myanmar (although it officially recognises several other groups), and many are not granted citizenship despite being born in the country. As such, in contrast to many other 'best practice' cases of either not collecting data on ethnicity or not displaying it on ID cards, the Rohingya have demanded that their ethnic identity be explicitly acknowledged on identification documents. Including their ethnicity on IDs is, for them, a key step toward ensuring that their ethnic identity is acknowledged and their Myanmar citizenship is granted and preserved.

Multiple types of identification systems are in use with this population. We looked at the UNHCR registration process (locally known as 'joint verification process' or 'smart card project'), but for context, we also describe here the official identification documents offered to (or by many accounts, forced upon[5]) the Rohingya by the Government of Myanmar since 2016,[6] known in its latest iteration as the "National Verification Card" (NVC).

The NVC effectively identifies Rohingya people as "foreigners", omitting their Rohingya identities, and denying them citizenship and associated rights. Critics say that the Government of Myanmar will use the system to track the Rohingya population, with potential for further targeted persecution.[7] Rohingya refugees we spoke to say they will feel confident this information will not be used against them only if citizenship is granted alongside data collection.

But in this scheme, their citizenship is denied; thus, many Rohingya are refusing both to return to Myanmar and to claim NVCs. This leaves them at somewhat of a standoff: the Myanmar government say that accepting the NVC is a condition of repatriation, and the Rohingya refuse to

[3] Office of the High Commissioner for Human Rights. (2019). *Human Rights Council—Sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts*. https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/sexualviolence/A_HRC_CRP_4.pdf

[4] UNHCR. (2019). Rohingya Refugee Response—Bangladesh: Population factsheet. https://data2.unhcr.org/en/documents/download/71171

[5] Fortify Rights. (2019). *Tools of Genocide—National Verification Cards and the Denial of Citizenship of Rohingya Muslims in Myanmar*. https://www.fortifyrights.org/downloads/Tools%20of%20Genocide%20-%20Fortify%20Rights%20-%20September-03-2019-EN.pdf

[6] Ibid.

[7] Ibrahim, A. (2019, August 1). Myanmar Wants to Track Rohingya, Not Help Them. *Foreign Policy*. https://foreignpolicy.com/2019/08/01/myanmar-wants-to-track-rohingya-not-help-them/

accept the NVC without also receiving citizenship. As an imam interviewed as part of this research said:

> There's a reason behind the Rohingya identity we are looking for. The [different] ethnicities in Myanmar, all of them get the citizenship on the basis of their racial identity… They gave all the ethnic people their ethnic identity but they didn't give us [the Rohingya] that. All the people from different ethnicity had the freedom of movement but not us. All the facilities of Burma depend on the ethnic identity. That's why we tell everyone to give us the nationality with ethnicity.

A report released by Rohingya rights group Fortify Rights in early September 2019[8] documents incidents where Rohingya Muslims in Myanmar were held at gunpoint and forced to accept NVCs, quoting Rohingya people as saying: "The document that you have to fill out for the NVC makes us feel shame. It says we are outsiders". This statement highlights the way in which both the end product of the identification system and its process affect the dignity and rights of the people subjected to the system. The report includes another instance in July 2017:

> … Myanmar Army soldiers and government officials entered Baw Tu Lar village—also known as Bandola village—in Rakhine State's Maungdaw Township and forced groups of Rohingya to accept NVCs, in some cases at gunpoint. "[The soldiers] closed the door and surrounded us, holding guns," a Rohingya man, 61, told Fortify Rights. Myanmar authorities forced him and four of his seven family members to accept the NVC. "They separated men and women… The threats to receive an NVC are real. It's a horrible situation for us".[9]

The digital ID system

Since June 2018, the Bangladeshi government and the United Nations High Commissioner for Refugees (UNHCR), has carried out a joint registration exercise aimed at collecting personal data and issuing ID cards to Rohingya refugees who fled Myanmar for Bangladesh in response to Myanmar military operations in predominantly Rohingya areas. This exercise is "for the purposes of protection, identity management, documentation, provision of assistance, population statistics and ultimately solutions for an estimated 900,000 refugees".[10] As of August 2019, an average of 5,000 refugees were being registered each day at seven sites within the settlements at Cox's

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[8] Fortify Rights. (2019). *Tools of Genocide—National Verification Cards and the Denial of Citizenship of Rohingya Muslims in Myanmar.* https://www.fortifyrights.org/downloads/Tools%20of%20Genocide%20-%20Fortify%20Rights%20-%20September-03-2019-EN.pdf.

[9] Ibid. Page 10.

[10] UNHCR. (2018, July 6). Joint Bangladesh/UNHCR verification of Rohingya refugees gets underway. https://www.unhcr.org/en-us/news/briefing/2018/7/5b3f2794ae/joint-bangladeshunhcr-verification-rohingya-refugees-gets-underway.html

Bazar.[11] UNHCR staff collect iris scans, fingerprints and family information, and smart cards connected to this data are issued by UNHCR and the Government of Bangladesh.

After the Bangladeshi government's failed repatriation efforts in which no Rohingya refugees volunteered to return to Myanmar, the government reportedly began sharing refugee data[12] with the Myanmar government. In July 2019, a list of 25,000 Rohingya people was handed over to Myanmar,[13] and reports on social media[14] suggest this data included paper copies of photographs and fingerprints, though the claim remains unconfirmed. In total, according to Bangladeshi media, the government has given three lists containing names of 55,000 Rohingya to the Myanmar government.[15]

We have found no evidence of a tripartite voluntary repatriation agreement[16] between Myanmar, Bangladesh and UNHCR. Theoretically, such an agreement would clarify the data sharing arrangements, including what data is shared with the Myanmar government and how this sharing happens, but at the time of writing, no such agreement has been publicly shared or confirmed. Instead, UNHCR has been working under separate memoranda of understanding with each government.[17]

Lived experiences

The interviews and focus groups that we conducted in Cox's Bazar in March-April 2019 shed light on the lived experience of refugees interacting with the registration system led by UNHCR and the Government of Bangladesh. Since there is very little research on people's experiences with digital ID systems, this qualitative data is useful for understanding the reality for some individuals. **It is critical to understand that all refugees do not have one unified experience. Some of the experiences described in this case study may contradict official reports or UNHCR and**

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[11] UNHCR. (2019). More than half a million Rohingya refugees receive identity documents, most for the first time. https://www.unhcr.org/news/briefing/2019/8/5d4d24cf4/half-million-rohingya-refugees-receive-identity-documents-first-time.html

[12] In response to a draft of the global report, UNHCR told us that "protecting refugees' personal data is an essential part of refugee protection. The organization adopted, as early as 2014, a Policy on the Protection of Personal Data of Persons of Concern to UNHCR and appointed a Senior Data Protection Officer to support its implementation across its programmes globally".

[13] Radio Free Asia. (2019, July 29). Bangladesh Gives Myanmar 25,000 Rohingya Names for Potential Repatriation. https://www.rfa.org/english/news/myanmar/bangladesh-refugees-07292019172753.html

[14] Capili, A. (2019). Arnel Capili on Twitter: https://twitter.com/arnelcapili/status/1155764445462716416

[15] Radio Free Asia. (2019, July 29). Bangladesh Gives Myanmar 25,000 Rohingya Names for Potential Repatriation. https://www.rfa.org/english/news/myanmar/bangladesh-refugees-07292019172753.html

[16] A tripartite voluntary repatriation agreement is an agreement between UNHCR, the country of origin and the country of asylum that outlines details for the voluntary return of migrants to their country of origin, including the rights of refugees upon return and guidance for repatriation and reintegration.

[17] UNHCR. (2018). Bangladesh and UNHCR agree on voluntary returns framework for when refugees decide conditions are right. https://www.unhcr.org/en-us/news/press/2018/4/5ad061d54/bangladesh-unhcr-agree-voluntary-returns-framework-refugees-decide-conditions.html

Bangladeshi government guidelines. We aim for these learnings to become part of the broader discussion on digital ID solutions in humanitarian contexts.

Outreach and information provision

Despite UNHCR's guidance on community engagement,[18] the refugees we interviewed reported that information provision around the scope and purpose of the digital ID system was sparse and inconsistent. Information was distributed to community leaders, who then shared details with their communities. Our interviews show that women were the last to be informed – frequently third-hand via men and boys in their community. In a focus group with women living with disabilities, one participant said, "They had discussions with males. Those who have boys in their families, they were able to go".

The Office of the Refugee Relief and Repatriation Commissioner (RRRC) of Bangladesh made an effort to clarify misunderstandings about the card but, from what we were told, not until they were affecting enrolment rates. As the commissioner at the time said, "They were having doubts… We tried to encourage them by doing a lot of focus group discussion or repeated sessions… We tried to make them understand that it's for their own good". Some of the refugees we spoke to do not trust information from the RRRC and UNHCR and look instead to the diaspora community for advice and information. A protest leader said:

> The day before going to the office, we gave a picture of this card in the Facebook to some of the leaders of ours, who live abroad, to get suggestions. Then the next day we went to the office of [a Rohingya rights group]. They told us not to take it and the leaders of ours, who live abroad also told us not to take it.

In addition, language barriers posed a challenge for some refugees. Smart cards issued to this population are written in English and Bengali. Refugees who are not literate[19] or do not know how to read English or Bengali do not know what is written on their IDs.

When asked what is written on the smart card, one participant replied, "How can we tell brother? We can neither read English nor can we read Bengali." Another said, "What could be written there? They are not supposed to write that we are Bangladeshis, right? They may write that we are from Burma. Since we cannot read, we do not know".

Refusing to register – Protest in November 2018

Not long before our field research in Cox's Bazar, refugees staged a protest against UNHCR's ID

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[18] UNHCR. Communicating with communities on registration. *Guidance on registration and identity management.* https://www.unhcr.org/registration-guidance/chapter4/

[19] Bhatia, A., Mahmud, A., Fuller, A., Shin, R., Rahman, A., Shatil, T., … Balsari, S. (2018, December). The Rohingya in Cox's Bazar. *Health and Human Rights*, *20*(2), 105–122: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6293360/

system and refused to register. Protest leaders told us that this refusal was due to the fact that the ID cards do not identify individuals as "Rohingya". As one majhi told us, "If they listed us as Rohingya Muslim, [refugees] will participate in the data [collection]. Otherwise, they won't. People were afraid. They said, they will not give us Rohingya, how can we give [data]?"

For many Rohingya refugees, this problem mirrors the erasure of identity that refugees faced in Myanmar with the NVC. As one interviewee said, "We think NVC card is the elder sibling and smart card is its younger sibling. Both come from the same root… that is what we think. If this happens, we will still be considered as foreigners in our own country".

Over several days, discussions between system administrators and community and protest leaders resolved the situation. After administrators shared more information about the purpose of the smart card and explained that ethnicity was logged in the database, even if not displayed on the card itself, protesters were convinced to end their demonstration and registration continued. The RRRC described the response:

> They wanted to mention Rohingya ethnicity on the card but we tried to make them understand that the ethnicity is never mentioned in any identity or identification card… it's not necessary here… In the main database we are including their ethnicity as being a Rohingya… After seeing that they believed or got convinced that it's fine…

Awareness and understanding

People we interviewed said there was little shared understanding of the purpose of the digital ID system across actors, administrators and users of the system. In addition to reducing fraud[20] – "misuse by duplicating these identifications" – the RRRC said the card serves the purpose of "separating them from our own population" and to support repatriation efforts "when the condition of Myanmar [improves]". One refugee said he was told that the card means they are "UNHCR's responsibility now" and equates refugee status with possessing smart card: "Now UNHCR has given you the cards and they will let the world know that you will be now officially regarded as refugees." Another refugee talked of how "we need everyone's biodata to know how many Rohingyas came here".

Multiple participants spoke of fears around data sharing with Myanmar. "We are still having doubts about one matter… they assured us that they won't share our biodata with the [Government of Myanmar], but what if they cheat us and share this data… [and] send us back to [Myanmar]?"

Most often, when asked about the ID's purpose, people equated it with getting rations or receiving aid, something explored more below in the section on informed consent. For many interviewees, the smart card was seen as preferable to the old system, as it means having only one card, rather than different cards for different kinds of rations: "Previously they would give us so many cards… for rice, pulses, healthcare, kerosene… But for all these, there is only one card now".

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[20] The Engine Room addressed perceived fraud through duplication in *Biometrics in the Humanitarian Sector*. (2018). https://www.theengineroom.org/wp-content/uploads/2018/05/Oxfam-Report-May2018.pdf

Refugees displayed low levels of understanding about the purpose of the biometric component of the digital ID system and of the consequences of a potential data breach. Interviewees and focus group participants often had conflicting ideas about the purpose of biometrics, ranging from viewing it as a standard UNHCR practice (with no more detail than that) to being told the iris scanners were checking for eye disease. If the latter claim is true, this is significant misinformation that violates informed consent.

- "I asked them, 'why are you scanning our iris? Government didn't do such a thing.' They told us that, 'it is being done on behalf of UNHCR'".
- "They told me that, 'UNHCR scans the iris of the refugees everywhere in the world'".
- "They told me that they are checking our eyes to know if we have any eye disease".
- "They did something to our eyes using a large pipe. Yes. They did something. I could see another pair of eyes there".

When asked about the purpose of biometrics in the digital ID system, the RRRC felt that any concerns were invalid as this population had already been discriminated against without their biometrics. The commissioner said,

> Without this biometric data, they were being tortured before... If they want to torture them, if they want to harm them, biometric data is not an issue over there, isn't it? If I want to discriminate among a population, I don't need their biometric data... As they were already being tortured in a vicious cycle from the late 70s... Biometric data didn't play any role on that...So, they're afraid of being just nothing, it's unnecessary.

This idea perpetuates a cycle of experimentation[21] on vulnerable communities and restricts refugee agency and dignity. Treating forcibly displaced people better than their countries of origin do is a low bar and does not align with the tenets of the 1951 United Nations Convention Related to the Status of Refugees,[22] though Bangladesh is not a signatory. The Commissioner's comment does, however, align with the views of several refugees we interviewed who said their impoverished circumstances were so severe that worrying about biometric data was secondary to their needs for food, shelter and physical safety.

Lack of informed consent

UNHCR policies[23] require that digital ID systems be deployed with the informed consent of all people registering into these systems. In other words, all registrants should understand the

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[21] Jacobsen, Katja Lindskov. (2015, April 1). "Experimentation in Humanitarian Locations: UNHCR and Biometric Registration of Afghan Refugees". *Security Dialogue* 46(2), 144–64. https://doi.org/10.1177/0967010614552545

[22] UNHCR. (1951). *The 1951 Refugee Convention.* https://www.unhcr.org/en-us/1951-refugee-convention.html

[23] UNHCR. (2018). Chapter 5.2 Registration as an Identity Management Process. *Guidance on Registration and Identity Management*. https://www.unhcr.org/registration-guidance/chapter5/registration/

purpose and scope of the system. As such, inconsistent understanding around the purpose of this system may reflect problems with the implementation of the informed consent policy.

An activist leader reported that individuals were not asked for consent to capture biometric data but that UNHCR or government staff held meetings camp by camp to inform people that they "would like to collect your data… It is useful, not for us, but for you". He added, "When people are going there at the center, they already understood – he is agreed and he has understood". Because focus group participants described being informed about the smart card by majhis and other community leaders, we asked for clarification. The activist leader confirmed that UNHCR or government staff met with leaders, not everyone: "Everybody was not included, but the most important persons were included". What interviewees described then was a tiered process where community leaders indirectly gave group consent rather than staff going through UNHCR's informed consent process[24] for each individual at registration.

Interviewees reported to us that system administrators told refugees that registering with the system was a requirement for receiving aid. In this context, refugees cannot refuse to register, as they cannot survive without rations. One said: "They told that it is compulsory to take the smart card otherwise we won't get rations… Then we didn't have any other options but taking the card".

Having viable alternatives is a necessary and critical part of providing a service where people's right to consent is respected. Moreover, vulnerable populations operating in survival mode often do not have the privilege of considering the consequences of sharing their personal data. An activist pointed out that they do not fear what will happen with their biometrics; they are "just afraid of the Myanmar". When asked who might do harm with their information, a focus group participant responded, "We live in a house made of tarpaulin. It is so hot there that any such question never crosses our mind".

Some refugees were so grateful to the Bangladeshi government for their aid that they put full trust in them to collect any desired information: "The things that Bangladeshi people did for us; we will never forget that. We will never be able to repay them. We will obey the Bangladesh government. If they even sell us, we won't say anything because they saved us from death". This is another example of the power imbalance at play, reflecting how easy it can be for those in power to push through systems without considering refugee rights and dignity. As another refugee stated, "We are not actually taking it willingly. We are taking it since we are under your rule now; we must follow the laws of your country".

Interestingly, many of the refugees we spoke to did not trust UNHCR, referring to the refugee agency as a "liar" and "trickster" due to its apparent allegiance with Myanmar and that government's NVC. An imam reported:

> We are not scared of the Bangladeshi government. We are scared of the UNHCR… In June 2018, UNHCR signed an MoU with the Government of Myanmar. On the basis of that deal,

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[24] Ibid.

the UNHCR requested us to [register for] the NVC card. So, we can see that the UNHCR is also trying to make us foreigners.

This lack of trust contributed in part to refugees' refusal to register for smart cards: "...but then we saw the logo of UNHCR in the smart card, for which all of these problems were being created. If UNHCR's logo wasn't there, then there would not be any problem at all".

This negative perception also has a ripple effect on NGOs and other civil society organisations. The same imam stated:

Every NGO is talking about this smart card, but UNHCR is the agent of all NGOs. That's why they control the information of the other NGOs... all the NGO is trying to do business by us. They don't think about our good. Not a single NGO wants our good. They just want their own development... all the NGO follow UNHCR. Where UNHCR doesn't want our good, then why would other organizations want our good? ...We told them so many times to work for our rights, but they aren't doing it.

The stark contrast to refugee trust in the Bangladeshi government reflects their lack of information about the relationship between Bangladesh and Myanmar. Without adequate, accessible information about ongoing talks between these two governments, refugees are left to make assumptions about their motives and interests. While this kind of problem is likely not unique to the Rohingya context, it appears to make it difficult for UNHCR and other aid and civil society organisations to be fully effective.

Problems during the registration process

In addition to what appears to be a lack of informed consent, the refugees we spoke to detailed other problems with the joint verification process. Some mentioned having to stand or wait for long periods of time, with multiple interviewees waiting in line for more than five hours. One imam we spoke to described the scene:

[T]hey call more people to do the smart card than is possible in one day. After going there, people stand there the whole time. Those who can't do the smart card, go back home and face the same trouble the next day when they go to do the smart card again. If people get stuck in the crowd, volunteers take money from them and take them to the front to do the smart card. To take money... is against the rules.

We observed multiple registration centres and saw that the waiting areas were often very congested and uncomfortable due to heat, cramped conditions and lack of seating for those in need such as pregnant women, children and disabled people.

Furthermore, the registration process did not consistently respect cultural norms. Women reported having to remove head scarves and jewelry, an experience that some described as

"humiliating". One woman who had to move her scarf back from her head said, "It felt bad... I was disrespected there which made me upset". Another reported:

> They opened our earrings and nose pins. They took the information by moving the cloth from our head, in naked head. Is this a way to do it by humiliating us? ...If they wouldn't have done it in this way, it would have felt much better.

Post-research developments

Marking the second anniversary of the day targeted violence against the Rohingya began in Myanmar, more than 200,000 refugees gathered in a peaceful protest in Cox's Bazar on August 25, 2019.[25] During the same week, the Bangladeshi government made a second attempt to repatriate Rohingya refugees, but not a single person volunteered to return to Myanmar. Following this rally, the Bangladeshi government took a number of drastic actions, including:

- Removing the government official overseeing Bangladesh's response to the Rohingya, Refugee Relief and Repatriation Commissioner Mohammed Abdul Kalam, from his position[26]
- Banning all operations of 41 non-governmental organisations in the Rohingya camps
- Banning operations of two international NGOs operating in Cox's Bazar[27]

In addition, the government also took the unprecedented move of ordering telecommunications companies to block mobile phone access to Rohingya camps.[28] The government had imposed a ban on selling SIM cards to Rohingya refugees in 2017,[29] but the ban had not been strictly observed by telecommunications companies. Mustafa Jabbar, Bangladesh's minister of telecommunications, said publicly that this move "was prompted by Rohingya refugees' lack of proper identification documents, which means that by law they aren't allowed to register for SIM cards".[30] In 2016 Bangladesh introduced mandatory biometric registration for all SIM card owners, and set up a system where the fingerprints of individuals registering for SIM cards are

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[25] Al Jazeera. (2019, August 25). *"Genocide Day": Thousands of Rohingya rally in Bangladesh camps.* https://www.aljazeera.com/news/2019/08/day-thousands-rohingya-rally-bangladesh-camps-190825055618484.html

[26] BNI Online. (2019, September 9). Abul Kalam and 7 Camps-in-Charge transferred from Rohingya refugee area. *Burma News International.* https://www.bnionline.net/en/news/abul-kalam-and-7-camps-charge-transferred-rohingya-refugee-area

[27] Anadolu Agency (2019, September 11). *Bangladesh gets 'tougher' on Rohingya refugees.* https://www.aa.com.tr/en/asia-pacific/bangladesh-gets-tougher-on-rohingya-refugees/1578938

[28] BD News 24. (2019, September 3). *BTRC orders telecom operators to stop services to Rohingyas in seven days.* https://bdnews24.com/bangladesh/2019/09/02/btrc-orders-telecom-operators-to-stop-services-to-rohingyas-in-seven-days

[29] Agence France-Presse. (2017, September 24). Bangladesh imposes mobile phone ban on Rohingya refugees. *Yahoo News.* https://www.yahoo.com/news/bangladesh-imposes-mobile-phone-ban-rohingya-refugees-073911274.html

[30] Emont, J. (2019, September 3). Bangladesh cuts mobile access to Rohingya refugees. *Wall Street Journal.* https://www.wsj.com/articles/bangladesh-cuts-mobile-access-to-rohingya-refugees-11567541883

verified against National ID cards (NIDS), enabling each SIM card to be traced to a single person.[31]

The telecommunications shutdown brings a new dimension to how technology and identification are used as tools of targeted exclusion. By ordering the Bangladesh Telecommunication Regulatory Commission (BTRC) to "verify mobile users in the camps"[32] within seven days of the order and forcing telecommunications operators to disable 3G and 4G internet to the camps, the Bangladeshi government took a drastic move against freedom of expression and access to the internet with a strategy that combines governmental and corporate powers. BTRC officials confirmed[33] that 3G and 4G access has been suspended indefinitely, while 2G (which allows for voice connectivity, but effectively no internet) remains operational.

It remains unclear whether telecommunications companies will follow the order to "deactivate" SIM cards in technical terms. Bengali-language media speculated in early September 2019 that one possibility could be that telecommunications companies share a list of active SIM cards in the camps with the government, which can then check those SIMs against a list of 'verified' SIM cards, ordering companies to deactivate any not on that list.[34]

The Bangladeshi government says these measures are being carried out in the name of "national security",[35] but the move has faced Rohingya and international criticism[36] from media outlets, human rights groups and other governments that believe further isolation of Rohingya Muslims is not an effective solution.

Conclusions and recommendations

Considering the Bangladeshi government's response to a peaceful protest, it is more important than ever that civil society organisations working on digital rights connect with those supporting

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[31] Rahman, Zara. (2015, December 22). Bangladesh will demand biometric data from all SIM card users. *Global Voices*. https://globalvoices.org/2015/12/22/bangladesh-will-demand-biometric-data-from-all-sim-card-users/

[32] The Daily Star. (2019, September 02). All SIMs in Rohingya camps to be verified in 7 days. https://www.thedailystar.net/rohingya-crisis/no-mobile-phone-services-for-rohingya-refugees-1794367

[33] New Age. (2019, September 11). No mobile internet in Rohingya camps. http://www.newagebd.net/article/84207/only-2g-services-in-rohingya-camps

[34] Nahid, M. S. R. (2019, September 11). Mobile operators challenge Rohingya sim proof/ ''রোহিঙ্গা সিম' প্রমাণের চ্যালেঞ্জে মোবাইল অপারেটররা https://itdoctor24.com/2019/09/11/mobile-operators-challenge-rohingya-sim-proof/

[35] Agence France-Presse. (2017, September 24). *Bangladesh imposes mobile phone ban on Rohingya refugees.* Yahoo News. https://www.yahoo.com/news/bangladesh-imposes-mobile-phone-ban-rohingya-refugees-073911274.html

[36] See, for example, Human Rights Watch. (2019, September 13). Bangladesh: Internet Blackout on Rohingya Refugees. https://www.hrw.org/news/2019/09/13/bangladesh-internet-blackout-rohingya-refugees# and Griffiths, J. (2019, June 25). Myanmar shuts down internet in conflict areas as UN expert warns of potential abuses. *CNN.* https://www.cnn.com/2019/06/25/asia/myanmar-internet-shutdown-intl-hnk/index.html.

Rohingya refugee rights to share knowledge and strengthen advocacy efforts. The Engine Room plans to facilitate additional research with the Rohingya refugee community in Cox's Bazar and will continue to share findings and make connections between individuals and organisations addressing these challenges.

We encourage UNHCR to provide strong checks for ensuring that their informed consent policy is followed in the field. Critically, each person going through the verification process should understand what biometric data is being collected and how it will be used. Regardless of communication between UNHCR and community leaders, and then between those leaders and their communities, UNHCR's informed consent protocol should be followed with every individual at the time of registration. With regard to information provision, particular attention should be focused on language barriers, exploring ways of communicating the scope of the system and the information on the smart card verbally or pictorially.

While the informed consent process remains vital, we cannot ignore the fact that refugees are rarely in a position to concern themselves with data privacy because, as several mentioned in focus groups, the burden of the violence they escaped and still fear, along with their need for basic necessities from the very institution requesting their data, weighs heavily on them. That Rohingya refugees in Cox's Bazar initially protested the smart card is unique among refugee camps and appears to be entirely due to their desire to have their ethnicity clearly recorded as a way to protect their Myanmar citizenship and avoid further persecution upon repatriation rather than any concerns about biometric data and camp power dynamics. These actions show that refugees can wield some power when banding together in fear for their lives, but at an individual level there is no way to push back.[37]

The Engine Room is committed to exploring how to resolve problems with informed consent. We recommend that decision makers and developers of digital ID systems consider alternatives that acknowledge power dynamics and maintain the dignity and rights of refugees, and we urge civil society to advocate for alternatives. This could involve inviting diverse representatives of newly displaced populations to give input on systems at various stages, improving information provision and grievance reporting processes to identify priorities, developing meaningful alternative processes that enable refugees to make choices, and revising information management processes.

Rohingya refugees have repeatedly been stripped of their agency and dignity, which makes it all the more important that they have opportunities to make decisions about their lives going forward. Given their lack of trust in UNHCR and apparent faith in the Bangladeshi government, which is reportedly sharing their data with Myanmar, a focus on awareness of the purpose, scope and risks of smart cards and biometric data collection is critical.

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[37] Note that in our case study on refugee camps in Ethiopia, UNHCR officials said that individuals who refuse the registration process do not receive aid.