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The Failure of International Law to Protect Human Rights Concerning Rohingya: A Socio-legal Analysis

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ABSTRACT

The Rohingya crisis is grievous human rights violation in the modern era, focusing on a tremendous lack in the international legal procedures' ability to protect vulnerable people from statelessness, persecution, and atrocities. This study examines the lay down of international law to protect human rights by exploring the socio-legal, organizational, and political aspects regarding Rohingya in Myanmar. The study adopts a qualitative doctrinal legal research method. It adopts on primary and secondary sources like academic journals, books, policy reports, international conventions, treaties, judicial precedent, and international reports. The study explores the interrelation between international human rights law, refugee law, criminal law, and the doctrine of state sovereignty. The findings explain that, although extensive legal frameworks regarding genocide, crimes against humanity, ethnic cleansing, and deprivations, the Rohingya remain unsecured due to weak implement methods, geopolitical willingness, state sovereignty, institutional restrictions, and lack of accountability. This study recommends that stronger international accountability system, United Nations reform, enlarging roles for international courts, and more efficacies safeguards against statelessness are required to protect from similar human rights violations in future.

INTRODUCTION

The protection of human rights is core objectives of existing international law since the acknowledgement of the Universal Declaration of Human Rights (UDHR) in 1948. After the Second World War, international community established an extensive legal framework to protect individual from persecution, genocide, deprivation, and other human rights violations. There are a lot of international conventions, treaties, and organizations have issued to confirm the protection of human rights in the world. Although these improvements, tremendous human rights violations ongoing to occur, often conflict important gaps between legal principles and practical enforcement (Donnelly, 2013). Among the most practical examples of such failure are the unbearable conditions of the Rohingya, mainly Muslim ethnic minority in Rakhine state. The Rohingya are treated systematic discrimination, persecution, and exclusion for last 3 decades.

Myanmar's Citizenship Law of 1982 has rendered most of the of Rohingya stateless by refusing them citizenship rights and legal acknowledgment (Farzana, 2017). Statelessness denied the Rohingya access to education, employment, healthcare, political involvement, and integration, thereby exposing them to human rights violations. The circumstance weaken in 2016 and 2017 when Myanmar military started comprehensive security operation against Rohingya ethnic group following attacks by Arakan Rohingya Salvation Army (ARSA). According to International institutions reports indicated atrocities like killing, rape, torture, forced replacement, and other activities that may generate genocide and offence against humanity (Ibrahim, 2018). More than 740,000 Rohingya

moved to Bangladesh, generating one of the world's largest refugee crises (UNHCR, 2023).

The United Nations has discussed these operations as quotation of "Ethnic cleansing and genocide", creating the Rohingya crisis a challenging examine of the efficacy of international human rights law and global state mechanisms (United Nations, 2018). International law is based on the doctrine of human dignity, equality, and the protection of human rights category of nationality, ethnicity, or religion. The Universal Declaration of Human Rights (UDHR), the Convention on the Prevention and Punishment of the Crime of Genocide, the International Covenant on Civil and Political Rights (ICCPR), and traditional international law collectively imposed mandatory upon states to protect, respect, and ensure human rights. Besides, the Responsibility to Protect (R2P) principle highlights that when a country fails to ensure its peoples safety from genocide, war crimes, ethnic cleansing, or violation of human rights, the international community has an amalgamative responsibility to maintain peaceful situation. Nevertheless, the Rohingya crisis demonstrates a significant gap between legal norms and its implementations (Khan & Ahmed, 2019).

International legal organizations have endeavored to confirm accountability or ensure effective protection to Rohingya ethnic group. United Nations Security Council has remained separated due to geopolitical willingness and permanent members who have veto power don't show interest to solve this crisis. Despite the United Nations General Assembly and Human Rights Council have taken resolutions regarding Myanmar's activities, these measures shortage of legally compulsory force.

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Hence, international responses have been restricted to diplomatic coercion, humanitarian help, and targeted sanctions, which have indicated inadequate to prevent ongoing human rights violations (Zahed, 2021).

International judicial organizations have tried for accountability for the Rohingya crisis via processing before the International Court of Justice (ICJ) and inquiry by the International Criminal Court (ICC) into claimed genocide, crimes against humanity. The study examines the failure of international law to protect the human rights regarding Rohingya via socio-legal perspectives. It explores the historical and legal framework of the crisis, analyzes the efficacy of the international human rights laws, and examines the roles played by the United Nations, International Court of Justice, and the International Criminal Court. The Rohingya crisis is the tremendous important issue in the modern world. The findings of the study contribute to continue debates concerning international accountability, state sovereignty, refugee protection, genocide prevention, and human rights implement. This circumstance has increased the research questions concerning the efficacy of international law to prevent mass atrocities. The Rohingya has faced mechanical persecution, statelessness, forcefully replacement, and human genocide without protection by international judicial systems, conventions, regulations, and treaties. So, the Rohingya crisis has notified as a significant case study for exploring the restrictions and failures of the international law to prevent human rights violations. The study examines the historical and legal framework regarding Rohingya crisis, explores the efficacy of the international human rights law, analyzes the roles of the United Nations, ICJ, and ICC, verifies the legal and organizational challenges, and suggests reforms to strengthen international human rights protections methods.

This study addresses four main research questions. First, why has international law unsuccessful to ensure the protection of human rights of the Rohingya populations? Second, what social and legal hinders for efficacy of international laws regarding Rohingya crisis? Third, how efficacy has international institutions and judicial body been in securing accountability for offences committed against the Rohingya? Finally, what reforms are essential to enlarge the efficacy of international rules and policy in protecting statelessness peoples?

LITERATURE REVIEW

The Rohingya problem has been identified as one of the most tremendous inhumane and legal challenges in the world, especially in South Asia. The core problems of the Rohingya issue because of colonial legacies, ethnic originating, and desprive from citizenship policies enacted by government of Myanmar (Leider, 2018). According to Farzana (2017), the refusal of citizenship under Myanmar's 1982 Citizenship Law constitutes discrimination against the Rohingya. The scholars analyze that statelessness has activated as a capital mechanism

facilitating border exclusion and persecution (Kingston, 2015). The absence of national identity limits access to social and human rights that has raised vulnerability to violence.

Southwick (2015) examines that Myanmar's citizenship regime originates structural weaken that indulge to human rights abuses the Rohingya for decades. The Convention on the Prevention and Punishment of the Crime of Genocide, 1948 elucidates the term of genocide which is intent to destroy, in whole or part, a restricted group. Ibrahim (2018) explores that the policy of a country regarding Rohingya crisis indicates to associate with genocidal exercises, adding procedural deprivations, segregation, and destroy of specific community life. Green, MacManus, and de la Cour Venning (2015) similarly commented that gradually impact of inequitable standards imposed on the Rohingya genocidal occurrence. They recommend that limitations on movement, marriage, childbirth, and access to important services were created systems designed to neglect the survival of the group. Many legal experts have emphasized the kinds of atrocities against the Rohingya as offence against humanity. According to international institutions and independent fact checking goals have documented evidence of killings, rape, torture, force to leave, and harassment happened at Rohingya civilians (United Nations Human Rights Council [UNHRC], 2018). In analyzing these findings, Schabas (2020) explains that the legal limit for crimes against humanity looks gratified. The tremendous method of abuses, mixed with evidence of country engagement, supports the activities of Myanmar's as international crimes essential accountability.

Hathaway (2005) highlights that international human rights law struggle with important implement shortage because adherence basically rely on political interest rather than mandatory legal procedures. This analysis is especially related to Myanmar, where national authorities have frequently avoided international criticism while ongoing inequitable mechanisms against the Rohingya.

The interconnection between state sovereignty and human rights protection generates significant rhythm in the literature. Sovereignty has remained a core doctrine regarding relations among states since the installation of the sophisticated international procedures. Nevertheless, human rights experts indicated that strict enforcement to sovereignty often hinders efficacy response to mass atrocities (Bellamy, 2015). The Rohingya crisis represents this dilemma. Myanmar has frequently enforced sovereignty to oppose external interruption and scrutiny. Welsh contents that international organizations continuously faces difficulties adjusting honor for sovereignty with the vital to protect severe human rights violations. This incident has contributed essential to delays in international activities and restricted the efficacy of legal responses. The principle of the Responsibility to Protect (R2P) has received legal expert attention in demonstrations regarding the Rohingya crisis. According to Word Summit 2005, R2P indicates

to mediate sovereignty and human rights by enforcement of responsibility to prevent peoples from genocide, war crimes, ethnic torturing, and offence against humanity. Evans highlights that R2P represents a main evaluative advancement in international law. Hehir (2013) elucidates that R2P has often failed to constitute valuable action when develop states shortage of interest in a crisis. Besides, the efficacy of the United Nations has also been a factor of comprehensive academic conflict. Scholars have criticized the actions and response of United Nations regarding Rohingya crisis as insufficient and negligence. Ganesan (2019) emphasizes that organizational segmentation, bureaucratic restrictions, and political fragmentations within the Security Council neglect efficacy action. Malone (2017) emphasizes that veto power and geopolitical conflict often prevent crucial response to humanitarian crises. International offender accountability procedures are concerned by Scholars. The foundation of the International Criminal Court was regarded as a benchmark in the struggle against impunity for mass atrocities. Kersten (2016) expresses that the ICC has donated importantly to the improvement of international criminal justice but ongoing to face implement and territorial challenges. The Judicial investigation into crimes related with the forced extradition of Rohingya refugees to Bangladesh represents a significant improvement. However, Akande (2019) explains that territorial restrictions hinder the scope of prosecutions because Myanmar is not a society to the Rome Statute. The trials launched by The Gambia before the International Court of Justice have originated important scholarly discussion. The case accuses violations of the Genocide Convention by Myanmar and looks accountability for atrocities constituted against the Rohingya. Schabas (2020) indicates that the ICJ trials represent a significant effort to impose stateresponsibility under international law.

Refugee scholars have tremendous explored the result of Rohingya crisis for neighboring states, especially Bangladesh. The mass people of Rohingya refugees have generated important economic, humanitarian, and environmental challenges (Uddin, 2020). Although Bangladesh has received international appreciation for giving to replace Rohingya peoples, researchers argue the prolong problems related refugee management, resource distribution, and social freedom. Ullah (2016) highlights that long term replacement without permanent solutions originate vulnerability and neglects possibility for sustainable protection. The Association of Southeast Asian Nations (ASEAN) has been criticized for its' restricted involvement due to the traditional commitment to the doctrine of non-interrupt. Haacke (2003) analyzes that ASEAN's organizational tradition restrictions collective responses to internal human rights factors within member countries. As a result, regional systems have played only a marginal role regarding Rohingya crisis despite its important regional enforcements. Furthermore, scholars have examined broader questions regarding the

legitimacy and efficacy of international law itself. Posner (2014) indicates that international law often reveals political realities rather than action as an autonomous method capable of compelling state behavior. Similarly, Goldsmith and Posner (2005) analyze that state wiliness remain the first stage of adherence with international legal restrains. Although the Rohingya crisis is acknowledged of violations, it failed to prevent atrocities.

Although existing literature has tremendous explored the political, historical, humanitarian, and legal perspectives of the Rohingya crisis, various significant gaps remain. First, Most of the scholars emphasized on documenting human rights violation rather than critical examining the structural failure of international law as an extensive protection system. Second, while many studies evaluate separate organizations like United Nation, ICC, and ICJ, limited research merges these systems within a unified framework to ensure their collective efficacy. Third, existing studies often analyze result of humanitarian while providing inadequate attention to the interrelation between sovereignty, implement lacking, and geopolitical willingness. Finally, recent legal improvements, involving ICC inquiry and ICJ processing, need examine about their enforcement for future human rights protection. The study addresses these gaps by examining a extensive legal evaluation of the failure of the international law to protect the Rohingya and by verifying organizational reforms essential for enlarging accountability and protection methods.

METERIALS AND METHODS

This research adopts a qualitative doctrinal legal research method to explore the failure of international law in protecting the human rights concerning Rohingya crisis. It highlights international legal mechanisms, relating human rights, refugee, humanitarian, and criminal law, together with agreements, conventions, judicial precedent, and organizational exercise, to examine their efficacy in addressing the Rohingya crisis. This study analyzes the historical, political, and legal challenges regarding the crisis, examines the efficacy of international human rights law, and reveals the role of the United Nations, the International Court of Justice (IJC), the International Criminal Court (ICC), and regional institutions in responding to human rights violations. Besides, it examines the legal, political, and organizational hinders that have hampered accountability and efficacy of protection regarding the Rohingya crisis. This study adopts on both primary and secondary data from originative sources where primary sources like international treaties, conventions, judicial precedents, United Nations policies, and official reports, especially human rights mechanisms and documents issued by the United Nations, OHCHR, UNHCR, the Independent Court of Justice, and International Criminal Court. Secondary sources like academic journals, books, legal and policy reports, and conference papers. The research questions are explored by adopting qualitative analytical

methods. The first question is addressed via doctrinal legal examining the international laws and treaties. The second question adopts thematic content analysis of UN reports, policy documents, and literature to verify legal and organizational challenges. Thirds questions are explored by case study and comparative discussion to examine the role of international institutions and judicial body. Finally, comparative and normative legal analysis to examine reform proposals and suggestions measures to strengthen international legal safety for vulnerable peoples. The study has focused on the Rohingya crisis since 1982. Despite limited by reliance on secondary data and continue legal process, diverse authoritative elements enlarge the study's reliability.

RESULTS AND DISCUSSIONS

Results

Social Dimensions Of Rohingya Persecution

Although the Rohingya has long historical activities in Rakhine region as dweller, the Rohingya have been

treated in Myanmar as illegal immigrants, including social marginalization and neglect the identity as ethnic peoples (Leider, 2018). The enacted law of Citizenship, 1982, renders them stateless, resulting in social and economic discrimination (Human Rights Watch, 2020). Misinformation, restricted of speech, and anti- Muslim peoples narratives publicized via traditional and social media to legitimate violence against Rohingya (UNHRC, 2018). These social behavior treated deprivation of education, healthcare, freedom of movement, and employment, leaving the group separated and vulnerable (Amnesty International, 2022). The displacement of more than 01 million Rohingya into Bangladesh has manufactured important challenges, relating over gathering, restricted livelihood, and influences on host community (UNHCR, 20240. The Rohingya crisis requires both legal accountability and social reconciliation, especially citizenship policies (International Crisis Group, 2020).

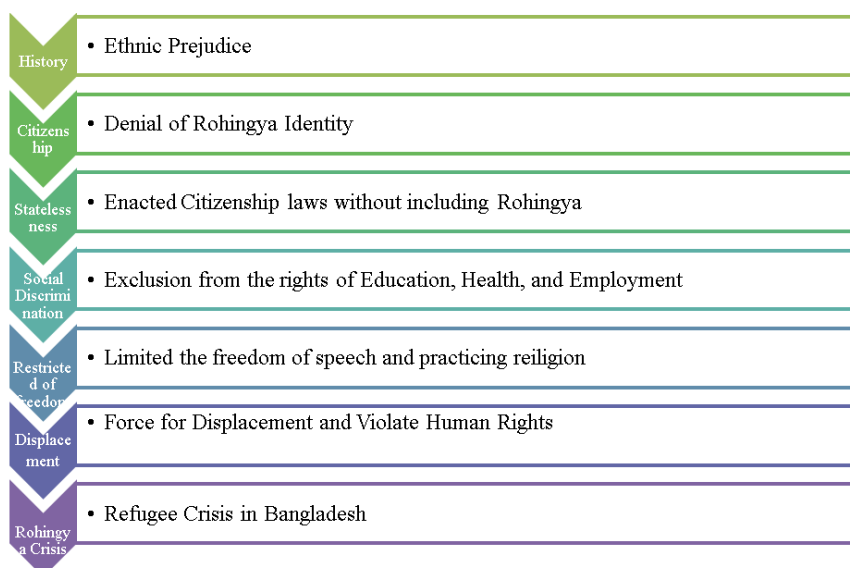


Figure 01: Transformation of Rohingya Crisis in Bangladesh

Source: Author's own compilation with relevant data

Legal Marginalization and History of Rohingya

Rohingya crisis is not a present incident but rather the climax of decades of deprivation implanted within Myanmar's legal and political mechanisms. Historical data indicates that Rohingya is the resident of Arakan (Rakhine) for centuries; however, the government of Myanmar have indulged the Rohingya in identity crisis and treated as illegal immigrants from Bangladesh (Leider, 2018). This interpretation explored that Myanmar's government has denied the acknowledgement of Rohingya as citizen of it. In the Myanmar Citizenship Law of 1982 which was denied the Rohingya as a citizen of Myanmar by limiting nationality to acknowledge "national races" and enacting some difficult requirements that most of the Rohingya could not happy (Farzana, 2017). Most of the scholars have continuously highlighted that statelessness is both

a curse and human rights violations (Kingston, 2015: Southwick, 2015).

Besides, Historical experts reveal that Muslim traders, settlers, and local peoples gradually made the Rohingya community through decades of activities in the area (Rohingya Culture Centure, n.d.). After the independence of Myanmar in 1948, the Rohingya faced rapidly political marginalization, which operated by military in 1962. By Citizenship Law Rohingya was denied as ethnic group of Myanmar including discrimination from fundamental human rights, freedom of movement, education, and political involvement (Watch, 2013).

Discriminatory mechanisms, communal violence, and military persecution have pressured the Rohingya to displace to Bangladesh, especially at the time of main influxes in 1978, 1991-1992, and 2017 (UNHCR, 2024).

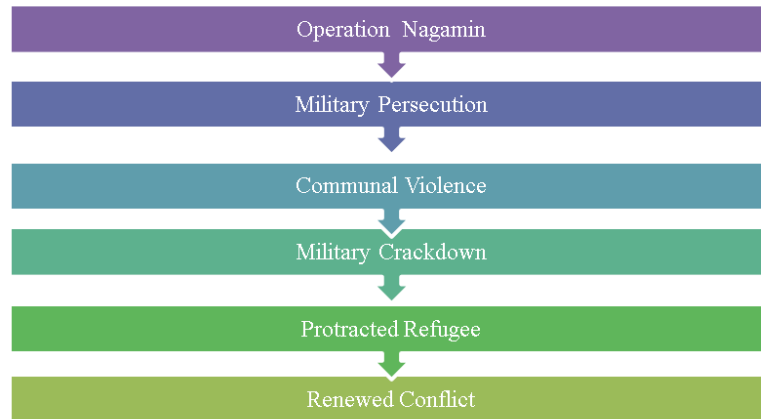


Figure 02: The Scenario of Human Rights Violations on Rohingya
Source: Author's own compilation with relevant data (UNHCR, 2024, 2026).

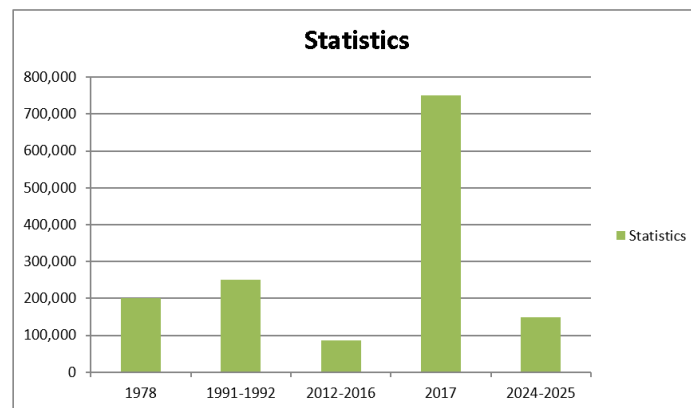


Figure 03: Statistics of Rohingya displacement in Bangladesh from Myanmar
Source: Author's own compilation based on relevant data (UNHCR, 2024 AND UN Report, 2025).

The Figures indicates that Rohingya displacement into Bangladesh has happened in frequently times, driven by military persecution and other pressure that is the violation of human rights in Myanmar. The study demonstrates that the transformation of the Rohingya crisis from its recent mass replacement in 1978 to 2026. The first main refugee incidents were happened during Operation Nagamin (Dragon King), when almost 200,000 Rohingya displaced in Bangladesh. Second large ratios fled to Bangladesh in 1991-1992 due to military persecution and human rights violations. Communal violence in Rakhine region indulged another displacement in Bangladesh during 2012 to 2016. The most important triggered was occurred in 2017, when a military operation forced approximately 740,000 Rohingya to flee from Rakhine to Bangladesh as a refugee. In 2018 to 2026, renewed armed conflict and persecution led to add another wave of Rohingya refugees. Consequently, Bangladesh ongoing to host almost 1.19 million documented Rohingya refugees, evaluating that the crisis has turned into one of the world's longest sophisticated refugee situation (UNHCR, 2024).

Legal Challenges of International laws

Although the existence of extensive international human

rights mechanisms, important loopholes are continue to barrier their effective enforcement. International laws largely rely on state interest and cooperation, restricting its efficacy when government neglects to comply with international mandatory (Donnelly, 2013). Despite the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) formed universal standards, implement procedures remain weak because there is absent of centralized authority to obligate compliance (United Nations, 1948 & 1966).

Political willingness and veto power of United Nations Security Council who is the permanent member barriers interference in factors of mass atrocities (Bellamy, 2015). Similarly the International Criminal Court (ICC) has no jurisdiction power to implement and compel any state against any violation of human rights without the Rome Statute or where cases are forced by the Security Council (International Criminal Court, 1998). Many vulnerable communities like stateless group of Rohingya remain unsecure life due to lack of citizenship laws and enforcement of refugee protection mechanisms (Human Rights Watch, 2023). These organizational and political restriction decrease accountability for violations

of human rights and lack of organizational support to prevent human rights violations (Amnesty International, 2023).

Although the existence of a comprehensive body of international human rights doctrines, the findings indicate an important gap between legal remedy and protection. International framework like Universal Declaration of Human Rights, the Convention on the Rights of child, and the Convention on the Elimination of All types of Discriminations against Women are trying to protect any types of persecutions but without implementation of these it is fruitless. Hathaway (2005) reveals that

international human rights regime often depend on voluntary compliance and political interest rather than forceful implement methods. Besides, Myanmar is not members of many international treaties, decreasing facilities for treaty related accountability. The Rohingya crisis indicates that the existence of legal framework is not capable to protect human rights without efficacy methods for implementation. Although UN agencies frequently reported human rights violations and humanitarian issues, effective action was delayed. Documents concerning of persecution emerged decades before the 2017, yet preventive measures remained restricted (Ganesan, 2019).

Table 01: International Human Rights laws involve to Human Rights Protections

International Law/ Regulations	Year	Protect of Human Rights	Relevance to Human Rights Violations
Universal Declaration of Human Rights (UDHR)	1948	Right to life, liberty, equality, nationality, education, freedom from discrimination	Formed universal human rights standards violated via discrimination, persecution, and denial of citizenship.
Convention on the Prevention and Punishment of the Crime of Genocide	1948	Protection from genocide and mass atrocities	Illustrate genocide and obligates of a country to prevent and punish genocidal actions.
International Covenant on Civil and Political Rights (ICCPR)	1966	Freedom of movement, religion, expression, fair trial, and Right to life	Protects basic civil and political rights often violated during armed conflict and persecution.
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	Right education, health, work, housing, adequate living	Protects socioeconomic rights repeatedly denied to displaced and stateless community.
Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1965	Equality and freedom from ethnic deprivation	Forbids discrimination based on race, ethnicity, or minority.
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1979	Gender equality and Women's rights	Protects women from gender-based violence, exploitation, and discrimination.
Convention against Torture (CAT)	1984	Freedom from torture, cruel, and inhuman.	Prohibits torture under all situations.
Convention on the Rights of the Child (CRC)	1989	Children's rights to education, protection, health, and improvement	Safeguards children influenced by displacement, conflict, and exploitation.

Source: Author's own compilation based on relevant laws

Violation of Human Rights and Mass Atrocities

Violation of human rights is an alarming incidents especially sexual violence against Rohingya women and girls. Scholars highlight that rape and other types of sexual violence were used as tools of terror and amalgamate punishment (Cheung, 2012). Such attitudes impact on both physical and mental conditions of Rohingya women that aim to destroy social dignity within Rohingya ethnic group. The devastation of Rohingya's resident and displacement policy indicate that it is systematic preplan for destruction the community forever from Rakhine region. Satellite view ensured the border burning of residence, while victim's testimonies elucidated patterns of violence that were frequent incidents across various spot (Ibrahim, 2018).

During Operation Nagamin (1978) and Operation

Pyi Thaya (1991-1992), reports documented including genocide, torture, and forced displacement. In 2012, approximately 168 Rohingya peoples were killed by these operations, including many child and women. Military crackdown killed thousands of ethnic peoples of Rohingya. In 2017, approximately 6,700 Rohingya were killed by the Myanmar government operated military actions, relating fire in house, rape, shot down of peoples where about 200 Childs found in dead

Challenges of International Criminal Accountability

Although the existence of international legal frameworks, ensuring international criminal accountability are remain challenging regarding Rohingya crisis. Myanmar is not a State Party to the Rome Statute of the international Criminal Court (ICC), restricting the court power

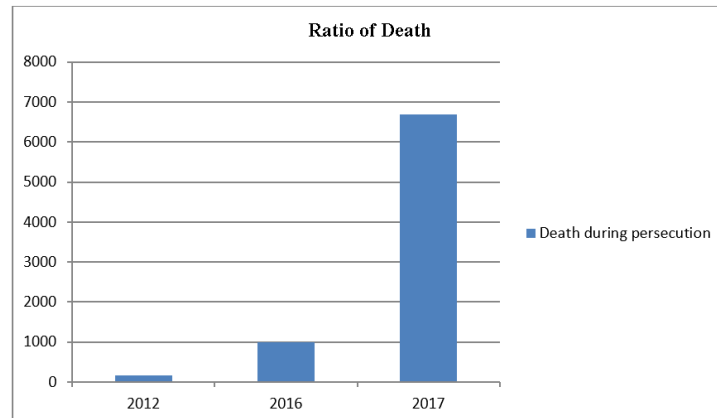


Figure 04: Ratio of killing during persecution in Myanmar
Source: Author's own compilation with relevant data (MSF, 2017).

except where crimes relate cross border expulsion into Bangladesh, which is a State Party (Akande, 2019). Political separations within the United Nations Security Council have prevented a recommendation of the conditions in Myanmar to the ICC, explaining how geopolitical willingness often barrier the implement of international criminal law (Jeffrey, 2023). Although the International Court of Justice (ICJ) has ordered provisional conditions in The Gambia vs Myanmar, the court lacks implement powers and relies on state adherence (Ibrahim, 2021). International institutions play a vital role in the upgrading and identification of traditional law (Jaffal, 2024). Moreover, National judicial bodies in Myanmar remain unable and disinterested to litigate senior military officials duty for alleged atrocities (Adepio, 2025). Besides, we see that Russian's military action against Ukraine has increased important concern about compliance with international human law (Bukar, 2023). The main challenges are to collect reliable evidence, identifying witness protection, and achieving country cooperation has also delayed efficacy prosecutions (Stavrou, 2021). As a result, the Rohingya crisis illustrates that international criminal accountability is restricted by legal jurisdiction and political interest, organizational restraint, and insufficient implement methods.

Case Study of the Gambia vs Myanmar

The case of the Gambia vs Myanmar before the International Court of Justice (ICJ) represents a remarkable effort to ensure state responsibility for objected genocide against the Rohingya, yet it fall important legal and practical challenges. First, the ICJ lacks direct implement jurisdictions, referring that adherence with its conditional measures relies on Myanmar's political interest and international force rather than mandatory implement (Ibrahim, 2021). Second, the processing are totally lengthy, delying justice and effective compensation for survivors while the humanitarian crisis ongoing (Jeffrey, 2023). Third, the case addresses only Myanmar's duty as a country under the 1948 Genocide Convention and cannot enforce offender's liability on

separate military leaders, whose prosecution indulges within the territory of other tribunal like the International Criminal Court (Akande, 2019). Furthermore, political separations within the United Nations Security Council have restricted coordinated international act to confirm accountability or implement ICJ decisions (Ganguly, 2020). Finally, There are a lot of challenging to collect evidence, ensure witness protection, and achieving cooperation from Myanmar have complexity fact finding and court proceedings (IICFFMM, 2018). These challenges highlight that, although the legal importance of the Gambia v. Myanmar, obtaining accountability requires stronger international collaboration, effective implement mechanisms.

Discussion

The finding notes that the failure of international law to protect the Rohingya from persecution and displacement due to lack of legal framework and weakness of implementation of laws. International law remains extensive forbidden against discrimination, statelessness, persecution, genocide, and offence against humanity; however, these protections often contain inefficacy because adherence relies on the political interest of the states. The Rohingya crisis explores an important gap between legal doctrines and organizational ability, with international law functioning more as mechanisms for conviction than en efficacy methods for prevention. The study also emphasizes that the permanent confliction between state sovereignty and human rights protection. Myanmar continuously called sovereignty to defend external scrutiny, while international factors were hesitant to adopt stronger evaluates for afraid of violating sovereign equality. This study illustrates that sovereignty ongoing to constraint humanitarian interference despite including human rights principles. Furthermore, the crisis demonstrates the widespread implement deficit within international law, as international courts and institutional lack centralized authority and depends on country collaboration and political interest. Ultimately, the Rohingya crisis increases important

concerns regarding the creditability and future efficacy of international human rights protection. This study deliberates the urgent requirement for reforms that strengthen accountability methods and decrease political hindrances to humanitarian act, and enlarges safeguards against statelessness. Without meaningful organizational and political reforms, the international community challenges frequently similar failures in future humanitarian risks, thereby reducing trust in the ability of international law to protect vulnerable people from mass atrocities. International human rights law, refugee law, and international criminal law indicate extensive protections against deprivation, persecution, statelessness, and genocide; however, these legal principles depend on state willingness and political interest for effective outcome (Bassiouni, 2013).

Rohingya was refused as a citizen of Myanmar by the government declaration of citizenship law that recognize to systematic violation to human rights of Rohingya (Ibrahim, 2021). According to socio-legal perspectives, legal protections are remained neglected by domestic politics, geopolitical willingness, and ethnic nationalism, especially in United Nations Security Council where political interest is absent that obstructs for implementation of human rights (Jeffrey, 2023). The International Court of Justice and the International Criminal Court are representing for implementation of human rights and ensure accountability but their efficacy remains restricted by jurisdictional limitation and enforcement challenges (Akande, 2019).

Findings Of The Study

The study explores that the failure of international law to protect the human rights of the Rohingya is preliminary indulgence to lack of enforcement and implementation rather than the lack of legal norms. International human rights law, international criminal law, refugee law, and international humanitarian law refer extensive protections against deprivation, persecution, statelessness, forcefully displacement, and genocide. Although these legal frameworks are available internationally, Rohingya have ongoing to face human rights violations, involving refusal of citizenship, limitations on freedom of movement, genocide, sexual violence, forced displacement, and destroy of property. This study examines that the doctrine of state sovereignty and the deficiencies of mandatory implementation methods importantly limit the ability of internationally organizations to interfere effectively in conditions including tremendous human right violations. The findings also elucidate that political discretions have weakened internationally accountability. Separations among core powers within the United Nations Security Council have obstructed crucial collective activity, while geopolitical willingness has repeatedly taken previous judgment over humanitarian compulsory. Despite the International Court of Justice, the International Criminal Court, and the Independent Investigative Mechanism for Myanmar have subscribed to enhancing accountability,

their efficacy has been restricted by territorial constraints, systematic delays, and the deficiency of direct implementation authority. Furthermore, the study highlights Myanmar's discriminatory legal system, especially the refusal of citizenship under the 1982 Citizenship Law, as the main reason of the Rohingya's enlarged vulnerability and statelessness. From a socio-legal attitude, the research demonstrates that legal protections are not sufficient unless collaborated by political interest, organizational cooperation, and effective implementation. Therefore, strengthening international legal organizations, reforming implementation methods, enlarging international cooperation, and addressing the organizational reasons of statelessness are important to ensuring effective protection of vulnerable peoples and preventing similar human rights violations in the future.

CONCLUSION

The Rohingya crisis indicates the failure of the modern international legal procedures to protect fundamental human rights. The study explored the efficacy of international criminal law, international human rights law, refugee law, and response of international community in addressing the persecution, displacement, statelessness, and genocide of the Rohingya ethnic. The finding highlights that although there have international legal mechanisms, the Rohingya remained out of protection due to weak enforcement and implementation systems. Despite international legal frameworks forbid such abuses, political resistance, and the lack of effective implementation methods restricted their practical impact. This study finds that international organizations like the United Nations were unable to reply effectively due to political separations, geopolitical willingness, and the limited imposed by the doctrine of state sovereignty. Although international judicial methods like the International Court of Justice, the International Criminal Court whose have accountability but remain restricted by territorial and implementation challenges. The Responsibility to Protect (R2P) principle also referred insufficient, as its enforcement relies on political willingness rather than mandatory legal bindings. The study concludes that the Rohingya crisis expresses basic lacking in the international legal rules and order, indicating that legal principle alone cannot protect human rights violations without organizational accountability, stronger implementation, and sustained political willingness. Extensive reforms are needed to increase the efficacy of international law and prevent same humanitarian crisis in the world.

This study recommends that to make strong international implementation methods, reforming the United Nations Security Council to decrease veto related deadlock in atrocity conditions, and increasing legal protections against statelessness. The study emphasizes that ensuring the efficacy of the International Criminal Court, enhancing the Responsibility to Protect (R2P), developing previous warning and prevention methods, and promoting regional responsibility, especially within

ASEAN countries. Sustainable solutions for Rohingya ethnic should be solved like citizenship acknowledgement, safety, voluntary repatriation, and international investigation while addressing the main reasons of displacement. Furthermore, stronger international collaboration among countries, international institutions, and civil society is essential to confirm accountability and protect human rights. Basically, international law should relate into a more human rights-centered mechanisms where the protection of human honor takes precedence over political willingness, confirming effective and unbiased responses to future humanitarian challenges. The Rohingya crisis expresses important lacking in international law. Effective protection needs stronger implement methods, accountability, organizational reform, and sustained international promise to protect vulnerable peoples and prevent future atrocities.

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