

HPG working paper

Participation and inclusion in the Rohingya refugee response in Cox's Bazar, Bangladesh

'We never speak first'

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October 2021



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How to cite: Lough, O., Spencer, A., Coyle, D., Jainul, M.A. and Barua, H. (2021) *Participation and inclusion in the Rohingya refugee response in Cox's Bazar, Bangladesh: 'We never speak first'*. HPG working paper. London: ODI (<https://odi.org/en/publications/participation-and-inclusion-in-the-rohingya-refugee-response-in-coxs-bazar-bangladesh-we-never-speak-first>).

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Acknowledgements

The authors would like to thank IOM Cox's Bazar's team of Rohingya communication with communities field volunteers – Abdu Rahman, Ayasul Hoque, Bador Alom, Hashim Ullah/ Aung Myint, Khin Maung Htway, Mohammed Taher, Mohammed Ansar, Mohammed Bilal, Noor Mohammed SF, and Zahid Ullah – who contributed substantially to the design and analysis of this research, as well as carrying out data collection with Rohingya communities. The team at Translook provided vital quality control on the translation of Rohingya interviews into English transcripts. We thank Nanette Antequisa, Bahauddin Bahar, Mariangela D'Adamo, Tom Palmer, Laila Sumaiya and an additional anonymous reviewer for peer review comments on the draft, as well as Veronique Barbelet, John Bryant, Sarah Njeri and Sorcha O'Callaghan for internal review and support throughout the research process. Laura Mertsching and Cat Langdon provided invaluable project management support, and Katie Forsythe and Hannah Bass led editing, design and production. Finally, and most importantly, we are grateful to the Rohingya refugees and humanitarian actors who gave their valuable time and expertise to participate in this study.

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Acronyms

AAP	accountability to affected populations
ARSA	Arakan Rohingya Salvation Army
CHS	Core Humanitarian Standard
CiC	Camp-in-Charge
CSO	civil society organisation
CwC	communication with communities
FGD	focus group discussion
GCR	Global Compact on Refugees
HoSOG	Head of Sub-Offices Group
HPG	Humanitarian Policy Group
IASC	Inter-Agency Standing Committee
IDI	in-depth interview
INGO	international non-governmental organisation
IOM	International Organization for Migration
ISCG	Inter Sector Coordination Group
JRP	Joint Response Plan
LNNGO	local or national non-governmental organisation
M&E	monitoring and evaluation
NGO	non-governmental organisation
NGOAB	NGO Affairs Bureau
RG2	IASC Results Group 2 on Accountability and Inclusion
RRRC	Office of the Refugee Relief and Repatriation Commissioner
sclr	survivor and community-led response
SEG	Strategic Executive Group
SOGIESC	sexual orientation, gender identity and expression, and sex characteristics
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations Refugee Agency
WASH	water, sanitation and hygiene

Executive summary

Between August and September 2017, over 700,000 Rohingya refugees fled their homes in Myanmar's northern Rakhine state, settling in Cox's Bazar, Bangladesh in what fast became the world's largest and densest refugee settlement. Fleeing a widespread and systematic campaign of violence by Myanmar's armed forces, they joined existing populations of Rohingya driven into Bangladesh by similar military 'clearance' operations in 1978, 1991 and 2016. This most recent and by far the largest wave of displacement is now entering its fifth year. With Myanmar wracked by an ongoing military coup amid widespread popular resistance, prospects for refugees' safe return remain remote for the foreseeable future.

This study explores issues related to participation and inclusion in the humanitarian response in Cox's Bazar (see Box 1). It examines whether and how Rohingya refugees are involved in decisions that affect their lives, the mechanisms through which this happens, and the link between these dynamics and a more inclusive response. It forms part of a wider project by the Humanitarian Policy Group (HPG) at ODI examining inclusion and exclusion in humanitarian action.

The context in Cox's Bazar is a profoundly challenging one in which to involve communities meaningfully and inclusively in decisions that affect their lives. The Rohingya have been systematically excluded from social, economic and political life in Myanmar for decades. This marginalisation has also been reflected in their experience of displacement in Bangladesh, where Rohingya have been severely limited in their ability to exercise basic rights as refugees. These experiences have combined with restrictive gender norms, language barriers and the dislocating experience of displacement itself to pose significant practical challenges to broad-based participation. This has been exacerbated by the sheer scale of the crisis and the stretched resources available to meet it. These issues have been substantially compounded by the approach taken by the Government of Bangladesh, which has heavily restricted and continues to squeeze the space for participation as part of a wider agenda of containing the refugee problem, with a view to swift return.

Box 1 Participation and inclusion: what are they and what's the link?

Inclusion here is understood as the process of ensuring impartial, equitable access to assistance that takes into account the specific needs and patterns of marginalisation that people may experience. This involves a shift in focus beyond whether or not needs are being met, to a wider analysis of patterns of marginalisation influencing how they arise in the first place. Participation is widely viewed as an important way to make humanitarian action more responsive to people's diverse needs and priorities. However, when seen as a foundational component of inclusion, it acquires a broader significance, offering a means for marginalised communities to organise, build solidarity, demand their rights and engage as equal partners in crisis response.

Nevertheless, several features of the humanitarian response have also limited its scope to address these issues. Overall leadership on participation is generally perceived as weak, with a lack of clear strategy and objectives, and too much expectation that accompanying political challenges can be solved by technical actors. Humanitarian modes of operation such as inflexible project cycles and short timelines also limit the scope for deeper and more sustained engagement with communities. This is exacerbated by technocratic, risk-averse and, in some cases, nakedly paternalistic attitudes toward the Rohingya and their potential for greater ownership of programming. Especially among frontline staff, there is a profound ‘othering’ of refugees, linked to their almost complete absence from humanitarian decision-making spaces.

In the context of a crisis that is deeply underpinned by the systematic denial of human rights to an entire population group and its profoundly disempowering consequences, the language of rights and empowerment is also oddly absent from humanitarian discourses on participation. Instead, participation continues to be seen largely in terms of improving programme effectiveness and efficiency.

Overall, there is little here to support the assumption that protracted displacement is creating space to deepen participation over time. Although heavy investments in communication with communities have strengthened the basis for better engagement, many actors still struggle to get the basics on participation right, even as the response enters its fifth year. Refugees interviewed from this study expressed widespread frustration at being cut out of decisions affecting their lives. They also repeatedly highlighted the misalignment between their perception of the scope and focus of humanitarian programming, and their own priorities and lived experiences. Feedback loops are not being properly closed, complaints and feedback processes are a dysfunctional and alienating experience for many refugees, and Rohingya voices are excluded from having a meaningful say in setting strategic or operational agendas. The increasing use of sector-focused refugee committees is a promising step forward, but their role often remains limited to programme support rather than accountability. Self-help groups and other efforts to support more rights-based mobilisation of vulnerable groups to identify and address issues that are important to them offer a promising model, but remain in their infancy. Meanwhile, refugee civil society – ranging from self-organised local committees to fledgling refugee-led organisations – struggles to find entry points to engage with the humanitarian response.

Recommendations for actors in the Cox’s Bazar response

To response leadership

- Mandate and commit to a response-wide strategy for accountability to affected populations (AAP), building on the CwC Working Group’s 2019 AAP manifesto, and contextualised through direct refugee involvement and review.
- Demonstrate visible commitment to refugee participation by ensuring direct involvement in prominent events and processes such as Joint Response Plan (JRP) development or dignitary visits. Match this with clear red lines on engaging with processes – especially around relocation and returns – where refugees are not properly consulted.
- Ensure that preserving political space for refugee participation remains central to advocacy agendas with the government at national and local levels.

To donors

- Prioritise multi-year, flexible funding as a way to deepen relationships with refugee communities and groups, and provide the necessary time and space for learning and co-creation. Work with United Nations (UN) agencies and their implementing partners to ensure sub-grants delivered through the UN are issued along similar lines.
- Expand funding for activities aimed at strengthening participation of women and girls, people with disabilities, people with diverse sexual orientations, gender identities and expressions, and sex characteristics, and other marginalised groups, working with partners to ensure similar opportunities are available across the response, and not just within the catchment areas of specific organisations.
- Channel development resources towards support for emancipatory aspects of participation – such as developing leadership, building solidarity, or strengthening civil society – that may not sit within humanitarian mandates or timelines. This may involve working creatively with partners and refugees to identify approaches that can contribute to empowerment objectives while ‘flying under the radar’ or working with existing institutional norms in terms of political sensitivities.
- Develop and agree on common AAP objectives within the donor group and use these as points of leverage when engaging in advocacy with the government, response leadership and partners.

To sector leadership

- Review and clarify the role of sectoral committees in terms of strengthening participation. Adopt approaches such as community score cards to re-centre committees around accountability and minimum standards, rather than simply programme support.
- In parallel, explore ways for sectoral committees to become more directly involved in setting strategy, for example by participating in and reviewing needs assessments, or structuring their input into policy processes.
- Document lessons on current approaches to inclusion of women and other marginalised groups within committee structures and modify strategy where relevant. This may involve working to develop links with other inclusion-focused spaces such as women’s committees and or self-help groups for people with disabilities.
- Ensure that efforts to strengthen locally led action within the sector create space for Rohingya civil society organisations (CSOs) working on relevant issues to engage with the coordination system. This could involve direct participation via videoconferencing software, or through partner organisations acting as proxies.

To implementing agencies (UN, NGOs and the Red Cross movement)

- Offer relevant training to community representatives (Mahjis) to ensure they are better able to implement their current intermediary roles, such as the structure and functioning of camp-level coordination systems or basic principles of inclusion.
- Work with communities to create or strengthen trusted intermediaries as an alternative to Mahjis who do not perform their roles effectively or exclude certain groups.

- Engage directly with community-formed sub-block (shomaz) committees in consultation processes, especially those relating to activities focused on specific blocks or sub-blocks. Doing so offers a way to ensure that communities' collective needs are properly understood; that feedback loops can be more effectively closed by engaging with a wider group of influential people on a repeated basis; and that shomaz committees are strengthened and legitimised in their role in supporting community cohesion and as a check on the power of the Mahji. Any such engagements should be informed by an analysis of who is left out of such processes – such as women and girls – and ensuring that alternative pathways for participation are created.
- Work to incorporate volunteers in other aspects of the programme cycle beyond delivery, such as project planning or review processes, and bring them into regular direct contact with Bangladeshi and international colleagues.
- Work to understand and address prejudice and assumptions related to the Rohingya among both frontline and technical staff, and ensure a rights-based approach to participation is part of regular sensitisation and wider organisational cultures.
- Adapt and pilot survivor and community-led response (sclr) programming models in the Cox's Bazar context.

1 Introduction

Between August and September 2017, close to 740,000 Rohingya refugees fled their homes in Myanmar's northern Rakhine state, settling in Cox's Bazar, Bangladesh in what fast became the world's largest and densest refugee settlement. Fleeing a widespread and systematic campaign of violence by Myanmar's armed forces (OHCHR, 2017), they joined an existing population of around 150,000 Rohingya driven into Bangladesh by similar military 'clearance' operations in 1978, 1991 and 2016. This most recent and by far the largest wave of displacement is now entering its fifth year. With Myanmar wracked by an ongoing military coup amid widespread popular resistance, prospects for refugees' safe return remain remote for the foreseeable future.

The Rohingya have been systematically excluded from social, economic and political life in Myanmar for decades and this marginalisation has been reflected during their displacement in Bangladesh. As well as being severely limited in their ability to exercise basic rights as refugees, the Rohingya have been excluded from political decisions about their future, especially with regard to their safe and voluntary return (Crisp, 2018) and operational decisions about the quality and type of aid provided (RI, 2005). Despite a shared history of marginalisation, the Rohingya community is not monolithic; dynamics of exclusion rooted in social norms, experiences of displacement and the structure of the humanitarian response itself have all shaped people's experiences of the crisis in different ways. This has had a significant impact on who gets to play what role in decision-making, both within their communities and in engagements with humanitarian actors.

1.1 Rationale and methodology

Against this background, this study explores issues related to participation and inclusion in the humanitarian response in Cox's Bazar. It examines whether and how Rohingya refugees are involved in decisions that affect their lives, the mechanisms through which this happens, and the link between these dynamics and a more inclusive response. The study's specific focus on participation is relevant for two reasons. First, it aims to feed into wider ongoing policy debates around more accountable humanitarian action. Coming at the end of a five-year 'participation revolution' declared by donors and aid agencies under the Grand Bargain (IASC, n.d.), it offers an opportunity to reflect on what is working and what to do next, at a time of increasing concern that existing, largely technocratic approaches to accountability within the humanitarian system may be reaching their limits (Metcalf-Hough et al., 2021; HAG, 2021). Second, it seeks to explore how participation relates to the wider concept of inclusion in humanitarian action. As such, it feeds into a wider programme of research on inclusion and exclusion being implemented by the Humanitarian Policy Group (HPG) at ODI. This centres around how the concept of inclusion is understood and operationalised within humanitarian action, why such significant gaps in policy and practice persist, and what more inclusive humanitarian responses might look like.

This study focuses on Bangladesh for the following reasons. First, it is a crisis that is becoming more protracted, a process that is often assumed to provide more opportunities for strengthening

participation, as (theoretically) more time and openings for engagement become available (CHS Alliance, 2018; IRC, 2019). Second, in the context of large-scale encampment and heavy reliance on aid to meet basic needs, it is a crisis in which humanitarian action plays an especially prominent role in affected people's lives, meaning the question of how people participate in the response is especially pressing. Third, Bangladesh is an especially challenging environment in which to ensure meaningful participation. This is partially related to Rohingya communities' experience of prolonged social and political marginalisation, which affects their 'baseline' capacity, as well as their expectations and experience around participation. At the same time, the sheer scale and concentration of the crisis in Bangladesh creates unique challenges, as do the limitations on both Rohingya's rights as refugees and the humanitarian space imposed by the Bangladeshi authorities. This thus provides an opportunity to reflect on what 'good enough' participation might look like amid especially hard external constraints and draw out implications for other responses.

The research was carried out in partnership with the International Organization for Migration (IOM) and an independent Bangladeshi consultant. IOM was selected as a partner primarily because it maintains a team of Rohingya social researchers extensively trained in anthropological data collection, thus allowing for richer engagement of Rohingya community members by other Rohingya.¹ With Bangladeshi authorities imposing increasingly tight restrictions on movement of refugees within and between camps, IOM's Rohingya teams also face a lower risk of administrative barriers or harassment by security forces compared to staff at international or Bangladeshi non-governmental organisations (NGOs) or Rohingya civil society activists, due to their status as United Nations (UN) staff members.

Data collection took place between December 2020 and March 2021, and was split into three parts with the aim of capturing a broad range of perspectives from both strategic and operational components of the response, as well as from a diverse range of actors within Rohingya communities. HPG carried out 54 remote, semi-structured in-depth interviews (IDIs) in English with a total of 63 programme and technical staff at UN organisations, international, national and local NGOs, donor organisations, and the Red Cross movement. These were supplemented by 18 IDIs carried out by the consultant in Bangla with field staff from similar organisations, responsible for direct implementation of activities within communities. Sampling took a purposive snowballing approach, seeking to ensure a balance of different types of actor (see Table 1). In all cases, staff were interviewed anonymously and in a personal capacity rather than as formal representatives of their organisations.

At the same time, a team of IOM's Rohingya researchers with prior training in anthropological methods conducted 102 IDIs with 131 Rohingya community members² who had arrived in Bangladesh since 2016

1 Rohingya refugees with extensive training and experience of qualitative research methods are rare in Cox's Bazar due to the Rohingya's historical exclusion from higher education and other training opportunities in both Myanmar and Bangladesh. It was felt that Rohingya researchers would build a better level of trust and rapport with refugees when discussing sensitive issues, as well as mitigating issues with language barriers. This assumption is based on the research team's own experience, as well as survey data showing significant bias due to ethnicity-of-interviewer effect (GTS, 2020; REACH Initiative, 2019).

2 Some interviews included two participants.

in five different sub-blocks spread across different camps in the Kutupalong-Balukhali expansion site.³ Within each sub-block, approximately 20 interviews were conducted with a range of actors including community leaders, volunteers for humanitarian agencies, ordinary community members and people living in households identified by community members and the research team as especially ‘vulnerable’ (see Tables 2 and 3).⁴

Carrying out multiple interviews within the same sub-block allowed for grounding discussions around participation within the context of community life rather than speaking in more generalised or abstract terms. It also enabled triangulation of different events and dynamics under discussion, as well as an understanding of how things are understood from a range of perspectives from community leaders to the most marginalised households. Carrying out a sustained research engagement over the space of several weeks allowed IOM’s research teams to build a degree of rapport with community members, enabling more open discussions, more meaningful discussions around informed consent and better identification of relevant participants.

Table 1 Interviews with humanitarian actors

Type of organisation/actor	Interviews
Coordination (sector or inter-sector)	8
Donor	6
International non-governmental organisation (INGO) and Red Cross	28
Local or national non-governmental organisation (LNNGO)	14
United Nations (UN)	16
Total	72

3 The Kutupalong-Balukhali expansion site is the largest of several refugee settlements in Cox’s Bazar, hosting around 620,000 (or 70%) of the district’s estimated 880,000 Rohingya refugees (SEG, 2021). The site is itself divided into multiple camps, blocks and sub-blocks. Each sub-block has around 50–100 households and forms a relatively contiguous ‘community’ as understood by refugees themselves.

4 ‘Vulnerable’ was understood by community members as ‘exposed to many different kinds of risk’. In discussing who was vulnerable, the word was not deployed as a specific piece of humanitarian terminology, but according to people’s own understanding of what the term meant. In general, vulnerable interviewees tended to be older, and either living with chronic illnesses or disabilities, or acting as carers for those that did.

Table 2 Interviews with Rohingya community members, by type and gender

Respondent type	Female	Male	Total
Community leaders (Mahjis, Imams, <i>shomaz</i> committee, educated individuals)	1	40	41
General community members	–	57	57
Individuals in vulnerable households	14	19	33
All respondents	15	116	131

Table 3 Interviews with Rohingya community members, by age and gender

Respondent age	Female	Male	Total
18–24	–	5	5
25–59	14	96	110
60+	1	15	16
All respondents	15	116	131

1.1.1 Limitations

While this study has aimed to capture as broad a range of perspectives as possible, several sets of voices are under-represented or absent from the study. This is due to limitations imposed by the time and resources available for the project, trade-offs involved in the choice of research partners and constraints on access imposed by the Covid-19 crisis. The sheer scale of the crisis also means that the research cannot be fully representative of either the range of experiences of Rohingya communities or the scope of different humanitarian programming.

The decision to work with IOM’s research team as the primary partner meant that diversity of community voices was to a degree sacrificed in favour of depth and richness of data. Due to the predominantly male composition of IOM’s research team, the number of IDIs with female Rohingya community members was limited, since *purdah*⁵ (practiced by many households) limits their interaction with men who are not relatives. This is an especially significant gap as gender is one of the key axes along which individuals are marginalised within the Rohingya crisis. Similarly, the decision to focus sampling on socially marginalised households meant that other potential categories of individual exclusion – particularly youth – were not specifically sampled for and are comparatively under-represented.

Research with Rohingya communities also focused primarily on camps managed by IOM in the Kutupalong-Balukhali expansion site due to restrictions on movement and permission for IOM’s

5 The practice of female seclusion that hinges around physical segregation of the sexes and the covering up of women’s bodies in public spaces.

Rohingya researchers to operate outside IOM's area of responsibility. This means that the perspective of the 18% of refugees that live in camps in Teknaf Upazila – who experience different dynamics in terms of security, shelter conditions, water availability and relationships with host communities – has not been included. It also means that the perspective of the 5% of refugees living in the two 'registered camps' – containing populations displaced in the early 1990s and the only population officially registered by the government as refugees – was not included. Focusing exclusively on IOM-managed camps also introduces the risk of bias due to power imbalances between researchers working for IOM and respondents (although this was mitigated in part by IOM researchers taking time to establish rapport with interviewees and taking time to explain clearly and repeatedly that the team functions independently from IOM's other operations). It also means that any differences in approaches or programme priorities between camps managed by IOM and the United Nations Refugee Agency (UNHCR) have not been captured, although data from other studies indicates that this distinction does not have a major bearing on people's lived experience or on humanitarian outcomes (ISCG, 2020: 45–64; ACAPS, 2021; Sida and Schenkenberg, 2019).

HPG's team was unable to travel to Bangladesh due to restrictions imposed by Covid-19 and therefore conducted all interviews remotely. Partly as a result of this, it was not possible to secure interviews with Government of Bangladesh staff. Members of Rohingya civil society organisations (CSOs) are also largely absent from this study as they were not encountered by IOM's research teams at sub-block level. A subsequent focus group discussion (FGD) run remotely in English by HPG with CSO representatives identified by the Centre for Peace and Justice at BRAC University was run to mitigate this gap, although it does not provide a comprehensive picture.

Host communities living alongside Rohingya refugees were also not included in this study. While they have been profoundly affected by the crisis, the specific histories, politics and operating environments in host communities mean that the dynamics of participation are radically different to those prevailing in the refugee population. As a result, we felt that including host communities would make the study too broad and unwieldy given the limits on time and resources available for the project. With the exception of host communities, we have tried to make sure that missing voices in the study's primary data are mitigated by references to secondary literature.

2 The different dimensions of participation and inclusion

2.1 Participation in humanitarian action

The idea that people affected by crises should have a say in how aid is delivered and governed has been an explicit feature of humanitarian policy for many years. This draws on earlier efforts to make development practice more people-centred (Chambers, 1983), which are in turn grounded in rights frameworks around participation in political and public life (OHCHR, 2015). Over the past decade, participation has grown in prominence as part of the humanitarian sector's increased emphasis on accountability to affected populations (AAP). It has been a component of the Inter-Agency Standing Committee (IASC)'s commitments on AAP since 2011 (IASC, 2017), and forms a core component of the widely adopted 2014 Core Humanitarian Standard (CHS) on Quality and Accountability (CHS Alliance et al., 2014). Participation also received a major rhetorical boost in 2016 under the Grand Bargain,⁶ which declared the launch of a 'participation revolution' that would put people 'at the core' of humanitarian decision-making. Informed by the Grand Bargain, participation has also gained prominence in policy discussions specific to refugees. Commitments to the participation of marginalised groups – albeit somewhat vaguely elaborated – are mainstreamed throughout the 2018 Global Compact on Refugees (GCR), a landmark agreement among UN member states to improve burden and responsibility-sharing (UN, 2018). At the subsequent 2019 Global Refugee Forum, the Global Refugee-led Network presented a pledge signed by a number of prominent donors and NGOs that committed to foster a better enabling environment for better direct participation by refugees, highlighting the crucial role refugee-led organisations in particular can play in this process (APNOR, 2019).

Participation in the context of humanitarian response is generally understood to involve the idea that people should have a say in decisions that affect their lives, and that marginalised groups should be explicitly foregrounded in this process. It is ultimately seen as a pathway to improving the quality and effectiveness of aid for people on the receiving end. As the Grand Bargain's agreed definition of participation puts it (IASC, n.d.):

Effective 'participation' of people affected by humanitarian crises puts the needs and interests of those people at the core of humanitarian decision making, by actively engaging them throughout decision-making processes. This requires an ongoing dialogue about the design, implementation and evaluation of humanitarian responses with people, local actors and communities who are vulnerable or at risk, including those who often tend to be disproportionately disadvantaged, such as women, girls, and older people.

6 The Grand Bargain was a 2016 agreement between donors and humanitarian agencies aimed at making aid more efficient and effective.

Within the humanitarian sector, participation has generally been understood as existing on a sliding scale, with incrementally greater degrees of power and ownership over programming ideally being handed over to affected people (see Table 4 for one example of this typology; many similar variations exist). Policy documents and toolkits over the years (e.g. Groupe URD, 2009; Brown and Donini, 2014; SCHR, 2017) have used various adaptations of Arnstein’s concept of a ‘ladder of citizen participation’ (Arnstein, 1969) as a means to categorise and assess different levels of participation in humanitarian programming. These have aimed to move programmes and responses as far up the ‘ladder’ as feasible in a given context (in this respect, there is often an implicit expectation that participation will move further up the ladder over time).

Table 4 A typology of participation in humanitarian action

Type of participation	Description
Passive participation	The affected population is informed of what is going to happen or what has occurred. While this is a fundamental right of the people concerned, it is not always respected
Participation through the supply of information	The affected population provides information in response to questions, but it has no influence over the process, since survey results are not shared and their accuracy is not verified
Participation by consultation	The affected population is asked for its perspective on a given subject, but it has no decision-making powers, and no guarantee that its views will be taken into consideration
Participation through material incentives	The affected population supplies some of the materials, cash and/or labour needed to operationalise an intervention, in exchange for a payment in cash or in kind from the aid organisation
Participation through the supply of materials, cash or labour	The affected population supplies some of the materials, cash and/or labour needed to operationalise an intervention. This includes cost-recovery mechanisms
Interactive participation	The affected population participates in the analysis of needs and in programme conception, and has decision-making powers
Local initiatives	The affected population takes the initiative, acting independently of external organisations or institutions. Although it may call on external bodies to support its initiatives, the project is conceived and run by the community; it is the aid organisation that participates in the people’s projects

Source: Groupe URD (2009)

2.2 The link with inclusion

Regularly cited as a critical concept in humanitarian action, inclusion has generally been manifested across a range of different commitments and practices that share common features, rather than centralised into specific definitions or guidance documents (see Box 2). Broadly speaking, it involves a commitment to ensuring equitable access to assistance that takes into account the specific needs and patterns of marginalisation that people may experience, and that people accessing assistance are able to participate in how responses are run. As such, it is intimately bound up – in theory at least – with an awareness of the power imbalances that lie at the root of marginalisation and inequality in the longer term, situating humanitarian action alongside development and peacebuilding in a wider field of efforts to address social injustice.

Box 2 The concept of inclusion in humanitarian action

While specific emphasis and terminology may differ, definitions of inclusion within humanitarian action generally encompass the following four components:

1. **Inclusion as impartiality:** through inclusive assessments and the use of disaggregated data, humanitarian action reaches and focuses on the most urgent cases and those most affected by crises without discrimination.
2. **Inclusion as equitable access:** all individuals affected by crises can have equal access to services and assistance.
3. **Inclusion as specific and diverse needs:** humanitarian responses address the specific needs of individuals and cater to diverse needs including tailoring programmes.
4. **Inclusion as participation:** all individuals are able to participate in humanitarian responses. This includes influencing the strategic direction of responses, ensuring all individuals' capacities are recognised and harnessed, and that the voices of those too often marginalised in societies and communities are listened to.

Adapted from Barbelet (2021)

Barbelet and Wake (2020) highlight the value of bringing an inclusion lens to bear in humanitarian action, where it shifts the focus beyond whether or not needs are being met, to a wider concern with why they are not being met and how they arise in the first place. Specifically, they argue that inclusion approaches offer three key points of emphasis, each of which is helpful in understanding the role participation can play in realising more inclusive responses. First, inclusion emphasises rights-based approaches, where humanitarian needs are seen as emerging from a denial of affected people's human rights. From this angle, participation is seen as both a right in and of itself – intrinsic to meaningful citizenship or belonging to a political community⁷ – as well as a means to make demands on duty bearers to ensure that other rights are upheld. Second, inclusion emphasises marginalisation, where needs are linked to specific processes that render different individuals and groups more or less vulnerable – in other words, who does what to whom. Here, participation offers a means for people to build solidarity, and identify and challenge processes of marginalisation. An important part of this emphasis involves being sensitive to the risks participatory processes may themselves pose – such as the 'tyranny of the majority' – in contributing to further marginalisation (Cooke and Kothari, 2001). Third, inclusion emphasises the capacities of crisis-affected people, as well as their vulnerabilities. This involves moving away from seeing people as passive aid recipients, and towards understanding them as active agents in shaping how their vulnerabilities are understood, their needs met and responses planned. Again, participation can be a key means through which this occurs, shifting voice and power towards affected people themselves. Ultimately, inclusion is not about seeking to build a utopian response in which every need of every individual is met. Rather, it is about making sure that the process of identifying and resolving trade-offs and dilemmas is an equitable and impartial one. Participation thus plays a critical role in the negotiation of these issues.

Understood as a component of inclusion, there are therefore instrumental, normative and emancipatory reasons for strengthening participation in humanitarian action, all of which are mutually reinforcing. Participation is instrumental in that it offers a means to meet needs more effectively, normative in that it is intrinsically the right thing to do, and emancipatory in that it supports social justice, and focuses on identifying and addressing the underlying causes of marginalisation.

2.3 The limits of current humanitarian approaches to participation

Despite its recent rise to prominence in the policy literature, significant questions remain over how far participation is currently understood and framed by many humanitarian actors. At present, participation in the Grand Bargain and elsewhere is primarily emphasised as a means to an end for more effective humanitarian action. By contrast, more normative approaches and definitions that see participation as a right and situate it within a more open, emancipatory framework are generally absent

⁷ The right to participate in public affairs is enshrined in article 25 of the International Covenant on Civil and Political Rights. While this primarily relates to the relationship between citizen and states, OHCHR analysis asserts that in order to be fully realised 'those rights must be guaranteed to all, including non-citizens, migrants, refugees, asylum seekers and stateless persons' (OHCHR, 2015: 17)

from policy guidance.⁸ In this respect, a comparison between the Grand Bargain's working definition of participation and understandings of participation within the development sector is instructive. For example, the Institute for Development Studies (IDS, n.d.) describes it as:

a right held by all people to engage in society and in the decisions that impact their lives. Participation is thus a political endeavour that challenges oppression and discrimination, in particular of the poorest and most marginalised people. Participatory processes enable people to see more clearly, and learn from the complexity that they are living and working amid. Through participation people can identify opportunities and strategies for action, and build solidarity to effect change.

As several critiques have highlighted, focusing on instrumental understandings of participation weakens its power as a vehicle for inclusion in a number of ways. At a basic level, viewing participation first and foremost as a means toward more effective programming leaves it vulnerable to being discarded or de-prioritised in cases where the link to programme effectiveness is not immediately clear. This can be especially true in the early stages of a response, when ensuring participation may be viewed as a trade-off against scaling up timely assistance.

More profoundly, stripping participation of its political content risks inhibiting humanitarian actors' ability to navigate the challenges and complexities of putting it into practice. The relative absence of discussions of power relations from official guidance is a notable gap given that meaningful participation ultimately involves a transfer of power out of the hands of aid providers and towards affected people, with all the risk and loss of control that this entails (Steets et al., 2016). Similarly, the focus on 'dialogue' or 'playing an active role' in decision-making masks the fact that this process usually involves negotiation, conflict and competing interests, both within and at the intersections between communities, humanitarian organisations and government authorities.⁹ 'Participation' is increasingly articulated through sets of narrowly defined technical processes (HAG, 2021) – often drawn from private sector approaches to customer relations management – and there is a real risk of creating 'alternate realities' (Jaspars, 2020) that do not adequately engage with patterns of marginalisation and oppression in a given context. While this discomfort with politics may be linked with concerns around upholding neutrality, it ultimately avoids addressing the fact that humanitarian decision-making is a political, rather than technical, affair. Failing to focus on solidarity and collective action as components of participation will also likely lead to missed opportunities to support inclusion by helping people to

8 For example, the Humanitarian Charter does not explicitly highlight participation as a right in its analysis of how existing legal instruments support the right to live with dignity, the right to receive assistance, or the right to protection and assistance. Rather, the Charter – which forms the ethical and legal basis for both the CHS and the SPHERE standards – frames participation as a commitment that aid providers should make, based on the grounds that it better supports meeting people's needs, including those of marginalised groups (Sphere Association, 2018).

9 It is telling that, while policy documents such as the Grand Bargain and the CHS acknowledge the existence of politics in the form of power imbalances within communities, humanitarian action is itself framed as a neutral, technical exercise.

organise and make demands. Again, this reflects a wider tendency in humanitarian action to focus on individuals and households as the primary focus of assistance, rather than communities or cross-cutting interest groups, such as those based on identity or social class (Slim, 2020).

As a result of these gaps, humanitarian approaches to participation have been criticised for lacking a clear definition of what success looks like (SCHR, 2017; CHS Alliance, 2018). While guidance documents and checklists on how and when to consult communities and collect feedback are common, the question of how these processes can influence decisions is generally addressed with much less rigour. The tendency to focus on participation as a set of processes rather than an outcome (HAG, 2021) can result in siloed approaches that are decoupled from how programming is run. Similarly, subjecting participation efforts to rigid logics of project cycles can result in approaches that actively exacerbate exclusion in their failure to devote time and resources to consider how to meaningfully include marginalised voices (Madianou et al., 2016; Buchanan-Smith and Islam, 2018).

Wider critiques have also questioned the ability of humanitarian action to deliver truly meaningful participation due to the limits imposed by the macropolitics of the sector itself. These include the enduring incentive structures of a market-focused humanitarian model, which promote upward accountability to donors and competitive self-interest among aid providers over downward accountability to affected people (Bennett, 2018); the tendency for humanitarian agencies to adopt quasi-state functions while remaining decoupled from the checks and balances of state-citizen social contracts (Barnett, 2011); and the fact that the humanitarian system is inextricably embedded within wider neoliberal governance projects that emphasise building self-reliant individuals over empowered communities (Ilcan and Rygiel, 2015).

3 Factors affecting refugee participation in decision-making

This chapter provides an overview of the context of the humanitarian crisis in Cox's Bazar in terms of how different dynamics have enabled and – mainly – hindered more meaningful participation in decision-making by refugees. In doing so, it focuses on two main angles: factors external to the international humanitarian response, and dynamics within the response itself.

3.1 External factors

Any discussion of participation within the Rohingya refugee response needs to be firmly grounded in the fact that the causes of the crisis are rooted in the systematic and decades-long denial of human rights for the Rohingya, on both sides of the border. As such, exclusion of refugees from decision-making within the response needs to be understood not just as a programme shortcoming, but as part of the spectrum of a decades-long denial of their right to political participation in both Myanmar and Bangladesh.

3.1.1 Histories of exclusion

In Myanmar, decades of state repression have constrained the ability of Rohingya individuals and communities to participate in political life, as well as fragmenting and eroding the community-level institutions that underpin trust, enable collective problem-solving and foster social cohesion. The marginalisation of the Rohingya is closely bound up with the Burmese state's decision to strip them of their citizenship status in 1982 (de Chickera, 2018). Since then, the Rohingya have been banned from voting, standing for office, entering civil service posts, or establishing CSOs (Advisory Commission on Rakhine State, 2017). Furthermore, government-imposed mechanisms of social control and surveillance – including restrictions on religious practice – have progressively undermined the role of Rohingya institutions of community leadership and representation (Coyle et al., 2020a). Limited access to education opportunities due to deliberate neglect of the education system in Rohingya-majority areas have also left the majority of Rohingya illiterate, constraining their ability to access information (TWB, 2018; REACH Initiative, 2015).¹⁰ Linked with this, and tied to the wider neglect of mother-tongue language education in Myanmar, Rohingya does not have a standardised written script (TWB, 2017).

These layers of marginalisation have significant implications for efforts to strengthen the role of refugees in decision-making. At a basic level, providing accurate information and engaging in two-way communication has proved a major challenge for many actors in the response, and conventional approaches to communication with communities (CwC) deployed early on in the response were largely

¹⁰ According to a language comprehension assessment of Rohingya refugees carried out by TWB in 2018, only 39% of men and 33% of women understood written Burmese, with similar figures for written Bangla and English. A follow-up survey (TWB, 2019) showed that only 34% of households had a member literate in any of these languages.

a failure (Buchanan-Smith and Islam, 2018). However, humanitarian respondents reported significant improvements related to substantial investments in language support, community radio and other approaches. Community members generally did not place as much emphasis on language barriers as some humanitarian respondents interviewed for this report (this may be because the majority only reported interacting with Rohingya volunteers). Many community members did express discomfort at the difficulty they had in understanding Bangladeshi field staff. As one recent assessment highlighted, this language gap can (although may not always) contribute to power imbalances that limit the open discussions necessary for more meaningful engagement (TWB, 2019). As one male community member explained: ‘I can’t speak with them because we are not on the same level as them and our language is not the same as theirs.’ Some humanitarian respondents pointed to the substantial similarities between Rohingya and the Chittagonian dialect spoken by Bangladeshis in Cox’s Bazar district as a mitigating factor. However, others highlighted a tendency among aid providers to overestimate the level of overlap, pointing to significant divergences in key terminology (similar findings are discussed in TWB, 2019: 41).

Compounding the language barrier, a widespread lack of access to education and literacy also means many Rohingya have not had access to opportunities to build the skills and confidence to advocate for themselves and engage in negotiation. One female community representative interviewed for this study reflected on the impact of the training and experience she had gained from the role:

I didn’t used to go to meetings before ... I didn’t used to talk to humanitarians, I just used to keep staring at them like a doll ... Now, I have good communication with them. I joke and spend time with them. Due to the increased communication, I have become more active and knowledgeable.

Beyond the individual level, the progressive erosion of institutions of community leadership among Rohingya communities within Myanmar means that the social basis for collective action at community level is already fragile and this is also profoundly undermined by experiences of displacement. Rohingya communities were scattered while fleeing Myanmar; many have not settled alongside other people from their villages of origin and are struggling to rebuild social networks and trust in a context where the material and social means of doing so are in short supply.

The Rohingya have historically had very limited means through which to represent their interests at a strategic level. This leaves few avenues for the pursuit of political demands independently of the consultation mechanisms within the response, along with the constraints they impose on what can be discussed. While newly formed CSOs have started to fulfil this role, many are starting from scratch and lack previous experience or wider institutional memories (Olney, 2019).

Gender norms and intersecting marginalisation

Gender norms limit the ability of Rohingya women to participate in public life and hence their ability to take part in leadership spaces and have a say in decision-making processes (Pearce, 2019; Coyle et al., 2020b) – a point widely cited by humanitarian interviewees as one of the main barriers to more inclusive participation. However, it is important to understand how these constraints intersect with and

have been exacerbated by wider experiences of marginalisation. This is true both of norms governing access to the public space and of women's individual capacities and confidence underpinning their effective engagement with this space.

For example, at the individual level, exclusion from Myanmar's education system has profoundly affected Rohingya communities as a whole, but coupled with purdah it has disproportionately impacted women, whose literacy rates are significantly lower than those of men. More broadly, experiences of displacement have also led to more severe policing of gender norms by communities after displacement.¹¹ Backlash against certain efforts to support greater inclusion of women by the humanitarian response is linked to a double exclusion: even as women are disempowered by social norms, they are also cut out of decision-making spaces where aid actors identify what to do about it. As a consequence, well-meaning but contextually inappropriate efforts (such as women's inclusion in mixed-gender invited spaces) may end up being experienced negatively by Rohingya communities as part of a longer continuum of change enforced by outsiders, in some cases triggering active resistance (ibid.).

At the same time, it is important to balance this with the fact that displacement has presented new opportunities for women to take part in leadership and collective action in their communities. As Pearce (2019: 19) notes, while these have in many cases involved more 'formal' types of participation, such as involvement in leadership programmes or civil society groups, it also encompasses more organic forms of agency and influence that may not always be visible to or acknowledged by humanitarian actors. Participating in activities that offer opportunities to access information, build confidence and gain skills can have knock-on effects in terms of supporting women's ability to influence decisions in both their households and their wider communities.

3.1.2 Exclusionary policies in Bangladesh

While Bangladesh has provided a sanctuary from violence and persecution, its policy approaches have further contributed to the social and political marginalisation of the Rohingya post-displacement. The country is not a signatory to the 1951 Refugee Convention and, since 1992, Rohingya arriving in the country have not been registered as refugees or asylum-seekers. As a consequence, they have been denied the rights attached to refugee status, such as the right to freedom of movement or the right to work, and are subject to a variety of restrictions heavily constraining the bounds of their everyday lives. While Bangladesh has endorsed the GCR, which includes commitments to meaningfully engage refugees in the design of responses, research by HPG in 2019 indicated that the GCR has had little influence on policy or practice in the response (Hargrave and Barbelet, 2019).

11 Coyle et al. (2020b) describe how women's honour – as elaborated through adherence to specific conceptions of purdah – is defended as an embodiment of Rohingya collective identity that faces an existential threat from both the state's genocidal efforts in Myanmar, and the whiplash experience of change and dislocation during displacement. This reflects similar examples of disruptions and retrenchment of supposedly 'traditional' gender relations creating new forms of marginalisation following experiences of violent displacement in other settings, such as Afghanistan (Kandiyoti, 2007).

Reflecting previous displacements of the Rohingya to Bangladesh in 1978 and 1993, government policy has emphasised the need for the Rohingya to return quickly to Myanmar. This overarching logic heavily informs government decision-making on the nature and scope of the humanitarian response, with any actions that might facilitate or even acknowledge the possibility of a continued Rohingya presence in Bangladesh in the medium- to long-term strongly discouraged. Since the start of the crisis, the government has placed repeated emphasis on pursuing a needs-based response as opposed to a rights-based one, framing the Rohingya as passive recipients of aid rather than rights-holders or partners of the response.¹² As time has worn on, authorities in Dhaka have increasingly framed the Rohingya as an economic drain, a security threat and a political liability.¹³ This hardening of attitudes has been accompanied by a progressive shrinkage of the humanitarian space in Cox's Bazar. A key inflection point in this process occurred on 25 August 2019, when Rohingya communities organised a demonstration in the camps attended by up to 200,000 people to commemorate the second anniversary of their displacement from Myanmar. This level of mobilisation reportedly came as a shock to senior officials, who responded by clamping down on Rohingya civil society activity and adopting a harder line on NGO activities seen as overly empowering refugees. Since late 2019, the government has placed a much firmer emphasis on security and containment, as demonstrated by the erection of a fence around the camps in early 2020, and the move to begin relocating a portion of refugees to Bhashan Char, a recently formed silt island in the Bay of Bengal. The arrival of Covid-19 has compounded this trend, with the government imposing draconian movement restrictions and heavy limitations on programme implementation – including the suspension of ‘non-essential’ programming including education and protection activities – for much of 2020 and into 2021.

The government's unwillingness to engage the Rohingya as partners means that many of the most critical decisions about their future are taken largely without their input. Nowhere has this been more obvious than in high-level policy around returns to Myanmar. A 2017 agreement between Bangladesh and Myanmar setting out the framework for a ‘speedy’ return of refugees – as well as a 2018 memorandum of understanding between Myanmar, UNHCR and United Nations Development Programme (UNDP) to support conditions for safe return – were concluded without refugee involvement or consultation on their terms (Dock, 2020). Since 2018, the government has also made two abortive attempts to kick-start repatriation of Rohingyas to Myanmar, which have likewise been characterised by a lack of transparency or prior consultation with refugees, along with alleged attempts at coercion (HRW, 2018; Ellis-Petersen et al., 2018). Initial relocations to Bhashan Char have reportedly proceeded along similar lines (HRW, 2021).

12 Efforts to develop the 2021 version of the Joint Response Plan (JRP) – the annual strategic planning process for the response broadly analogous to Humanitarian Response Plans in other contexts – reportedly came close to being abandoned entirely over the government's resistance to including rights language in the document.

13 See for example the positions laid out by Bangladesh's foreign minister AK Abdul Momen in an interview with Deutsche Welle in 2019 (Conrad and Islam, 2019). Opinion polling has shown waning support for the government's handling of the crisis since 2017 (IRI, 2019), along with increased hostility toward refugees among host communities in Cox's Bazar (Xchange Foundation, 2018).

Even at the level of operational policy, issues ranging from the curricula taught in learning centres, to standards for shelter and latrine design, to the continued block on the use of cash as a programming modality are dictated largely by the government with scant concern for the preferences of refugees. This top-down approach also has a bearing on the programming humanitarian organisations are allowed to run: the design and budget of projects run through bilateral grants in particular are subjected to a high degree of scrutiny by the NGO Affairs Bureau (NGOAB)¹⁴ and the Office of the Refugee Relief and Repatriation Commissioner (RRRC)¹⁵ before they are approved, and activities perceived to be ‘softer’ (i.e. without any construction of hardware or distribution of relief) – such as protection or CwC programming – can be much harder to secure clearance for.

At field level, government-appointed Camp-in-Charges (CiCs), responsible for the day-to-day management of each of Cox’s Bazar’s 34 camps, also have wide discretion to approve or block activities, imposing another de facto layer of scrutiny. Refugees are able to interface directly with CiCs. In many respects this is their most direct interface with power, but their ability to influence CiC decisions is heavily constrained by unequal power dynamics and is highly dependent on the personality and disposition of the individual CiCs involved. Ultimately, CiCs’ mandates revolve firmly around maintaining order, which ultimately affects what they choose to prioritise.

Beyond directly excluding the Rohingya from its own decision-making spaces, the government’s policy approach to the crisis has substantially curtailed the capacity for Rohingya to take part in wider decision-making processes, at any level, in the following ways. First, the formal ban on Rohingya employment, continued restrictions on freedom of movement and refusal to allow cash programming has denied refugees agency in the basic decisions about their day-to-day lives, leaving them reliant on aid to meet virtually all basic needs. This means that refugees’ relationship with humanitarians is dominated by a high volume of everyday complaints that would be mostly rendered irrelevant if people could either choose how to spend resources allocated to them, or mobilise their own resources. It also leads to expectations that all problems, from shelter repairs to legal rights in Myanmar, should be within the purview of humanitarians, generating a major expectation management problem given the limitations of humanitarian mandates and the resources available.

Second, policies denying Rohingya the right to work or move freely have heavily limited the role they can play in managing and implementing activities intended to support them. Rohingya are only permitted to work in the response at the most junior level as ‘volunteers’, and even here they are often cut out of the types of government-led coordination spaces at camp level that might be open

14 The NGOAB scrutinises and approves all NGO projects funded by foreign bilateral donors. Projects funded as sub-grants by the UN are exempt from the approvals process and hence easier to clear. This accounts in part for the large proportion of funding in Cox’s Bazar that is channelled through UN agencies rather than as bilateral funding.

15 The RRRC coordinates the government’s refugee response at Cox’s Bazar level, with overall direction and oversight at national level via the National Task Force.

to them in other contexts.¹⁶ Further regulatory restrictions hinder volunteers' ability to develop or be effective even within the constraints of their existing roles. Volunteers are limited from moving between or outside camps, preventing them from accessing training opportunities; their salaries are capped at below prevailing labour market rates for equivalent positions; and the number of days they are permitted to work per month is also limited – all of which affect motivation and retention. Further constraints on the number of volunteers that agencies can employ means they are often highly stretched, limiting the extent to which they can form more lasting rapport with the communities and individuals they work with. Even the limited space volunteers are able to occupy is under risk of further encroachment. The government has applied consistent pressure to humanitarian agencies over the course of the response to recruit a greater portion of their volunteers from host communities and scale down their recruitment of Rohingyas, with one 2021 directive (albeit weakly enforced) from RRRC requiring humanitarian organisations to restrict refugees to menial roles such as cleaners and guards. Given the critical bridging role Rohingya volunteers play between the community and the response, any serious enforcement of this move would likely increase the alienation of ordinary Rohingya from decisions made on their behalf.

Third, government policies have heavily constrained the development of the kinds of political space through which Rohingyas can organise and make demands. Although disagreements between UNHCR and IOM delayed the initial development of a strategy for camp-wide elections, RRRC never approved further roll-out after an initial pilot in 2018.¹⁷ The lack of legal status afforded to Rohingya CSOs prevents them from accessing the funding and resources that would allow them to consolidate and grow. It also cuts Rohingya-led organisations out of coordination spaces within the response, severely limiting their involvement in discussing or developing operational strategies. Government scepticism of any kind of social mobilisation even extends to grassroots organising among marginalised groups, as exemplified in the prohibition on forming old people's associations and disabled people's organisations (although humanitarian organisations have developed work-arounds in the form of more politically neutral 'self-help' groups). At a more fundamental level, periodic constraints on access to mobile internet and freedom of movement also constrain people's ability to form cross-cutting networks across and beyond the camps.

More pervasively, in the absence of a clear rights framework, the Rohingyas exist in what one humanitarian respondent described as a perpetual legal 'grey area'. To some extent this is a blessing – heavily restrictive policies are not always rigidly enforced in practice and a certain amount of discretion is applied at camp level. However, circumstances can quickly change according to new political developments, meaning that many aspects of daily life remain contingent and unpredictable. This lack of predictability also plagues the workings of the response itself. Programme permissions are arbitrarily denied or delayed; CiCs revolve on a regular basis, upsetting delicately negotiated operating

16 One humanitarian interviewee contrasted the regular involvement of volunteers in camp-level coordination meetings in Iraq with their almost complete absence in Bangladesh.

17 Reflecting this stalemate, elections make no appearance in the language of the 2021 JRP, despite their prominence in both its 2019 and 2020 iterations.

spaces; arbitrary requests for sensitive information such as volunteer lists or budget data are common; and new regulations, often released with little consultation or warning, regularly threaten to change the rules of the game. Humanitarian respondents described these dynamics as contributing – along with external factors such as the regular threat of cyclones or the onset of Covid-19 – to a sense of continuous crisis. At a general level, this takes up bandwidth and time that could otherwise be focused on strengthening and deepening more sustained approaches to participation. More specifically, in the midst of a constant battle to preserve shrinking humanitarian space, questions around participation and accountability often end up slipping down the agenda. As one respondent from an international non-governmental organisation (INGO) explained:

What I've seen over the last year is there's been a tension between balancing access and being accountable to Rohingya needs and meaningful participation ... very often we have to triangulate between the ability to deliver services and not wanting to have a worse outcome, and actually representing Rohingya interests around the issue.

Troublingly, this echoes similar trends observed in the humanitarian response to Rohingya displacement and apartheid in central Rakhine, where Rohingya communities had no say in the escalating concessions made by humanitarian actors to the Myanmar government in the name of maintaining access (Mahoney, 2018).

It is important to note here that the government is not a monolithic block. The former head of RRRC was widely seen by humanitarian interviewees as a genuine humanitarian, although this also likely contributed to his removal from the post in August 2019, interpreted by some humanitarian interviewees as punishment for being too sympathetic to refugees. Interviewees also referred to 'good' CiCs that were more willing to engage with a range of Rohingya representatives in negotiations around issues of common concern. Certain approaches or agendas around participation, especially those more directly related to basic service delivery, may be seen as less politically sensitive than others and hence have more room for manoeuvre.

However, there was a widespread sense among humanitarian respondents that opportunities to explore more meaningful approaches to participation were narrowing along with the wider shrinkage of the humanitarian space after August 2019 and the subsequent onset of Covid-19. As a result, many were pessimistic about handing over more power to Rohingya communities in light of the general direction of travel of the response:

To be very honest the way we do our programming as humanitarian actors, we rarely pass it on to the community, unless it's part of a project as beneficiaries, but not in control, or in the drivers' seat. I don't really see opportunities to change this regardless of how long they will be here. In any case, things are getting worse. (INGO respondent)

3.1.3 The expanding power of the Arakan Rohingya Salvation Army

Another factor putting pressure on the humanitarian space was the growing power and influence of the Arakan Rohingya Salvation Army (ARSA, also referred to as Al-Yaqin) and its affiliates over many aspects of camp life. After initiating the attacks against Burmese security forces that were the immediate trigger for the Burmese army's campaign against the Rohingya in 2017, ARSA has risen to increasing prominence amid a wider landscape of pervasive insecurity in the camps, overseeing dispute resolution processes, imposing informal taxes and enforcing – often violently – adherence to both its own authority and extreme interpretation of Islamic social norms. According to some humanitarian interviewees, the reduced presence of agency staff in the camps during successive Covid-19 lockdowns had contributed to this process by removing layers of 'protection by presence'. Interviewees raised concerns that the increasing prominence of ARSA posed an obstacle to strengthening participation along two axes: first, it was seen to be a driver of opposition to women's participation, both directly as volunteers in the response, and in many programme activities and wider public life. Second, it was seen to be wielding increasing influence on Mahjibs and other decision-makers within communities, suppressing dissent and fostering a climate of fear. This would severely complicate any efforts to hand over more ownership of programming to refugees in an inclusive and safe manner.

However, it is important to note that these concerns were often somewhat generalised and not necessarily informed by deeper or more detailed risk analysis; some interviewees acknowledged that ARSA's wider role was evolving, unevenly across different areas, and was poorly understood. While ARSA's command structures are reportedly opaque and have been unresponsive to efforts at back-channel engagement, humanitarians were generally adopting a policy of non-engagement, and in some extreme cases withdrawal or scaling down in areas where ARSA influence was too strong due to concerns over the safety of their teams.

This is problematic. ARSA can arguably be seen not just as an armed actor, but 'a conservative Muslim group upholding or enforcing traditional Muslim social norms and principles within the Rohingya population' (Coyle et al., 2020a: 35). This poses a political dilemma in that ARSA is one of the few forces within the Rohingya community able to 'participate' in terms of setting the agenda and making demands, but uses this power to pursue exclusionary objectives. Several humanitarians highlighted that a failure to protect space for more 'moderate' civil society voices earlier in the response had effectively removed a potential counterbalance to ARSA and represented a missed opportunity for greater pluralism in camp-level politics.

3.1.4 The scale of the crisis

Compounding these dynamics of political and social exclusion, the sheer scale and concentration of the crisis has also posed a challenge to participation. The imperative of rapidly and comprehensively meeting the basic needs of almost a million people living in a city-sized camp established practically overnight has often left little breathing room for supporting anything more than basic participatory processes, especially in the early stages of the response..

At the same time, the level of staffing and resources available has not always been commensurate to the sheer size of the camps and the scale of needs. The ability of programme staff to build relationships with communities is severely limited by how much ground they are able to cover with limited resources. As one humanitarian interviewee explained:

Participation has become a buzzword, but do [donors] give time and resources? Do they know what it means to do participatory work in a refugee camp with 870,000 people? When you have 30 or 40 activities, per agency, in a single year? You can't! ... Everyone is trying to show participation is there, but what is the point if you do two FGDs in a year and take these as findings?

Several humanitarian actors reported how this dynamic is contributing to a loss of granularity in terms of how needs are understood and handled in the response, flattening out specific experiences of marginalisation or vulnerability. With much of the response coordinated at camp level and above, respondents gave examples of entire sub-blocks occasionally falling through the cracks in terms of effective service coverage, let alone individuals.

As one humanitarian respondent explained, scale was also a factor in feedback from refugees getting lost in the system:

You have camps, and blocks, which are 1,000 households, and nothing below that apart from the Mahjjs. How do you expect to have humanitarians understand the community? That system there undercuts the entire response. It's so big you can get away with failure, your failures get lost in that sea. So much abuse and mismanagement goes on in the camp if you look for it, but it never gets highlighted.

This is especially problematic in a context where huge amounts of data are feeding into the response's coordination forums from a wide range of sources with differing levels of systematisation or perceived legitimacy. While this makes triangulation of information difficult, some interviewees also felt it was contributing to an atmosphere of plausible deniability, in which it was easy to question feedback and demand validation without necessarily taking further action or follow-up. As discussed below, this is linked to the wider issue of the diffusion of accountability within the response itself.

3.2 Internal factors

3.2.1 Humanitarian understandings of participation tend towards narrower, instrumental approaches

While the scope for more meaningful participation is heavily constrained by external factors, it is also likely to be determined by how humanitarian actors understand the concept, and the reasons behind its application. Broadly speaking, the most common understanding of participation among senior and technical humanitarian staff was that refugees should be involved in a dialogue around how best to provide services, which continues throughout the whole programme cycle, involves a range of different groups (including the most marginalised) and aims to ensure that programmes are responsive to

people's needs and priorities. Among frontline staff, understandings were more diverse. Many saw participation more as a means of ensuring access and ensuring efficiency, or straightforwardly as an end-state in which refugees take an active and willing part in projects run by humanitarian agencies.

While these responses broadly align with how participation is framed in various humanitarian policy documents such as the Grand Bargain, the contrasting views of interviewees working at both inclusion-specific and multi-mandate organisations with a foot in the development sector (especially local and national organisations) highlight what this framing misses. Inclusion-focused actors in particular were among the few respondents to explicitly situate participation within any kind of rights framework, either as an inherent right or as a means to make rights claims. Similarly, while humanitarian interviewees did sometimes speak in general terms about how participation would lead to more 'empowerment' or ownership, it tended to be staff at multi-mandate organisations who framed this more explicitly as the process of handing over more power to refugees and the challenges and negotiations this might involve. Here, interviewees drew contrasts with their activities in the host community to highlight the current limits of participatory approaches within the refugee response:

For me real participation, forget Cox's Bazar for a moment, would be how we do programmes in other parts of Bangladesh, where we have a community committee that decides on certain things together, know the budgets, manage the budgets, manage the calendars, they're the ones who own it and are driving it ... The same things should apply for the broader aspects in a humanitarian crisis. It's hard in an immediate emergency, but has to be a process of responsibility transfer, giving the key to people to decide how they want to respond as time goes on. (Humanitarian interviewee working at a multi-mandate organisation)

Ultimately, regardless of how interviewees defined participation, the majority of interviewees felt that there was a major gap between rhetoric around participation and its translation into meaningful change.

3.2.2 Evolving approaches to participation over the course of the response

Since early 2020, there has been a growing rhetoric and interest in participation among humanitarian actors, along with a recognition of weaknesses in this area early on in the response. Despite the ongoing challenges described above, elements of the crisis have stabilised compared to its early months: the layout of the camps is largely fixed; programme teams have had time to learn lessons, streamline programming and build rapport with the people they serve; and refugees themselves are more familiar with their surroundings and with their new communities. The context had stabilised (albeit in a limited way) and was reportedly opening up more opportunities to try new approaches. This was coupled with the availability of better-quality information and research about community dynamics. At the same time, it is important to acknowledge that this shift was driven by more instrumental factors. Donors have reportedly pushed agencies to take accountability more seriously, linked to frustrations over persistent gaps in programme quality. Several interviewees explained how experiences related to Covid-19 had vividly brought home the impact that cutting communities out of decision-making processes could have on programme effectiveness as part of a wider breakdown in trust between

communities and the response (see Box 3). Both frontline and technical interviewees described how they had ‘learned’ the value of better community engagement over the course of the response, potentially highlighting a gap between the attitudes of practitioners and a global policy environment in which the value of AAP is increasingly presented as a given.

More than three years into the response, many efforts to strengthen participation are at an early or experimental stage, while basic benchmarks such as establishing a response-wide system for handling complaints and feedback have only recently been put into place. In this respect, questions of ‘inclusion’ beyond women and girls have reportedly followed a similar trajectory, with broader attention paid to the needs of people with disabilities and people with diverse sexual orientations, gender identities and expressions, and sex characteristics (SOGIESC) only after the response had passed its acute phase.

Box 3 Everyday resistance and Covid-19

Since the start of the response, issues of trust between humanitarians and the Rohingya, a lack of confidence in healthcare systems and lack of effective information-sharing have negatively impacted healthcare use and the willingness of refugees to comply with public health messages (ACAPS, 2020a; Wake et al., 2019). Health actors interviewed for this study described Covid-19 as a watershed moment in terms of the need to respond to community feedback. As one explained, ‘a lot of actors are now convinced that if you don’t take views into account early on, then there are impacts on service utilisations ... objectives become harder to achieve without it’. The trigger for such thinking was the widespread disengagement from Rohingya communities at a sensitive and embarrassing time, whereby the community ‘overwhelmingly decided not to seek treatment, not to test, and chose to manage Covid-19 themselves’ (ACAPS, 2020b). After an increase in emphasis and investment in community consultation – including giving more space for Rohingya communities to take part in the design and dissemination of health messaging – health actors by and large felt there had been a positive change in refugees’ engagement with the health system in the camps. However, this experience highlights how the system was forced into responsiveness under its assault from forms of everyday resistance or ‘weapons of the weak’ⁱ and the subsequent risk of programme failure and reputational damage (Scott, 1985), as much as listening to communities when they have something to say.

i Scott (1985: xvi) emphasises that analysis of resistance to perceived oppression by marginalised groups populations needs to go beyond the lens of formal or organised resistance – which may be hard to achieve or even dangerous given the power imbalances and obstacles to coordination involved – and focus on ‘every-day forms of resistance’ such as ‘foot-dragging, dissimulation, desertion, forced compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so on’. One example highlighted by several respondents involved an improbably high percentage of Rohingya reporting compliance with mask-wearing guidelines in a Covid-19-focused ‘Knowledge, Attitudes and Practices’ survey, which contrasted with visibly low levels of actual mask-wearing across the camps.

However, the reality is that even as the interest in strengthening participation is expanding, the political trajectory of the wider response amid tightening government restrictions has meant that the window for taking action is shrinking rapidly.

3.2.3 Leadership and strategic direction

One additional reason for the belated or stuttering emergence of participation as a priority is the lack of clear leadership on participation or AAP more broadly. This echoes previous HPG findings on leadership as a critical factor in determining the success or failure of collective accountability mechanisms in other responses (Holloway and Lough, 2020). Respondents were widely critical of the lack of an overarching strategy laying out the rationale for AAP, setting response-wide objectives and standards, and identifying actors accountable for implementing them. While the CwC Working Group has covered some of these elements in its 2019 ‘AAP manifesto’ (CwC Working Group, 2019), the fact that this document is not mentioned in any subsequent JRP and was not referenced by a single respondent interviewed for this study suggests it has not been widely adopted.

Part of the difficulty is the fact that both responsibility and power to support participation are lodged somewhat haphazardly within different parts of the coordination system. Although the Strategic Executive Group (SEG) and Inter Sector Coordination Group (ISCG) theoretically lead in setting strategic direction and coordinating the response, many interviewees felt that participation was not high on either group’s agenda. It was felt that responsibility had largely been delegated to the sectors and the CwC Working Group – which in Cox’s Bazar is constituted as a stand-alone sector on the same level as, say, Food Security or Health, rather than as a cross-cutting technical body as in many other responses (see Box 4 for the structure of coordination in Cox’s Bazar). Meanwhile, CwC Working Group members expressed frustration with the perceived expectation from other parts of the response that it would take charge of ‘doing’ participation. As other interviewees pointed out, focusing responsibilities within a working group made up largely of specialists with sometimes limited connections to operational activities meant that although it had been able to support tangible gains around CwC as a technical activity, it had experienced less success in terms of focusing the work of operational actors more broadly.¹⁸ While mainstreaming participation is also part of the responsibilities of other sector working groups, sector leads interviewed for this study felt that while they were able to issue guidance, they had very limited power to enforce this among partners.

In contrast with the relative weakness of coordination actors, the resources and positioning of UNHCR and IOM in particular mean that these agencies have significant de facto power to set the agenda. However, as several interviewees pointed out, this has not supported a more coherent approach as the two organisations often pursue different priorities and approaches (as demonstrated, for example, in UNHCR’s commitment to camp-wide elections compared to IOM’s

¹⁸ This also highlights a tension within the humanitarian sector between AAP as a set of specialised activities and as an outcome to be achieved by all programming (see HAG, 2021 for further discussion).

focus on strengthening block committees). Both UNHCR and IOM may have limited interest in enforcing good practices beyond their own activities and those of their partners. Multiple donor interviewees also reflected that their approach to date had been similarly disjointed. The lack of a unified approach is especially problematic in a context where the government is actively pursuing an agenda hostile to greater participation.

Ultimately, fragmented approaches to participation within the response have meant that it risks appearing to be the responsibility of both everybody and nobody at once, with no one actor able, responsible or willing to set standards and hold others to account for their implementation. As previous analysis has highlighted, this reflects the wider issue of a lack of clear lines of accountability that characterise the coordination model in Bangladesh.¹⁹

Box 4 Humanitarian coordination in Cox's Bazar

The humanitarian coordination architecture in Cox's Bazar is a unique hybrid structure. While coordination would normally fall to the UN Refugee Agency (UNHCR) as the mandated agency for refugee settings, this has been complicated by the fact that Bangladesh is not a signatory to the refugee convention and has a vested interest in avoiding the normalisation of the crisis as a refugee response (see sub-section 3.1.2). As a consequence, responsibility for coordination has largely been split between UNHCR and International Organisation for Migration (IOM). At Dhaka level, the Strategic Executive Group (SEG) provides overall leadership as a tripartite structure led by UNHCR, IOM and the UN Resident Coordinator. The SEG facilitates joint strategic planning of the response with the government, which is elaborated in annual Joint Response Plans. In Cox's Bazar, the operational response is coordinated by the Inter Sector Coordination Group (ISCG), staffed by secondees from both agencies. Under the ISCG, the response is divided into technical sector working groups analogous to the cluster system, which includes a dedicated communication with communities working group. The Heads of Sub-Offices Group (HoSOG) provides an additional layer of strategic oversight at Cox's Bazar level, bringing together UN agency heads as well as international and national NGO representatives.

19 For a more comprehensive discussion of the limitations of this coordination model, see van Mierop et al. (2018): 27–29.

3.2.4 Humanitarian modes of operation

In addition to the specific challenges posed by the response's coordination model, wider structural issues with the humanitarian business model were regularly cited as barriers to more meaningful participation. These chronic issues have already been extensively documented in research and analysis over the past decade (Brown and Donini, 2014; Steets et al., 2016), although in some cases rendered even more acute through the lens of this particular crisis.

As in many responses, the power dynamics of humanitarian action overwhelmingly prioritise upward accountability to donors and government, rather than downward accountability to communities. In Bangladesh, this is further exacerbated by how the response is resourced. Here, many NGO interviewees highlighted the outsized role that UN agencies play in either disbursing or spending funds compared to other contexts – linked in part to the challenge of securing government permissions to implement bilaterally funded programming. In 2020, 90% of all humanitarian funding for the Rohingya response passed through the UN, compared to 73% across all responses worldwide.²⁰ For many NGO respondents, receiving UN funding was often accompanied by requirements to implement pre-designed programme models, highly inflexible budget regulations and, in some cases, extremely short turnaround times for the development of new projects. As one local NGO respondent explained, this tendency to treat partners more like subcontractors played a role in constraining the space for communities themselves to set the direction of programming:

We're an implementing partner, the design is the responsibility of the UN agency or the sector group and we're the implementing partner. As an implementing partner in an emergency context there is limited opportunity to ensure participation.

These dynamics were often compounded by the byzantine nature of government permissions processes described in sub-section 3.1.2. Government and donor project timelines are generally limited to one year or even six months, and often heavily delayed by requests for revisions or ad-hoc blockages by NGOAB, RRRC or the CiCs. Faced with these pressures, many humanitarian interviewees reported feeling constrained in their ability to support more comprehensive consultations with communities – or more participatory approaches to implementation or monitoring and evaluation (M&E) – in favour of getting projects closed out on time.

Beyond upward accountability, other characteristics of humanitarian attitudes and ways of working have a tendency to marginalise the role of communities as agents in their own lives. While many frontline staff interviewed for this study displayed a nuanced and sympathetic understanding of refugee communities and their experiences, others expressed views that tended towards the nakedly paternalistic. Rather than seeing refugees' lack of access to education or understanding of how the

20 See, respectively, FTS (2020a) and (2020b).

response worked as a result of historic marginalisation that could be addressed through greater inclusion in programming processes, several argued that this justified maintaining a significant degree of control over programming. As one national NGO frontline staff member explained:

if we design the programme based on their likes and dislikes, they will be fully aware of the programme, what will be done and what will not be done. But if we hand over 100 per cent to them, everything could be ruined. Various mistakes might be made and any bad incident might happen. Everything needs a limitation. If we give a gun to a kid, they will use it however they feel like. That's how it could turn out here.

Reflecting wider hostile or dismissive views about the Rohingya displayed by some humanitarian staff (ACAPS, 2021), and compounded by the lack of any Rohingya as colleagues or equals in the delivery of assistance, these attitudes risk contributing to a profound 'othering' of Rohingya communities within the response that fails to recognise their agency or capacity.²¹

Elements of these attitudes are also reflected, albeit much more subtly, in the way that much of the humanitarian programming in Cox's Bazar is run as a primarily technocratic process. While this may vary widely, many humanitarian interviewees described a tension between the need to listen to communities and the need to implement activities according to well-established models and technical standards. As some humanitarian interviewees explained, this tension is not necessarily unresolvable, but doing so is extremely challenging when participation is handled as an added extra rather than incorporated as an integral programming component. With community engagement often taking place in a separate silo from 'technical' activities, this limits possibilities for two-way dialogue and may contribute to a feedback being a take-it-or-leave-it matter rather than a question of accountability.

Finally, discussions around the potential handover of more direct control of programming with refugees were often marked by a high level of risk aversion. This was grounded in two concerns. The first was around the increasingly hostile operating environment – the risk that any handover of power would provoke a negative response from the government, resulting in further limitations on already tight humanitarian space. The second concern was around exclusion – and the risk that handing power to communities would reinforce exclusionary dynamics for marginalised groups. As one INGO respondent summed up:

We are not in a stage where a larger financial responsibility can be handed over – there is a larger risk here ... We work through volunteers in the camp, we make them a small payment on a monthly basis. I would not hand this over to the refugees – for the risk to them, especially safety concerns of the Rohingya populations, recent attacks, violence and killings in the camps – but also the safety of the programme.

21 'Othering' is described as 'the process through which a dominant group defines into existence a subordinate group. This is done through the invention of categories and labels, and ideas about what characterises people belonging to these categories. 'Othering' occurs when a person, group or category is treated as an 'object' by another group.' (Barbelet and Wake, 2020: 13, citing Khan et al., 2015).

While these concerns are genuine, they do also hint at the presence of a wider trust deficit within the response. While interviewees and secondary analysis widely discuss the lack of trust placed by refugees in humanitarian actors, there is less discussion of the lack of trust sometimes displayed by humanitarians towards refugees and their capacities. Reflecting a common dynamic within this study, it is also unclear from interviews how far perceptions of risk around participation have been informed by discussions with refugees.

At this stage in the response, the risk of adopting new approaches also needs to be balanced with the risks of continuing business as usual. As discussed below, corruption and aid diversion are already common features of everyday life in the camps, externally led efforts to include or empower marginalised groups are patchy and often superficial, aid is widely perceived by refugees as unresponsive to the needs of both their communities and the most vulnerable people within them, and refugees continue to feel cut out of decisions that affect their future.

4 The dynamics of participation in the Rohingya response

This chapter examines the different means through which refugees take part in decision-making within the Rohingya response from the perspective of both humanitarian actors and community members. It explores increasing degrees of decision-making power, from complaints and feedback through to consultation, participation in service delivery and refugee-led initiatives. As it does so, it also explores the main actors and mechanisms involved in facilitating these processes, and how inclusive they are.

4.1 Complaints and feedback

For most community members, seeking solutions to a problem is the main point of engagement – direct or indirect – with humanitarian decision-making processes of any kind. For humanitarian respondents, establishing complaints and feedback mechanisms was often seen as a building block or ‘first phase’ for wider participation. However, community members often experience these processes not so much as an opportunity to have their voice heard, but as symptoms of wider dysfunctions in the response.

4.1.1 The need for intermediaries

For many refugees, the process of even making a complaint can be frustratingly complex and hard to navigate, which discourages further engagement. As one person described:

Once, I went to the [site management] office about relocating my shelter to another place. The two watchmen at the bamboo distribution centre told me to go to the site management office. I followed and went there accordingly. The site management office told me to go to the CiC office. And when I went to the CiC office, they told me to go to another CiC office. I didn't go anymore as I felt scared of talking with CiC. Finally, I didn't talk with anyone else about the issue.

As a consequence, comparatively few refugees reported engaging with these mechanisms directly, with most preferring to use a more experienced proxy, usually in the form of the sub-block Mahji.

Responsible for a sub-block of 50–100 households, Mahjis were initially selected by the Bangladeshi army to serve as points of liaison with communities immediately after the influx of refugees. Answerable primarily to CiCs, they perform a wide range of functions including complaints, dispute resolution, beneficiary identification and mediating aid agency access to communities. The majority of humanitarian interviewees viewed the Mahji system as deeply problematic. Because they have been imposed by the Government of Bangladesh, they are seen as upwardly accountable to CiCs – rather than downward to the communities they serve. Mahjis are widely seen to perform the role of gatekeeper between communities and the response, diverting aid to their friends and family, demanding payment and sometimes transactional sex (Krehm and Shahan, 2019) for inclusion on beneficiary lists, or resolving

disputes according to the highest bidder. In this respect, the Mahjis are also widely perceived by humanitarians as being part of an exclusionary system that concentrates significant power in the hands of almost exclusively middle-aged men; thus they are unlikely to represent the perspectives and interests of younger people and especially women in their interactions with humanitarians.

Despite these shortcomings, community members almost universally reported the Mahji as their preferred focal point for making complaints about services,²² with many highlighting the important role that Mahjis play as an interface with a confusing and opaque system. Many community members reported a reluctance to engage directly with humanitarian actors because they were intimidated by the power imbalances involved, they did not know who to talk to, they preferred to avoid the hassle, or some combination of the above. In this respect, the Mahji was widely preferred as someone who had learned how the system worked, knew who to talk to and could engage on a less unequal footing with powerful actors. Mahjis were also seen as more likely to get results when complaining as they have direct relationships with people who make decisions, such as CiCs and camp management authorities. As one community respondent explained, 'I trust the Mahji. Not because he is familiar, but because he is listened to in many places.'²³

Generally, Rohingya interviewees who felt more able to make complaints directly were either more educated or were more familiar with how the system worked (for example through their work as NGO volunteers). For the majority of others, though, the intermediary role of the Mahji serves an important function by allowing people to engage with the humanitarian system on terms they are more comfortable with. Mahjis are not necessarily the only type of actor involved in this space – some community members preferred to rely on other individuals they trust to perform a similar role – but they remain a central one. In this respect, it is telling that some of the most socially isolated individuals interviewed for this study – especially widows – reported that if they needed to make a complaint, they would have to do so directly because they had nobody else to do so on their behalf, not because it was their preferred option.

Because of the important functions it performs, it is important to recognise that for many community members the *role* of the Mahji is a legitimate one, even if specific occupants are not. Community members interviewed for this study regularly derided Mahjis in their blocks as nakedly corrupt, biased toward their own extended family network (*gushi*), or simply incompetent. However, the need for an intermediary actor to serve as a bridge between communities and the aid response was rarely called into question. With efforts to replace the Mahji system with elected representatives currently stalled (see section 4.4), and existing agency complaints mechanisms yet to offer a viable alternative, there is a need to consider pragmatic options to ensure complaint-making is a less difficult and more responsive experience for refugees. Part of this may come from streamlining the system to make it less complex, with efforts underway at the time of writing by the CwC Working Group to establish an integrated

22 This reflects widespread findings in previous quantitative and qualitative studies (REACH Initiative, 2018; Bailey et al., 2018; ISCG, 2020; ACAPS, 2021).

23 Several community members reported being actively turned away by NGO, UN or CiC staff and told to come back with the Mahji while trying to make complaints.

response-wide complaints mechanism. However, there may also be need for greater pragmatic engagement to support Mahjis to be more effective in their intermediary roles, while remaining mindful of the needs of excluded groups (see Box 5), and exploring ways to strengthen other actors within the community that can impose a check on potential abuses of power (see section 4.4).

Box 5 Female ‘Mahjis’ – a pragmatic approach to inclusion

In 2018, IOM protection and site management staff in one of the camps under its area of responsibility realised that Mahjis and other male community leaders were playing a dominant role in the resolution of disputes related to intimate partner violence. As a result, women were largely shut out of the dispute resolution process as they did not feel comfortable representing themselves in male-dominated spaces, and social norms did not encourage them to do so. In order to mitigate this issue, IOM teams established a network of female representatives at sub-block level in the camp to serve as intermediaries for other women and ensure they were better represented in the handling of gender-based violence cases. One representative was identified for each block through large meetings of female community members, and representatives went through intensive training in small groups on a variety of protection-focused topics.

In practice, these representatives have ended up fulfilling a much broader role, serving as general intermediaries to humanitarians and CiCs for women in their communities. While IOM staff prefer to avoid the term due to the negative connotations of the Mahji system and the fact that representatives are not formally recognised by camp authorities, these women are generally referred to as ‘female Mahjis’ by community members, reflecting the similarity of the functions they perform.

At a practical level, this has helped to lower the barriers to entry for women to deal with an opaque system in a context where gender norms heavily constrain engagement with male representatives. But the role has also begun to have transformative effects – women were not generally involved in community leadership structures, and their acceptance as legitimate actors in these spaces potentially represents a shift in norms around the roles (some) women can perform in the public sphere, however fragile. For some female representatives, working in this role has also had a profound personal impact in building their confidence and ability to engage with other actors (see Sanchez Bean, 2021).

A critical factor in the comparative success of the female Mahji system is that it has been allowed to evolve to fill an institutional niche that is recognisable and immediately useful to people. This extends to interactions with CiCs, who appear comfortable working with female Mahjis as they mimic a system they already use and endorse in their interface with communities.

4.1.2 Complaints and the erosion of trust

Refugee frustrations with complaints processes were also compounded by the opaque and seemingly arbitrary nature in which complaints are often perceived as being handled. A minority of Rohingya respondents highlighted how complaints to responsive and engaged staff at certain organisations in certain places had yielded perceived changes in programming – for example in adjustments to rations, or changes to how distributions were organised. However, many felt that their complaints were regularly ignored or overlooked. Respondents also experienced the process as unpredictable: reported turnaround times for resolving complaints fluctuate widely – often stretching into months – and clear explanations for which complaints were addressed and which were not was rarely provided. As one vulnerable male respondent explained:

We have to approach to them eighty times to solve one problem. If rain drips on your shelter, you will have to complain at least ten times. Although they will come ten times to check, we have to argue with them to get support. They don't do even one thing perfectly. There is no single NGO that is fulfilling the needs. I don't know why they are like this; they are doing whatever they want.

An important contributing factor to this problem was weak communication on the part of agencies themselves. Refugees reported that staff directly interfacing with them often responded to complaints and feedback with consoling or placatory statements that promised a resolution even though none was eventually forthcoming. As one male community leader described:

Although we complained about those roads, the humanitarians just kept on replying that they will visit to construct the roads ... [but] they just go back after consoling us and don't come back to construct the roads. Then, they start working at another block.

While this approach may be an attempt to avoid conflict and confrontation, or due to frontline staff's lack of knowledge or ability to give informed responses, it also contributes to undermining trust, because the gulf between assurances and follow-through is often so wide. Many of the complaints referenced by refugees in this research echo findings from other studies (e.g. Wake et al., 2019; ACAPS, 2021), suggesting that the same basic issues are not being fixed, year-on-year. In these circumstances, many people understandably conclude that they are being lied to, or are not being treated like adults. This has ultimately led to perceptions among some community members that complaining is simply not worth the effort, as humanitarian organisations will continue to pursue their own priorities and agendas regardless.

This scepticism about humanitarians' interest in resolving complaints was compounded for some respondents by clear instances of corruption by humanitarian staff or volunteers.²⁴ This in itself

24 In several of the blocks covered by this study, several interviewees highlighted the same example or examples of corrupt practices happening in their block, providing highly similar descriptions of the methods, organisations and staff involved.

has implications for the willingness of individuals to raise their concerns or the trust they place in humanitarian agencies, but is intensified when these complaints are not properly handled or met with flat-out denial. As one male community member explained:

We complained to [organisation] several times, but they deflected the issue. They said, ‘it is impossible to take bribes, no-one is allowed to take bribes’. But the people taking bribes carried on taking them.

At present, refugees predominantly experience complaints processes in the response as an ad-hoc, labour-intensive, individualised form of petitioning to address problems, rather than a systematised process of demanding and receiving account. These barriers are likely to be especially acute for women and girls, or others with low confidence or social capital.²⁵ While Rohingya communities are acutely aware of the importance of rights in discussions of their wider displacement and exclusion from Myanmar, only one respondent made any reference to rights in the context of making complaints. This was also reflected in the absence of rights and obligations in the language used by humanitarian providers to describe how complaints are resolved.

4.2 Consultation

Consultative processes where refugees are invited to provide inputs on programme design and implementation are the main means through which humanitarian actors in this study seek to secure Rohingya participation in the response. The use of consultative processes has become increasingly common and is widely perceived by humanitarian actors as a necessary means to ensure access, support programme effectiveness and comply with donor requirements. The bulk of consultations form part of project-specific operational processes around design and implementation, supplemented by cross-cutting open processes focused on people’s general needs and priorities, primarily run by site management, CwC and protection actors.

Consultations are conducted through a variety of methods and approaches, ranging from quick, one-off check-ins to more sustained, iterative processes (elements of which are described in sections 4.3 and 4.4). In general, however, the majority of Rohingya community members interviewed for this study tended to experience consultations as a one-way street, primarily on terms dictated by humanitarians,

²⁵ A large majority of women in a recent larger-scale qualitative study conducted by ACAPS and IOM reported not knowing where to complain or being uncomfortable reporting complaints (ACAPS, 2021: 26).

with results either pre-determined or inconclusive.²⁶ Among humanitarian interviewees, there was a sense that while the response had got a lot better at speaking to a wider range of people about their needs and priorities, this was not necessarily translating to more two-way exchanges, or giving Rohingya communities a significant say over matters much beyond micro-level decisions on service delivery.

4.2.1 Who gets to engage in consultations?

Humanitarian actors acknowledged the crucial importance of engaging with community leaders as an entry point for consultations, particularly due to their role in facilitating consent and acceptance for activities. However, the scope of these engagements varied widely. Several humanitarian interviewees were highly critical of a perceived over-dependence of many organisations on working through the Mahjis, which they felt had contributed to empowering these actors at the expense of other community stakeholders. This issue was also a major point of contention for community members themselves, who regularly accused humanitarians of limiting their conversations to Mahjis and their immediate social circles. As one Mahji explained:

They know about the murrobis [older respected people in the community] and people from the block, but they rarely speak to them ...They speak and discuss with us like this: ‘Majhi, how are you? We have come for this activity, can we do it?’ But they don’t pay any special attention to the murrobis.

Community interviewees acknowledge that organisations with more sustained engagement in their communities tended to be better at consulting more broadly based on a better understanding of community social dynamics. Reflecting this, interviewees at some organisations described keeping regularly updated lists of important or influential people in their coverage areas and ensuring they were involved in consultations. However, this level of more nuanced engagement was generally perceived as the exception rather than the rule by both community members and humanitarians. In general, Rohingya interviewees expressed frustration that many humanitarian actors lacked sufficient understanding of their communities and consequently were not engaging with the right people. There is thus a fine line between outlining the very real exclusionary effect Mahjis can have as a gatekeeper or ‘buffer’ between humanitarians and communities, and understanding the ways humanitarians contribute to this dynamic. For some organisations, focusing on the Mahji may ultimately be an easier and more efficient choice in a response where staff are often stretched thin and there is not always sufficient time to develop a deeper understanding of community dynamics.

²⁶ It is important to note that this finding does not align with data from quantitative assessments: 80% of respondents in a 2019 survey by Ground Truth Solutions felt that aid providers took their opinion into account when providing aid/services (GTS, 2020). However, it does align with other qualitative data such as an ACAPS/IOM study carried out in late 2020, where people in three-quarters of the 194 FGDs implemented expressed generally negative views about being consulted by aid actors and having their opinions taken into account (ACAPS, 2021). This potentially highlights challenges in implementing perception surveys in a context where social desirability bias (giving the ‘right’ answers rather than what you actually believe), ethnicity of enumerator bias, and trust between communities and humanitarians are all potentially significant issues (e.g. GTS, 2021; REACH Initiative, 2019).

For many humanitarian organisations, consultations with community leaders were primarily counterbalanced by direct engagement with other community members via FGDs or individual conversations. Several humanitarian respondents explained how their organisations were explicitly prioritising this form of engagement as an important safeguard against unequal power dynamics within communities – ‘so that the marginalised are heard, not only the Mahji and Imam’, as one UN agency field staff member explained. A frequent component of this strategy involves breaking refugee populations into different age and gender groups to ensure consultations reflect people’s differing experiences and needs; this contrasts with the perceived limitations in the inclusiveness of existing community representatives. Here, several humanitarian interviewees flagged the importance of supplementing FGDs with household visits to ensure that people with disabilities and other socially marginalised households who might not have access to these spaces can be reached. However, it is important to note that even as they attempt to be inclusive, the question of who ends up taking part in these kinds of consultation can be somewhat arbitrary: FGD participants are often selected randomly (sometimes with the help of the Mahji) or drawn from agencies’ existing pools of beneficiaries, and the extent to which consultations are informed by understandings of local community dynamics varies greatly according to agencies’ depth of engagement in a given area.

4.2.2 How far do consultations support participation in decision-making?

Community members in this study were able to highlight a number of positive outcomes in which their opinions, local knowledge and priorities directly informed the decisions made by implementing agencies. These examples primarily focused on the location of facilities, such as schools, roads and tube-wells or taps. In some cases, refugees also experienced being given the opportunity to speak to humanitarians and have their concerns acknowledged as an important dignifying process in its own right. Here, regular interactions with familiar, named individuals were especially welcomed in terms of building easier, more informal channels of communication. Humanitarians also highlighted the positive impact of consultations on their own programming, which were seen as especially critical in developing effective and culturally appropriate communication materials and messaging campaigns, as well as facilitating access and consent for activities to take place. However, a number of key weaknesses characterise the models of consultation most commonly employed by the response, restricting how far these processes meaningfully feed into decision-making.

Consultations do not take place on refugees’ own terms

Refugees are rarely invited to set the agenda or determine the structure of consultative processes, even if they are invited to provide their opinions – as one community leader put it, ‘We never speak first’. Here, there was a widespread perception that humanitarians tended to engage only around issues related to their specific programmes and activities. Even within this already limited scope, discussions

did not always focus on the specific issues that were important to people.²⁷ As such, ‘consultation’ tended to be experienced as a validation of a pre-determined set of activities rather than a genuine co-design process. As one male community member explained:

Humanitarians are not focusing on what matters most to us. They only provide the support they wish and the things that are prefixed to be provided. They have a fixed strategy which they always follow. They don’t provide us anything outside of their strategy. They listen to our request but don’t do anything out of their plan.

Community respondents also pointed out that consultation processes often do not engage on a level that is relevant to how people live their lives. From an agency perspective, these consultations often take place with the aim of understanding a specific issue as it affects either refugees in general or a specific demographic. Yet for many refugees this translated into a somewhat alienating experience, with discussions often taking place on general terms that reflected a failure to either get to know them personally, or understand how their communities functioned:

They don’t ask us individually to know our challenges; they just ask us as a group (vulnerable male respondent).

We don’t have a good relationship with [humanitarians] because they come here for a very short time ... they have no time to analyse and understand the problems of our block (vulnerable female respondent).

This is partly linked to a disconnect of scale – while refugees tend to experience the world in terms of the interests and problems of their sub-block, many humanitarian actors focus discussions at facility, camp, catchment area or response level due to the way their operations run or the resources available to them.

Action-oriented, two-way dialogue is a rare experience for refugees

Community respondents who had taken part in consultation processes widely reported providing suggestions, watching humanitarians document them and then waiting for action or follow-up that never came. In many cases, the purposes of these conversations were not especially clear and the agency staff facilitating them unfamiliar to those involved:

Some of them take notes and some of them record. They listened to what we said, but forgot about it. They wrote what we said. But we don’t know whether they reported or not ... They said that we will be provided and they will do. But we did not see it in practice (male community leader).

27 For example, Farrington (2019) describes how consultations around latrine designs in the early phases of the response had generally focused on technical considerations related to latrine substructures, while for women and girls the design of the superstructure and its impact on privacy and dignity was a far more important consideration.

I spoke to them once about work. They brought me to a shop to sit and write down in a notebook what I said. Then, they went back suddenly on their own without explaining. I don't know why they went back suddenly, but I would say that they have never come here to do anything since that day (male community member).

For many refugees, providing information to humanitarians without receiving any obvious follow-up was a deeply frustrating experience, reflecting a wider pattern of fragmented and ad-hoc requests for information and data that punctuate their daily lives. This is partly linked to the structure of many consultation processes: FGDs are often run as one-off events at the start or end of projects, and getting the same people in the room for follow-up discussions is rare. This imposes heavy limitations on the possibility of iteration or closing feedback loops, meaning that the type of two-way dialogue held up as an aspirational standard by many humanitarian interviewees and in various guidance documents rarely happens in practice. At a minimum, this represents a missed opportunity for expectation management: a substantial minority of refugee interviewees acknowledged that humanitarian agencies face their own constraints and cannot solve every problem. However, without the opportunity to talk through these issues out in the open, communities are often left in the dark about what they can realistically expect from humanitarians, or how and why things happen the way they do.

Refugees are alienated from decision-making processes

Related to this, refugees were also acutely aware of being cut off from where decisions are actually made. Both community leaders and community members understood clearly that the humanitarians they interact with tended to be junior-level staff with little influence over decisions – this was often linked with an understanding that Rohingya volunteers would always be at the bottom of the pile in terms of the level of power and influence they wielded within their organisations (see section 4.3). Similarly, community members were often well aware that feedback they provided had to pass through various people before reaching anybody with influence. As one community leader explained:

The NGO superiors (who are foreigners) do not come here to listen to us. Mostly, the Bangladeshi humanitarian workers come here. As they come, we tell them, but we are not sure whether they report our problems to their offices or not.

These frustrations were echoed by several humanitarian technical staff, who highlighted a broken link in their organisations between feedback from communities flowing upwards to technical teams, and any meaningful response back down the chain.

This alienation is especially extreme in the case of strategic coordination at camp or response level. There is little evidence to suggest anything beyond tokenistic direct inclusion of Rohingya in these spaces (and even this is rare). Consequently, the main opportunity for refugees to input into such strategic discussions is via proxy – whether through predominantly quantitative needs assessments, in which the terms of engagement are rigidly set, or via outsiders 'speaking for' communities. Here, some interviewees at UN agencies working on inclusion-focused programming described concerted back-channel efforts to ensure that Rohingya activists in the camp – especially women – were engaged

at critical moments, such as the visits of senior diplomats or key UN officials. However, they also acknowledged that these efforts were often informal and not necessarily replicated in consistent ways across the response. Ultimately, without Rohingya directly and systematically included in strategic forums, there is scant opportunity for refugees to talk back or to question their decisions.

The one-way nature of many consultation processes means that the scope for negotiation or co-design is limited. With consultations so fragmented and so far from decision-makers, there is little scope for meaningful back and forth about how to prioritise and make use of limited resources, especially based on a realistic appraisal of what service providers can feasibly do. More successful examples of consultative processes described by humanitarians and refugees tended to focus negotiation, where concrete issues were discussed with a clear understanding of what decisions were being made, and why. As one male community member explained, these more transparent, outcome-focused processes were appreciated as examples of good-faith engagement by humanitarians with communities and their specific needs:

Only [organisation] knows these people in our block. When the mosque was in need of seasonal repairs ... humanitarians from [organisation] came here. They asked, 'Who built your mosque first?' The committee replied to them, 'It was built by a group of molois [religious elders].' They also asked, 'Will the molois repossess it later?' The mosque committee which we elected replied, 'It will not be repossessed by them. It has been several months since their project finished. We cannot be praying in the mosque without a proper roof.' The committee discussed with the humanitarians from [organisation]. They said to them, 'The molois group will not support here anymore. So, if you have something to provide then you can provide us.' The humanitarian of [organisation] replied to the committee, 'Ok. Let's make an agreement together. If you make agreement with us, we will construct it.'

Iteration was also sometimes an important feature, with multiple rounds of discussion taking place with the same set of people.²⁸ Overall however, these experiences of consultation formed the exception rather than the rule. Here, it is important to note that while consultations are often held up as an example by humanitarians of participation being achieved, they are likely to be insufficient if they continue to take place as an end in themselves. Ultimately, consultative processes without additional handover of power continue to place humanitarian agencies in the role of arbiter, deciding whose voices to involve and which opinions count for how much,²⁹ rather than allowing communities to have a role in this process. As Arnstein (1969: 219) explained when discussing consultation's position on the 'ladder' of participation:

28 See Farrington (2019) for an example of how an iterative 'feminist design' approach was used to develop new latrine prototypes that better addressed women's priorities.

29 The same argument can be made of much of the research being carried out on the Rohingya crisis, including this report.

Inviting citizen's opinions ... can be a legitimate step toward their full participation. But if consulting them is not combined with other modes of participation, this rung of the ladder is still a sham since it offers no assurance that citizen concerns and ideas will be taken into account ... When power holders restrict the input of citizens' ideas solely to this level, participation remains just a window-dressing ritual.

4.3 Participation in implementing the response

For some humanitarian actors – especially frontline staff – refugees' level of involvement or 'ownership' in humanitarian programming was seen as an important form of participation, both in terms of making programmes more relevant to people's needs, and as a way to support and harness refugees' capacity and resilience. Many humanitarian respondents pointed to the role played by refugee volunteers and sectoral committees as an entry point for more direct refugee involvement in decision-making. However, while both have the potential – still not fully tapped in many cases – to play important roles in supporting more responsive programming, this is still largely in support of agendas set by aid agencies, with hard limits on which decisions refugees can actually influence. Furthermore, there is no guarantee that greater participation or accountability will naturally flow from greater refugee involvement in implementation, if this objective is not firmly and explicitly built into the design and monitoring of such processes from the very start.

4.3.1 Participation as 'volunteers'

Rohingya volunteers currently occupy an uncertain space somewhere in between the humanitarian response and the refugee community. They sit outside the 'formal' response as they cannot hold permanent staff positions and have no opportunity to move into positions of power and influence within the organisations that employ them. At the same time, both community members and volunteers themselves view the volunteer workforce in the camps as 'humanitarians'; for many community members, Rohingya volunteers are their sole point of engagement with the wider response.

There was a common feeling among humanitarian actor interviewees that volunteers are a powerful but sometimes under-used resource in terms of making programming more responsive to people's needs, especially given the constraints and limitations on other means of engagement. Volunteers are widely seen as the 'eyes and ears' of the response,³⁰ due to them living in the camps and being more aware of their dynamics than any outsider could be. As one donor explained:

Volunteers aren't necessarily part of the participation framework, more of the operational side of the response. But that workforce is necessary to ensure there is real participation, they're the ones listening to their own community and trying to express the thoughts of their community and passing information to community that agencies entrust them with.

30 An assertion that also holds true for the findings contained within this report, which are themselves based largely on the work of Rohingya volunteers.

These sentiments were echoed by many (although not all) community members interviewed for this study, who generally felt more comfortable engaging with volunteers that spoke the same language as them, lived in the same places and understood their daily lives. Community members often discussed volunteers with a certain sense of ownership, regularly referring to them as ‘our Rohingya’ as distinct from Bangladeshis or foreigners. However, they were also acutely aware of the low status of volunteers within the response, understanding that while volunteers could pass complaints or feedback up the chain, they were not the ones involved in making decisions, or even able to explain how and why decisions were made. Here, volunteers’ knowledge and access to communities was seen as irrelevant if their managers were not paying attention to them. One male community leader explicitly linked the idea of more empowered volunteers with a response that would better reflect people’s priorities:

There are few Rohingyas in NGOs. There should be more Rohingyas in NGOs. There should be Rohingyas in the senior position too where their voice will be effective. Rohingyas will understand Rohingya’s problems.

In this respect, it is important to highlight that while government restrictions are the main limiting factor in preventing volunteers from having a greater say in programming, blockages also exist within the response itself. Design and management decisions for many projects tend to take place outside the camps in spaces volunteers are unable to access due to movement restrictions, despite forming a key part of the teams responsible for implementing those decisions – a dynamic exacerbated by movement restrictions imposed during the Covid-19 pandemic (here, one humanitarian interviewee noted the comparative absence of management-level staff from office facilities within the camps themselves). Exclusion of volunteers may also relate to attitudes of permanent staff – both national and international – who may question their competency to take on more complex roles based on the low position they occupy within the hierarchies of their organisations. As one NGO staff member explained, ‘even when we’re trying to have volunteers as supervisor, it’s seen as that person stepping above their position, it’s taken as the baseline that the Rohingya should be subordinate.’

Several humanitarian actors described making specific efforts to incorporate consultations with volunteers as part of their community consultation processes, while organisations who had developed a cadre of long-term volunteers described these teams taking an increasingly prominent role in shaping how operations were run. There was also an acknowledgement of the indirect support to participation that volunteers’ exposure to training, interactions with fellow volunteers and positions of responsibility could bring in terms of their contribution to wider civic life in the camps. Several humanitarians highlighted examples of their volunteers going on to take a prominent role as ‘leaders in’ (if not leaders of) their communities. For women in particular, this sometimes created opportunities to shift perceptions within their communities about the kinds of role women could perform in the public sphere.

However, many humanitarians also felt that a widespread acknowledgement within the response of the importance of volunteers had not yet been matched with committed efforts to systematically bring them into decision-making spaces, and that their potential as a means to strengthen participation remained largely untapped. In particular, some expressed a frustration that the forced shift of

greater responsibility to volunteers during Covid-19 was not capitalised on and represented a missed opportunity. This gap may be linked to understandings of participation as simply taking an active part in the response, as opposed to participation as playing a role in decision-making. There is also a possibility that a focus on volunteers' stated role of fulfilling 'specific operational objectives' (ISCG/RRRC, 2018: 2) may take precedence over considerations on how to bring them into decision-making spaces.

It is also important not to romanticise the role volunteers play. As another point of interface with the delivery of aid, there are also spaces for volunteers to abuse the power this affords them. A minority of community members reported examples of unprofessional behaviour from volunteers, ranging from abusive treatment to involvement in bribery schemes (accusations that, it should be noted, were also levelled at full-time Bangladeshi staff members). The position of volunteers also poses an accountability dilemma that echoes that of the Mahjis – while they are closely embedded within Rohingya communities, they are wedged between downward accountability to the people they serve and upward accountability to humanitarian actors, as well as to the CiCs. Similarly, they are not elected or selected by communities, raising the perennial question of how far they can be considered legitimate representatives,³¹ and the characteristics that make them suitable for their roles such as literacy or education are also likely to introduce a particular set of biases to how they see things. Finally, community volunteers may be similarly squeezed by pressure from other powerholders in their communities. As multiple reports have documented, the visibility of women in particular among volunteer teams has sparked a backlash from conservative elements within Rohingya communities and ARSA in particular, sometimes resulting in demands that they stop work or even threats to their physical safety. These dilemmas are by no means irreconcilable, but they are important to consider when looking at the role volunteers might play in supporting more participation, both in terms of acknowledging their bias and positioning, as well as ensuring they are properly protected and supported.

4.3.2 Participation in sector committees

As the response has progressed, NGOs and UN agencies have begun to establish a wide variety of committee structures as a means to engage with different segments of communities on different issues. A mainstay of this approach are the sectoral committees convened to support activities such as water, sanitation and hygiene (WASH), health and protection. While these bodies are often designed to fulfil a programme support role – such as managing facilities, making referrals, or running information campaigns – creating spaces for refugees to take part in decision-making usually form an explicit part of their functions (see for example Cox's Bazar Health Sector, 2019: 12; Cox's Bazar Education Sector, 2020: 48; House, 2018: 78).

While maintaining a sectoral focus inevitably means the terms of discussion are heavily delimited by the priorities of the agencies facilitating them, there is evidence that these groups can provide tangible benefits as a result of involving communities more closely in aspects of the response. Several community

³¹ Rohingya CSO activists interviewed for this study explicitly criticised humanitarian activities for only consulting with their own volunteers rather than involving a wider range of actors.

interviews highlighted how delegating basic decisions around operations and maintenance for WASH infrastructure had reduced turnaround times for repairs compared to leaving everything in the hands of NGO staff. Other forums have reportedly provided a platform to build trust and enable sustained, two-way dialogue and negotiation between different stakeholders. For example, one UN interviewee described how community protection committees have provided a safe space for community members, agency staff and members of the security services to hold pragmatic discussions and attempt to identify mutually acceptable solutions to security challenges within the camp. As they explained:

These forums are also to lift the veil, Rohingya often fear the police, but now we have an open platform where police and refugees are able to interact. Previously issues were reported strictly through the Mahjis, so if you had a security issues you'd have to pay a ... bribe to have it elevated to the CiC, whereas now you have people able to go to the police.

It is also important to note that while humanitarians set the terms for these groups, participants can and do play a role in shaping them according to their own priorities. One humanitarian interviewee gave the example of groups of mothers-in-law originally facilitated by their NGO to remove the 'barrier' posed by this demographic to better child nutrition. However, these groups soon began to take on more emergent functions beyond their initial behaviour change role. As the interviewee explained, 'Once they were all together and discussing and debating things, this dynamic group of people we thought were the problem actually ended up being a solution to other issues.'

However, in many cases the positive potential of sectoral committees to bring refugees more directly into decision-making spaces is eclipsed by their other functions. Several UN and NGO field staff were clear-eyed in their appraisal that these bodies often exist primarily to meet the objectives of agency programming, rather than to give refugees a voice:

We have community-based child protection committees at the centres, and centre management committees, and various community members are engaged. Sometimes they are invited and told about the importance of education and the need for increasing awareness among all ... They are involved to help us, not to make any decision in that sense (INGO field staff member).

Then comes the mother group ... We train the mothers who have a little bit of education and can make others understand; they work as our representatives to make other mothers understand the programme (INGO field staff member).

In this respect, discussion of accountability was notably absent from many descriptions of how committees were being implemented. While humanitarian interviewees sometimes highlighted the role sectoral committees could play in monitoring programmes, this was generally limited to reporting broken infrastructure, rather than determining, for example, whether agreed standards were being met.

Many of the committee systems established or proposed in the camps explicitly promote the inclusion of marginalised groups as part of their work to ensure a range of interests and viewpoints are represented beyond conventional powerholders. Several humanitarian interviewees described efforts to make sure the structures they were establishing had space for women and people with disabilities. As one NGO staff member explained:

Inclusiveness is one of our priority areas, and while forming committees we always ensure male–female ratio and PWD [people with disabilities], and depending on the issue we ensure participation of breastfeeding mothers and senior citizens as well. So we always ensure that participation is from different sections of the population. So we never forget these things, and we ensure participation and inclusion in all aspects of our programme.

At a basic level, it is important to note that while ensuring better representation of different identities and interests is often a concern, organisations handle the process of deciding who actually gets to sit in invited spaces differently. Mechanisms include: prospective members being put forward by communities during mass meetings; selecting people based on fit for their intended role, such as having higher levels of education; inviting people participating in specific programmes or using certain facilities; working with people who were interested as a self-selecting group; picking people at random from a specific catchment area; delegating the whole task to the Mahji; or some combination of the above. None of these methods are necessarily inherently problematic, and different selection processes are likely to be appropriate to different structures. However, the patchwork of different approaches does highlight the complexity of what inclusive representation means in practice.

More fundamentally, the drive to ensure better representation of marginalised people – especially women – on committees is not necessarily matched by an analysis of power dynamics within and around these spaces. As several interviewees pointed out, an over-focus on the ‘politics of presence’ (Phillips, 1998) risks reducing inclusion to a numbers game with little clear link to more inclusive outcomes. Recent IOM research on shifting gender norms in the crisis has similarly highlighted that including women in leadership structures without proper support is unlikely to be effective. Worse, pushing for their presence in mixed-sex groups risks sparking active backlash due to breach of purdah, highlighting the need for more careful use of gender-segregated spaces, alongside more sustained engagement with religious leaders and other actors involved in policing gender norms within Rohingya communities (Coyle et al., 2020b). This is born out by recent ODI research on learning centre management committees, which indicates that women in these groups often play a subordinate role and are ‘often silent despite their attendance’ (Magee et al., 2020: 42). A related issue is the fact that while efforts are being made to include marginalised groups in invited spaces, the spaces themselves have much broader objectives and functions. In ideal circumstances, this would ensure that the practical needs of marginalised people are better taken into account. However, this does not necessarily create space to address their strategic needs (Moser, 1989), i.e. the root causes of marginalisation rather than its symptoms. In response to these challenges, several inclusion-focused organisations described adopting more open-ended approaches targeted specifically at marginalised groups (discussed in section 4.4).

4.3.3 How far does refugee involvement in implementing and monitoring the response translate to greater decision-making power?

Strengthening refugee involvement in more aspects of service delivery does offer the potential to reap clear benefits. For example, it could ensure that programming is more culturally appropriate and more grounded in trust, and that tighter feedback loops are put in place, with problems and solutions identified closer to the source and involving fewer levels of action. With many invited spaces newly established, there are clear opportunities for strengthening and deepening these approaches. Some humanitarian actors voiced concerns that these efforts were inadequately systematised and could lead to duplication. However, while there is certainly scope to strengthen coherence about how different spaces relate to each other, the more immediate issue is that coverage of invited spaces is highly uneven and directly touches very few people's lives. Despite the attention and resources directed to invited spaces by humanitarian actors, only a few Rohingya interviewed for this study reported any kind of experience or even awareness of such bodies, in contrast to the widespread visibility of locally familiar institutions such as the Mahji or local committees.

It is also important to be realistic about the amount of power being handed over to refugees, both as volunteers or as participants in invited spaces: the scope of decisions they can take part in is often constrained to operational choices made long after the terms and priorities of programmes have been set. Although the scope of influence may vary from process to process, there is ultimately a consistent hard ceiling. WASH committees are not given the responsibility to set budgets, and community protection volunteers do not make programme management decisions. Here, several respondents highlighted the limitations of the status quo in Cox's Bazar through comparison with the refugees on the Thai border, where services are frequently delivered through refugee-led, local organisations that are often tied to mechanisms of political representation (although any movement toward this kind of model would currently be heavily limited by Bangladeshi government policy).³²

The motivations behind handing over more programme activities to refugees also require careful consideration. While often framed as the need to support more effective programming and foster greater refugee 'ownership' of activities, delegation of activities was also frequently discussed in terms of making programming more cost-efficient and sustainable in the medium term. As one UN agency field staff member explained, 'Once we used to provide the service with our paid volunteers. Since this is a long-term programme, we are gradually motivating [refugees to do the work themselves] to make it sustainable.' While this is realistic in light of shrinking budgets, there is a danger that programme handover driven by cost-efficiency concerns will tend to further focus on the needs of programmes, rather than the people they serve. There is also an ethical question that needs to be posed about reframing paid labour as community volunteerism in an environment where refugees are starved of resources and opportunities for paid employment are scarce – especially when transfer of responsibility

32 See Horstmann (2016) for a more comprehensive description of the 'humanitarian landscape' on the Thai border.

is not accompanied by handover of power. At worst, delegating activities to refugees in ways that are largely stripped of emancipatory intent risks simply co-opting their time for programmatic ends, or exploiting them in the service of value for money.³³

4.4 Towards more refugee-led processes?

This section explores spaces that offer greater potential – realised or otherwise – for refugees to take a more substantive role in deciding and achieving their own priorities. So far, there is little evidence of any widespread commitment to move beyond humanitarian-led efforts supported by refugees toward providing humanitarian support to refugee-led initiatives. To an extent, this trend reflects the narrow political space available to do so, and the wider challenge of social fragmentation of the refugee community prior to and as a consequence of displacement. However, it also points to a degree of discomfort among humanitarian actors when engaging with spaces – such as emergent community committees or fledgeling CSOs – that operate outside the direct control of the response. This is grounded in understandable concerns over legitimacy, inclusiveness and risk. Yet there is also a question of whether these spaces are being held to a double standard. As discussed in section 4.3, spaces more directly set up and controlled by the response may manifest very similar problems, albeit articulated in different ways. The comparative absence of ‘letting go’ in existing approaches to participation also suggests that its emancipatory component – in terms of building solidarity and autonomy to address challenges on refugees’ own terms – is not yet a priority in the bulk of the response. Here, the empowerment-focused approaches of inclusion-mandated organisations represent important exceptions, while also highlighting the limits of addressing marginalisation within specific silos.

4.4.1 Block committees and the wait for elections

Since the start of the response, site management actors in particular have made efforts to establish representative structures at block level (an administrative unit, with one block containing multiple sub-blocks). These have not been universally rolled out across all camps or in the same way, with approaches and coverage varying according to which organisation provides site management support in a given camp. In contrast to sector committees, these bodies aspire to create spaces for more open-ended interaction and information exchange between refugees and humanitarians, as well as offer opportunities for refugees to be directly involved in identifying and prioritising activities to their communities. As elsewhere, they are constituted with the aim of ensuring inclusion for women, youth and people with disabilities.

Humanitarian interviewees were able to highlight clear instances where these groups had been involved in negotiations with site management teams around which activities should be prioritised given time

33 Carruth and Freeman (2021) explore in more depth the exploitative aspects of refugee labour in which refugees are alienated not from the traditional Marxian means of production, but from the means of decision-making: their labour bolsters the financial efficiency from which NGOs derive their competitive edge with donors in a marketised humanitarian sector.

and resources – for example around which quick-impact infrastructure projects were most urgently needed. However, beyond these specific discussions there was reportedly a wider struggle to sustain engagement in a context where conversations are often ‘about everything’ and much of the feedback results in no meaningful outcomes. Here, there was concern that these bodies were not able to ‘compete’ with the Mahji system because they did not have the same level of engagement or legitimacy with CiCs and hence lacked a clear link to power. While plans were in place within the site management sector to link existing committees to CiC-led camp coordination meetings, these had yet to be rolled out or systematised at the time of research. Overall, these groups were not generally highlighted as being important or influential actors within the response by either humanitarians or Rohingya community members.³⁴

Up to a point, block management committees are a stop-gap in the absence of the planned roll-out of camp-wide elections, which many humanitarian interviewees viewed as a major missing piece in the route towards a more genuinely participatory response. By formalising representation within the Rohingya community according to a transparent, standardised system, elections are seen as an opportunity to definitively replace the Mahji system with a less corrupt and more accountable model of community leadership, as well as providing a legitimate basis for refugees to enter decision-making spaces.

However, it is not yet clear how far this system will result in more power being handed over to refugees. Documentation laying out the proposed system for elections devotes a substantial amount of space to the process of implementing elections and how the pyramid of representation will flow up through a series of committees from sub-block to block to camp. However, there is less detail on what representatives will actually do, and which decision-making processes they will be able to engage in once elected (RRRC, 2019).³⁵ If elections do happen, there is clearly scope for these roles to evolve over time, but at present the process risks being an end in itself without further elaboration. As some UN interviewees pointed out, there is little evidence available on how far elections piloted in a small number of camps have resulted in more influence for communities. It is also important to be realistic about how far they will resolve the issues of legitimacy and accountability that characterise the current Mahji system. Previous research has shown that elections may not de facto confer legitimacy on winning candidates, since results may end up being pre-determined by community power dynamics as much as through anonymous ballots (Coyle et al.,

34 Where Rohingya community members discussed refugee representation above block level, it was with reference to the ‘head Mahji’ serving as the main liaison between CiC and sub-block Mahjis within each camp.

35 For example, the main roles of camp-level committees are laid out as: (1) representing the views of refugees to site management and CiCs; (2) convening committee meetings; (3) reporting on these meetings to site management and CiCs; (4) promoting ‘harmonious relations’ among refugees and with host communities; (5) ‘mobilizing and sensitizing the refugee community on various issues’; and (6) taking part in camp coordination meetings (paraphrased from RRRC, 2019: 10–11). Apart from point 6, the links here to the exercise of power or specific decision-making processes are strikingly vague, despite the stated expectation that elections will facilitate the ‘meaningful and substantive participation of refugees in decisions impacting all aspects of their lives’ (ibid.: 3).

2020a).³⁶ Moreover, with the proposed roles of elected representatives similar in some respects to those currently performed by the Mahjis (and similarly uncompensated), opportunities for corruption – as well as the accountability dilemmas that come from being squeezed by CiCs, ARSA and other powerholders within the camps – are likely to persist.

There is also a risk that while elections pose a neat answer to the problem of legitimate representation – allowing refugees to ‘come to us as a federation’ as one UN respondent put it – elected representatives may end up being seen as the main legitimate representatives of the Rohingya. This potentially risks crowding out other actors that might bring differing views to the table – whether civil society or community-based structures – when it comes to accessing resources and decision-making spaces (Olney, 2019). Again, the current model for elections is relatively quiet on how politics – in terms of negotiations between different sets of interests – will actually work within the system. While committees are expected to solicit the views of their constituents and community organisations in their areas, how far this would translate into minority positions being dispassionately listened to and synthesised is an open question, especially in the absence of the kinds of checks and balances (such as pluralistic civil society or media) that characterise more fully fledged democratic systems.

4.4.2 *Shomaz* committees: the missing piece?

One institution strikingly absent from humanitarian discussions of refugee representation is the sub-block level *shomaz* (community) committee. These bodies were present in all sub-blocks covered by the study and are reportedly common across the camps (ACAPS, 2021). Focused around maintaining the sub-block Mosque as a centre of social and political life, *shomaz* committees perform various functions, including the organisation of religious affairs, redistributing wealth through traditional Islamic practices of alms-giving (*zakat*) and resolving disputes. *Shomaz* committees were a common feature of Rohingya communities prior to displacement. However, the fragmentation of communities during displacement has meant that equivalent bodies in the camps have generally been formed from scratch, meaning that the social and material basis from which they derive legitimacy and exercise authority is still comparatively fragile (Coyle et al., 2020a).³⁷ Nevertheless, respondents for this study suggested that these bodies often still play an important role in the life of their communities.

While compositions vary between blocks, committees generally include both the Mahji and a range of other actors including Imams and other religious leaders, respected elders (often representing the

36 One respondent reported that internal research conducted by UNHCR in 2019 suggested that only around half of the population expressed interest in choosing their leaders by election.

37 In their analysis of *shomaz* structures that have reformed since displacement, Coyle et al. (2020a: 27) explain that post-displacement *shomaz* ‘are imagined and experienced as disconnected social units that lack the necessary wealth to reproduce *izzot* and thereby recreate connection, unity, and belonging among members. Without *gusshi* as organizational structures supporting the *shomaz*, it felt to participants that there was a vast number of households whose voices lacked intermediaries to consolidate perspectives, achieve consensus and discourage dissent.’ *Izzot* here refers to the social standing of individuals and groups within communities that is built up through religious piety, financial wealth and educational achievements.

main family or kinship structures (*gusshi*) within the sub-block) and educated people. As such, they generally tend to involve people with high social capital, and exclude women, youth and other socially marginalised individuals or households. Nevertheless, they do offer a forum that – albeit to varying degrees of effectiveness – can define, negotiate and represent the collective interests of a given sub-block. Critically, by embedding the Mahjis within a broader set of moral expectations and power dynamics, *shomaz* committees also can serve as a check on their authority. In one research site, for example, decisions taken by the Mahji were discussed and ratified by the *shomaz* committee prior to being finalised, while in others, committees had organised in opposition to the Mahjis, going so far as to petition CiCs for a change in Mahji or other forms of redress.

While humanitarian actors did report involving actors who would normally form part of the *shomaz* committee in consultative processes, direct engagements with the committee as a structure in its own right were rare. This potentially represents a missed opportunity to help institutionalise more broad-based forms of community leadership, which could in turn serve as a political lever to balance the power of the Mahji. In addition, many community members voiced frustration with the lack of support from humanitarian agencies for some of the activities organised by the *shomaz* committee, especially concerning the maintenance and upkeep of the Mosque or Madrassah. While these institutions would generally be considered out of scope for humanitarian programming, they were highlighted by many community members as an important part of communities' collective needs in terms of their role in supporting social cohesion (see Box 6 for a thought experiment on transferring economic power to a community).

Box 6 What might (one kind of) community-led programming look like?

There is widespread scepticism among humanitarian actors about handing over direct power to communities, with concerns especially prevalent when considering budgeting or handling cash. This in part stems from the belief that the government would never allow this to happen, but is also linked to fears that handing over financial oversight would risk generating tensions within communities, or result in corruption and aid diversion.

During interviews, refugees were asked to take part in a thought experiment and consider what might happen if their block was given 25,000 Bangladeshi Taka (approximately \$295) to spend. Very few respondents were actively against the idea, even in blocks where Mahjis had been widely accused of corruption, or where respondents talked openly about their concerns related to ARSA's influence in their communities.

Interviewees generally proposed the money should be managed through a collective and transparent process involving both the Mahji and other trusted community members, especially the *shomaz* committee. Decision-making around how the funds should be spent was generally expected to be a communal process, which would involve mass meetings and collective discussion. Refugees suggested control over funds be held by someone other than the Mahji, and often by two co-signatories. It was thought that this management structure would offer sufficient checks and balances to minimise the risk of diversion, even in a context where mutual trust among community members is often low due to the experience of displacement (Coyle et al., 2020a).

In terms of what the money should be spent on, respondents were clear that the funds should be channelled towards meeting the individual and collective needs that were not currently being met by the response. Therefore, the funds would help to fill and patch gaps rather than support services that already exist. As a result, many respondents recognised the importance of this funding for supporting community social institutions such as the Mosque and Madrassa.

However, by far the most common suggested use was for establishing emergency funds to support community members in need. Respondents felt these funds were needed as they perceived current targeting approaches employed by the response as patchy or unpredictable, and widely failing to meet the needs of the most vulnerable people in their communities. The main anticipated recipients of these funds were both individuals and households widely perceived as vulnerable – such as widows, the elderly and people with disabilities. However, they also included (and often overlapped with) people unable to cope with the experience of dynamic shocks such as healthcare crises, or socially expected costs such as funeral expenses, or the need to pay dowries. Many of this latter category are either hard for humanitarian actors to identify, or would not meet externally imposed criteria of need or vulnerability.

4.4.3 Rohingya civil society: stuck on the margins

Since the early stages of displacement, a variety of CSOs have been established by Rohingya activists working in the camps. As distinct from *shomaz* committees or other structures grounded within specific communities, these groups tend to be more cross-cutting in their structure, drawing members from across different areas of the camps. Some organisations have placed a strong focus on rights and justice, most notably mobilising demonstrations to demand accountability from ongoing proceedings against Myanmar at the International Court of Justice and the International Criminal Court (Olney, 2019; Sullivan, 2020). Others have focused on service provision, such as providing independent education based around the Myanmar curriculum due to widely perceived inadequacies in the education offered by response-run learning centres (Olney et al., 2019). The tightening of government restrictions in August 2019 and the Covid-19 pandemic have both reportedly reduced the operating space for many groups, and since 2019 there has been a general reorientation away from politics and towards service provision as a way to avoid the unwanted attention of camp authorities (CPJ, 2021).

Humanitarian actors have had an ambivalent relationship with CSOs over the course of the response. At strategic level, political engagement by senior leadership within both ISCG and RRRC was reportedly more active prior to August 2019, but has since dropped off following leadership turnover at both bodies, and a more hard-line approach toward Rohingya activism in general. Here, one senior UN respondent pointed out that any formal engagement with CSOs was ultimately at the discretion of the government as overall response lead. Elsewhere in the response, efforts have primarily revolved around mapping CSOs (e.g. CwC Working Group, 2019) and engaging them in various communications initiatives or consultative processes, whether at field level or via back channels. This has been coupled in some cases with limited efforts at providing direct support, although legal restrictions prevent the transfer of any funding. Here, previous HPG research has documented how their inability to access funds has cut Rohingya CSOs out of debates around the need for the response to become more locally led, which have so far been framed primarily around the priorities of Bangladeshi organisations (Wake and Bryant, 2018).³⁸

While some NGO and UN interviewees highlighted civil society engagement as a major gap in the response and pointed to a need for clearer strategies to do so, other humanitarian actors working more closely with CSOs reported CSOs' widespread reluctance to engage. This was reflected in the experiences of CSO members themselves. As one interviewed for this study explained:

They're not willing to listen to us, they don't highlight what we're suffering, they just implement what they want according to their project and their principles. It means we're not included anywhere.

38 This power asymmetry between Bangladeshi organisations and Rohingya CSOs in terms of their ability to influence the response echoes similar dynamics in Rakhine state. There, efforts by international CSOs to engage civil society focused on Rakhine-led CSOs; with political suppression preventing the formation of equivalent Rohingya organisations, the interests of Rohingyas were not directly represented in these processes (see for example Aaron, 2016).

For NGOs in particular, engagement with CSOs in the current political environment carries real political risks. A number of organisations were banned from working in the camps immediately following the demonstration of 25 August 2019 on the grounds that they had helped organise the event and were hence undermining the government's authority. Engaging with CSOs may also not be seen as relevant for many organisations or programmes. As one site management actor pointed out, while engaging with community-based structures was felt to be a core component of their activities, CSOs were 'out of our jurisdiction ... [though] it's good to know what they're doing.' With CSOs largely cut out of the normal hierarchies of programme implementation – they do not serve as implementing partners or sit on sector working groups – there are few natural entry points for them to engage with the response in any structured way. Reflecting this, Rohingya (as distinct from Bangladeshi) civil society has received virtually no mention in successive JRPs since the start of the crisis.

A deeper issue may relate to the challenge of engaging in a messy and unpredictable space. Despite holding similar objectives, relations between CSOs can be marked by competition and conflict (Wake et al., 2019) in a context where opportunities for resourcing and support are extremely limited. The question over the legitimacy and inclusiveness of Rohingya CSOs has also been the subject of significant debate. While several women and youth-led CSOs have emerged, much of the space remains male-dominated, and the leadership of many groups tend to be educated elites whose attitudes and priorities may not be reflective of the wider Rohingya community (Coyle et al., 2020a; Wake et al., 2019). CSOs have not yet managed to build broad-based constituencies within the camp population, and none of the community members interviewed for this study referred to these groups as important actors either in their communities or in the wider context of displacement (similar results were reported in Coyle et al., 2020a).

However, it is important to ask to what extent these groups are being held to an impossibly high standard. As one NGO respondent pointed out, CSOs represent interests rather than constituencies, and this is as true in the Global North as it is in the camps. There is also a sense in which CSOs are currently caught in a catch-22 scenario. Years of suppression in Myanmar and the constraints of displacement mean that emerging CSOs are likely to be fragile and underdeveloped, since they have little to build on in the way of past experience or existing structures. Yet if this is used as a pretext for disengagement by humanitarian actors, critical opportunities to address these weaknesses are shut off. In this respect, another NGO interviewee highlighted the need for humanitarian actors to move beyond often instrumental relationships with individual CSOs, and toward protecting and enlarging the space in which they operate:

The humanitarian community can have a critical role to play, but right now we're just using them to implement programmes and get info, rather than creating a network that can work with each other, rather than empowering the response as a whole.

This reflects trends in other contexts, in which the maintenance of shrinking civic space is often a blind spot for humanitarian organisations, despite the role local civil societies can play in facilitating better accountability or more locally led action (Roepstorff, 2020; Cunningham and Tibbett, 2018).

Ultimately, it is important to acknowledge that despite its weaknesses, mobilisation by CSOs has been one of the few outlets through which refugees have tried to make structured demands of humanitarian actors at a more strategic level, as well as playing a more active role in setting the terms of debate. A prominent example here is the campaign against the joint government–UNHCR registration process carried out in 2018, due to its perceived similarities to a toxic citizenship verification process carried out in Myanmar prior to displacement. Culminating in a strike of NGO volunteers and shopkeepers, these efforts eventually resulted in a field for ethnicity being added to the registration form in response to refugee demands (Olney, 2019). Without some kind of organising outside the humanitarian response, there is a risk that feedback and negotiation will remain focused on practical issues at the level of the sub-block, facility or programme, and corralled within consultative processes controlled by humanitarians.

4.4.4 Self-help groups: bridging inclusion and participation

At the intersection between spaces structured by the response and those emerging independently, self-help groups set up by various humanitarian actors offer a rare example of an initiative in which inclusion and empowerment of marginalised individuals are the main driving force. Focusing on women, people with disabilities, older people, and people with diverse SOGIESC, these have often been established by NGOs or UN agencies that have inclusion as a core component of their mandate. The initial focus of these groups is often on building confidence and solidarity, usually within the framework of delivering psychosocial support. As one humanitarian interviewee pointed out, this is seen as essential because previous experience of marginalisation may limit people’s ability to engage with consultations as much as a lack of access:

When organisations come to plan activities, they do consultations. Before, they did not involve PWDs, or they only try to involve one or two people and they think this is enough. But this isn’t inclusive – they are participating but it is not effective inclusion. People need to understand their rights to formulate opinions (INGO respondent).

Many of these groups will need external facilitation in the initial phase due to the degree of marginalisation or social isolation experienced by the people they are trying to support. However, they will ultimately function more or less autonomously, identifying their own priorities for action and linking up with other decision-making spaces such as sectoral or block committees. At present, many of these initiatives are at an early stage and their impact on wider decision-making is unclear. However, evidence from other initiatives that were focused on confidence-building and leadership skills highlights how important these can be in supporting more meaningful engagement for marginalised groups with consultative processes or decision-making structures (see Coyle et al., 2020b; Dietrich Ortega et al., 2020).

One of the main challenges for these approaches is that they tend to be limited to specialist inclusion-focused NGOs, with other organisations generally lacking the expertise or the interest to engage in similar work. As a consequence, the footprint and resourcing of many such activities is limited to the operational presence and funding of a handful of specific organisations – which are often only active in a small number of camps and are dwarfed by the scale of larger organisations’ programming. In this

respect, interviewees working at these organisations highlighted the important role of the Age and Disability Working Group (established in 2019 under the protection sector) in terms of linking work at the grassroots level with advocacy around good practices for inclusion within the wider response. However, this raises a wider question of what is lost when approaches supporting this kind of organising and collective action are largely siloed within a small group of actors focusing on specific sub-sections of the refugee population, rather than being applied more broadly.

5 Conclusion and recommendations

The context in Cox's Bazar is a profoundly challenging one in which to meaningfully and inclusively involve communities in decisions that affect their lives. Prolonged experiences of disenfranchisement and erosion of civic and social institutions, restrictive gender norms, language barriers and the dislocating experience of displacement itself all combine to pose significant practical challenges to participation. So too does the sheer scale of the crisis and the stretched resources available to meet it. These issues have been substantially compounded by the approach taken by the Government of Bangladesh, which has heavily restricted and continues to squeeze the space for participation as part of a wider agenda of containing the refugee problem, with a view to swift return. At the same time, many of the dynamics observed in this study are strikingly similar to those observed by research in other contemporary settings (e.g. Kaga, 2021 in Lebanon; Barbelet et al., forthcoming in Northern Nigeria), as well as echoing widely criticised approaches to managing encamped refugee populations during the 1980s and 1990s (Harrell-Bond et al., 1992; Crisp, 2003; Verdirame et al., 2005). This points to a number of possible implications for the Rohingya response and beyond.

5.1 Basics and beyond

With the crisis now entering its fifth year, many actors are still struggling to get the basics right on participation. Feedback loops are not being properly closed, complaints and feedback processes are a dysfunctional and alienating experience for many refugees, and Rohingya voices are excluded from having a meaningful say in setting strategic or operational agendas. Overall, there is little here to support the assumption that protracted displacement is creating space for deepening participation over time. Rather, experiences in Cox's Bazar highlight the risks of leaving participation as a secondary priority, to be dealt with later on. Since 2017, the response has been in a state of near-constant flux, frequently lurching from one mini-crisis to the next, and running just to stay still. In this environment, participation risks being constantly deferred under the weight of more immediate priorities. And just as parts of the response have become more open to more involved approaches, the political window for doing so has started to narrow rapidly.

In this respect, it is arguable that prioritising participation – like other aspects of inclusion – cannot simply wait for more favourable conditions. This does not mean attempting to hold elections or hand over extensive responsibilities within weeks of the onset of a crisis; rather, it highlights the need to carve out and protect political space and set expectations from the earliest possible stages. This is linked to questions of leadership: without a clear set of objectives or guidance delivered forcefully from the very top of the response, participation is always likely to play out unevenly and be divided into technical silos rather than widely adopted into a standard way of working.

In a protracted, potentially generational crisis setting like Bangladesh, deepening participation will ultimately require a move toward more sustained forms of engagement and power transfer that go well beyond the relatively superficial ambitions of current, consultation-led humanitarian programme

models. Here, efforts to realise a more complementary ‘nexus’ of humanitarian and development assistance could involve learning to think and act more like development or multi-mandate organisations – backed up by flexible, longer-term support – when considering what participation is supposed to achieve and how. This stands in contrast with the current limited focus of nexus efforts on leveraging development financing, or strengthening development efforts in affected host communities (e.g. SEG, 2020: 29).

5.2 Foregrounding rights

Perhaps the most critical lesson humanitarians could adopt from parts of the development sector is to reframe the objectives of participation around realising rights. In the context of a crisis that is deeply underpinned by the systematic denial of human rights to an entire population group and its profoundly disempowering consequences, the language of rights and empowerment is oddly absent from humanitarian discourses on participation. Instead, participation continues to be seen largely in terms of improving programme effectiveness and efficiency. Reframing participation as a right could help to ensure that it is seen as a central component of all activities rather than an optional extra or separate technical process. It could also reset the focus on refugees and their capacities, with participation efforts built around supporting them to realise their rights – to access quality services, or receive equitable treatment – rather than on simply improving programming. This will also necessarily require a stronger focus on the processes of marginalisation through which rights are denied or suspended in the first place. This could help humanitarians go beyond well-intentioned but shallow approaches to inclusive participation that focus more on the symptoms of exclusion – such as women’s absence in public spaces – rather than their root causes. Here, the more explicitly rights-based, open-ended approaches to participation adopted by inclusion-focused organisations working with the most marginalised populations could serve as a blueprint for wider efforts.

5.3 Letting go, embracing pluralism

Evidence explored in this report suggests an underlying discomfort with the forms of representation that have emerged or evolved within Rohingya communities since the start of the crisis. While humanitarian actors do engage in these spaces, the bulk of resources and support around strengthening participation appear to be focused on efforts that are more directly managed and controlled by the response. Current processes of representation within Rohingya communities certainly present a number of challenges, whether in terms of the concentration of power among unelected actors, the fragile underpinnings of community self-organisation, the fragmentation and weak constituencies of CSOs, or the widespread exclusion of women and other marginalised groups from many of these spaces.

However, while these concerns are valid, there is a danger in making perfect the enemy of the good. Problematic as they are, community leadership structures in the Rohingya response are central to people’s lived reality, and the risks of working more closely with them need to be weighed against the question of what is lost through a lack of more pragmatic engagement with existing structures. It is also

important to avoid applying double standards to spaces for participation within Rohingya communities and the spaces proposed or established by the response. While these ‘invited spaces’ can and do have important roles to play, they may not necessarily be more relevant or legitimate in the eyes of communities, with agendas and objectives still largely determined by outsiders.

Ultimately, none of the structures and processes discussed in this report fully meet the challenge of ensuring inclusive representation – all have limitations in terms of which groups and interests they represent and exclude, and the kinds of discussions they can foster and take part in. There is thus a clear case for a greater embrace of pluralism in how the response understands and supports participation. A stronger civil society writ large – one encompassing collective organisation that is both community-based *and* externally facilitated, locally grounded *and* cross-cutting, and revolving around constituencies *and* interests – has the potential to contribute to greater involvement of refugees in more decisions, even if it carries with it the risk of greater uncertainty and potential for conflict. As one humanitarian interviewee summarised, having a range of ways for communities to participate in the response also offers an avenue to support greater inclusion:

We need to establish a mechanism to catch people who fall through the cracks, and they may fall into different groups at different times. They need to be able to come to us on their terms and not pre-defined access points.

5.4 Recommendations for actors in the Cox’s Bazar response

5.4.1 To response leadership (SEG, ISCG and HoSOG)

- Mandate and commit to a response-wide strategy for AAP, building on the CwC Working Group’s 2019 AAP manifesto. While this is unlikely to be endorsed by the government as part of the JRP process, it can nevertheless serve as a strategic tool to clearly define desired AAP outcomes and hold partners to account in achieving them. The IASC Results Group 2 (RG2) on Accountability and Inclusion has developed an over-arching framework and results tracker that can inform the development of this process. However, this should also be contextualised through direct refugee involvement and review.
- Ensure continued direct involvement of refugees in prominent events and processes such as the JRP development or dignitary visits. While this may involve an element of tokenism, it remains important in demonstrating a visible commitment to refugee involvement. This should be matched with red lines on engaging with processes – especially around relocation and returns – where refugees are not properly consulted.
- Ensure that preserving political space for participation remains central to advocacy agendas with the government at national and local levels. Ensure these efforts are informed by and aligned with similar efforts among partners, such as those coordinated by the NGO platform or advocacy working group.
- As a complement to this, fund efforts to support Rohingya research capacity and Rohingya-led research.

5.4.2 To donors

- Prioritise multi-year, flexible funding as a way to deepen relationships with refugee communities and groups, and provide the necessary time and space for learning and co-creation. Work with UN agencies and their implementing partners to ensure sub-grants delivered through the UN are issued along similar lines.
- Expand funding for activities aimed at strengthening participation of women and girls, people with disabilities, people with SOGIESC and other marginalised groups. Working with partners to ensure similar opportunities are available across the response and not just within the catchment areas of specific organisations.
- Channel development resources towards support for emancipatory aspects of participation – such as developing leadership, building solidarity, or strengthening civil society – that may not sit within humanitarian mandates or timelines. This may involve working creatively with partners and refugees to identify approaches that can contribute to empowerment objectives while ‘flying under the radar’ or working with existing institutional norms in terms of political sensitivities.
- Develop and agree on common AAP objectives within the donor group – again, building on the tools developed by RG2 – and use these as points of leverage when engaging in advocacy with the government, response leadership and partners.

5.4.3 To sector leadership

- Review and clarify the role of sectoral committees in terms of strengthening participation. Adopt approaches such as community score cards³⁹ to re-centre committees around accountability and minimum standards, rather than simply programme support. Additional resources to support confidence-building and leadership skills for committee members may be needed in order to ensure more meaningful engagement.
- In parallel, explore ways for sectoral committees to become more directly involved in setting strategy, for example by participating in and reviewing needs assessments, or structuring their input into policy processes.
- Document lessons on current approaches to the inclusion of women and other marginalised groups within committee structures and modify strategy where relevant. This may involve working to develop links with other inclusion-focused spaces, such as women’s committees and or self-help groups for people with disabilities, as a means to ensure the presence of marginalised groups is matched by effective representation of their specific interests.

³⁹ Recommended in the SPHERE Handbook (Sphere Association, 2018: 65), this approach involves regularly bringing community members and service providers together to discuss, agree on and publicise how services are performing according to commonly established standards, and to develop solutions. For further guidance see CARE (2021).

- Ensure that efforts to strengthen locally led action within the sector create space for Rohingya CSOs working on relevant issues to engage with the coordination system. This could involve direct participation via videoconferencing software, or through partner organisations acting as proxies.⁴⁰

5.4.4 To implementing agencies (UN, NGOs and the Red Cross movement)

- Offer relevant training to Mahjis to ensure they are better able to implement their current intermediary roles, such as the structure and functioning of camp-level coordination systems or basic principles of inclusion.⁴¹
- Work with communities to create or strengthen trusted intermediaries – such as female representatives or *shomaz* committees – as an alternative to Mahjis who do not perform their roles effectively or exclude certain groups.
- Engage directly with *shomaz* committees in consultation processes, especially those relating to activities focused on specific blocks or sub-blocks. Doing so offers a way to ensure that communities' collective needs are properly understood; that feedback loops can be more effectively closed by engaging with a wider group of influential people on a repeated basis; and that *shomaz* committees are strengthened and legitimised in their role to support community cohesion and as a check on the power of the Mahji. Any such engagements should be informed by an analysis of who is left out of such processes – such as women and girls – and ensure that alternative pathways for participation are created.
- Work to incorporate volunteers in aspects of the programme cycle beyond delivery, such as project planning or review processes, and bring them into regular direct contact with Bangladeshi and international colleagues. This could involve holding more meetings inside the camps, or including volunteers remotely via videoconference, as well as investing in translation capacity.
- Work to understand and address prejudice and assumptions related to the Rohingya among both frontline and technical staff, and ensure a rights-based approach to participation is part of regular sensitiation and wider organisational cultures.
- Adapt and pilot survivor and community-led response (sclr) programming models in the Cox's Bazar context. This approach has been used in multiple crisis contexts as a way to support autonomous collective self-help among crisis-affected communities, working as a complement to more formal humanitarian aid. Through a mixture of community-based participatory techniques and resource transfers, it aims to support communities in identifying and meeting their most urgent needs, strengthen dignity and social cohesion, and support locally led efforts to address marginalisation and exclusion (Corbett et al. (2021) provide a comprehensive overview of the sclr process, challenges to implementation and possible solutions). While the Cox's Bazar context presents significant obstacles to some elements of sclr, there is clear scope to learn from the experiences of practitioners in other countries and incorporate relevant elements of the approach into new programming.

40 Balibuno et al. (2020) describe an example in the Democratic Republic of Congo's Ebola response where organisations with strong partnership networks played an intermediary role between local faith-based actors and the wider response, facilitating regular meetings with these actors and ensuring findings were fed into coordination systems.

41 A recent TWB (2020) report also identifies language barriers as a significant impediment to Mahjis carrying out their roles.

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