

Navigating Barriers: Access to Justice and Legal Protection for Rohingya Refugees in Bangladesh

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Abstract

The Rohingya refugee crisis is an immense humanitarian challenge in South Asia. More than one million Rohingya individuals from Myanmar currently reside in refugee camps in Cox's Bazar, Bangladesh, due to persecution and violence in their native country. Despite Bangladesh's considerable humanitarian gesture in offering sanctuary, the lack of a legal refugee protection system has impeded the Rohingyas' ability to seek justice. Protection of justice for these stateless Rohingya refugees entails many legal, institutional, and socio-political barriers. Ensuring access to justice for these stateless Rohingya refugees requires navigating complex legal, institutional, and socio-political barriers. This study examines the justice-seeking processes available to Rohingya refugees in Bangladesh, identifies the principal barriers to accessing these mechanisms, and evaluates the effectiveness of existing legal and policy frameworks. The study used a mixed-method approach, integrating qualitative interviews, focus group discussions (FGDs), and legal content analysis, revealing that structural discrimination, absence of legal identity, inadequate institutional capacity, and restrictive national laws substantially impede access to justice. The findings reaffirm the pressing need for policy reforms, legal empowerment efforts, and enhanced institutional collaboration across state agencies, NGOs, and other international organizations. The study suggests policy recommendations to incorporate access to justice into a comprehensive framework of human rights and sustainable solutions for the Rohingya refugee crisis in Bangladesh.

Keywords: Rohingya refugees, Access to justice, Legal protection, Bangladesh, Legal barriers, refugee policy, and Advocacy.

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1. Introduction

1.1. Background

The Rohingya crisis has emerged as a significant humanitarian and legal concern of the 21st century. Following the major influx in 2017, over one million Rohingya refugees have resided in Cox's Bazar, Bangladesh (UNHCR, 2023). Despite Bangladesh's remarkable humanitarian commitment, the nation has not accepted the 1951 Refugee Convention or its 1967 Protocol. As a result, the legal status of Rohingya refugees is unclear, placing them in a protection void (Rahman, 2020). The phenomenon of "legal invisibility" (Rahman, 2020) renders refugees susceptible to human rights violations, characterized by limited freedom of movement, insufficient paperwork, and negligible access to formal legal recourse. In reaction to the 2017 surge of violence in Myanmar's Rakhine State, local communities, the government, and civil society organizations in Bangladesh have delivered essential humanitarian assistance, encompassing food, housing, medical care, and other necessities. Although this urgent assistance has been vital, it is increasingly imperative to tackle the long-term requirements of the Rohingya through rights-based strategies as their displacement continues and the circumstances worsen (Pereira et al., 2021). Access to justice, a core tenet of the rule of law, is crucial for protecting the rights of vulnerable populations, including refugees. For the Rohingya, justice is frequently impeded by legal invisibility, restricted movement, linguistic obstacles, and inadequate institutional access (Uddin & Ahmed, 2022). A comprehensive comprehension of the legal safeguards afforded to Rohingya refugees under national laws and regulations is essential for legal service providers and legal practitioners to guarantee the fulfilment of their rights (Merritt, 2017). The Rohingya have endured decades

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of systematic persecution and human rights abuses, intensified by their statelessness following the revocation of their Burmese citizenship in 1982. In 2017, around 745,000 Rohingya fled to Bangladesh due to violent assaults by the Myanmar military, which the UN Fact-Finding Mission classified as “undoubtedly amounting to the gravest crimes under international law” (UNOHCHR, 2018). The Government of Bangladesh (GoB) has demonstrated remarkable solidarity in accommodating these refugees, particularly when affluent nations have been hesitant to fulfill their refugee obligations (Rahman, 2010). Therefore, although humanitarian assistance is essential, it must also address the Rohingya’s legal requirement for safety. A significant number of refugees who came earlier in Cox’s Bazar remain without formal refugee status, hindering their access to the comprehensive services and rights protections usually afforded to refugees, including effective judicial systems. This study investigates the conceptualization and experience of justice among Rohingya refugees in Bangladesh, while analysing the involvement of government institutions, local courts and tribunals, and humanitarian organizations in addressing their legal issues.

1.2. Problem Statement

The Rohingya refugee crisis has become one of the most enduring humanitarian and legal dilemmas in South Asia. Following the substantial influx of Rohingya refugees from Myanmar in 2017, Bangladesh has accommodated over one million displaced individuals in camps primarily located in Cox’s Bazar. Notwithstanding Bangladesh’s praiseworthy humanitarian efforts, the lack of a formal refugee protection system and legal recognition has resulted in a considerable protection deficit. Rohingya refugees continue to be stateless and marginalized from the national court system, precluding them from pursuing redress for rights breaches or settling disputes via formal legal avenues. The prevailing justice systems in the camps are primarily informal, managed by community leaders (Majhis) or NGO facilitators, frequently lacking procedural fairness, openness, and gender sensitivity. Women and marginalized groups encounter supplementary obstacles stemming from cultural constraints, stigma, and restricted access to legal aid. Moreover, institutional fragmentation among governmental bodies, international entities, and non-governmental groups has undermined coordination and accountability within the legal system. This circumstance highlights significant issues about the efficacy, inclusivity, and sustainability of existing justice institutions for the Rohingya population. The issue, consequently, resides in the lack of a holistic and rights-oriented framework that guarantees meaningful access to justice and legal safeguards for refugees in Bangladesh. To address this gap, it is essential to analyse the current legal and institutional frameworks, identify systemic barriers, and propose policy solutions that correspond with Bangladesh’s human rights obligations and international norms.

1.3. Objectives of the Study

The primary objective of this study is to improve access to legal aid services for Rohingya refugees, enable them to assert their rights, bolster the capabilities of justice institutions to provide effective justice, and refine the legal and policy framework regulating the rights of Rohingya refugees in Bangladesh. The specific objectives of the study are as follows:

- a) Identify and analyse the legal and institutional frameworks that govern refugee protection and access to justice in Bangladesh;
- b) Analyse the barriers faced by Rohingya refugees in pursuing justice;
- c) Assess the roles and effectiveness of government, non-governmental organizations, and international entities in tackling these issues; and
- d) Suggest policy proposals to enhance access to justice and legal protection for Rohingya refugees.

1.4. Significance of the Study

The persistent Rohingya refugee crisis in Bangladesh, has garnered substantial international focus due to the extensive humanitarian requirements and the pressing necessity for legal protections for more than one million displaced persons. The Rohingya, having escaped systemic persecution and brutality in Myanmar, encounter significant vulnerabilities in Bangladesh, chiefly due to their statelessness and absence of legal recognition. In the Cox’s Bazar District, there are presently 34 camps accommodating roughly 854,704 Rohingya refugees. This study concentrates on particular regions inside Cox’s Bazar, namely Ukhiya, Teknaf, and the Kutupalong New Extension Camps 3, 4, 6, and 7 in Ukhiya, as well as camps 21, 26, and 27 in Jadimura, Kerontoli, and Shalbagan in Teknaf. The physical safety of refugees in these camps continues to be a major issue. The refugee demographic, especially women and girls, encounters many protection hazards. These encompass congestion, insufficient lighting, interpersonal tensions, severe poverty resulting in detrimental coping strategies, abusive conduct from refugee leaders, and widespread sexual and gender-based violence. The existence of criminal organizations, nocturnal thefts, banditry, and illicit operations including drug trade competition, human trafficking, and smuggling intensifies the

hazards. The absence of a definitive legal framework to regulate their rights and the stringent policies on their freedom of movement intensify their vulnerability, especially for women facing challenges related to divorce, dowry, maintenance, and guardianship due to the lack of legal recognition and documentation. These barriers hinder refugees from pursuing justice or protecting against exploitation, abuse, and gender-based violence, underscoring the necessity for an exhaustive investigation into the subject. This study is essential since it tackles the unaddressed legal and protective requirements of the Rohingya refugees. Although Bangladesh has delivered crucial humanitarian assistance, the lack of a rights-based framework for legal protections is becoming problematic as displacement persists. Refugees, particularly women and children, encounter considerable dangers in the absence of adequate legal protections, and comprehending these deficiencies is crucial for safeguarding their fundamental human rights. The absence of access to justice renders refugees susceptible and exacerbates conflicts between refugees and host communities, resulting in social instability. The study aims to enhance access to justice and legal protections to promote peace and stability in the region, benefiting both refugees and the host community. Moreover, as a signatory to international human rights treaties, including the Universal Declaration of Human Rights (UDHR) and the 1951 Refugee Convention, Bangladesh is obligated to safeguard the rights of refugees within its territory. This study seeks to examine how the nation might more effectively meet these commitments by identifying the legal barriers encountered by Rohingya refugees and suggesting solutions for their legal empowerment. These solutions are essential not only for delivering urgent safety but also for establishing the foundation for sustainable solutions, such as secure repatriation or local integration. These initiatives will ultimately foster the establishment of more sustainable policies and practices that safeguard refugee rights. Furthermore, the study's results would facilitate policy formulation by offering insights into the existing legal and protective frameworks in Bangladesh. It will pinpoint deficiencies in the legal framework and provide pragmatic solutions for the Government of Bangladesh, International organizations, and NGOs assisting refugees. By enhancing the legal framework and facilitating refugees' access to justice, the study will advance the overarching objective of establishing a more equitable and inclusive system that protects the dignity and welfare of Rohingya refugees. The study will address urgent difficulties while also contributing to the establishment of a viable framework for long-term refugee protection.

1.5. Scope and Limitations

The study addresses the Rohingya demographic in Cox's Bazar District. The analysis mostly pertains to the legal and administrative framework of Bangladesh, although some findings potentially being relevant to wider refugee contexts. The data collection was confined to certain camps and stakeholder interviews; hence, the results reflect trends rather than a comprehensive enumeration.

1.6. Conceptual Framework

The study is structured on a socio-legal paradigm that encompasses three dimensions:

- Legal framework: analysing statutory and regulatory instruments impacting refugee protection;
- Institutional framework: assessing the capacity and coordination of state and non-state justice providers; and
- Social context: evaluating community-level norms, gender dynamics, and informal practices that affect justice outcomes.

This approach contextualizes access to justice within wider discussions on human security and rights-oriented development.

2. Literature Review

2.1. The Concept of Access to Justice

Access to justice denotes the provision of equitable, effective, and unbiased means for dispute settlement (Cappelletti & Garth, 1978). It includes both procedural and substantive rights, extending beyond access to the judiciary to incorporate awareness, cost, and enforceability. In humanitarian contexts, it encompasses the acknowledgment of the right to redress and accountability for violations of rights (UNDP, 2018). Academics argue that access to justice serves as a facilitator for other human rights and as an indicator of governance quality (Golub, 2010).

2.2. Refugee Protection and International Law

The basic framework of international refugee protection is the 1951 Refugee Convention and its 1967 Protocol, which enshrine the principle of non-refoulement and the rights of refugees to legal status and protection. Despite not being a member, Bangladesh is obligated by customary international law and regional human rights commitments, notably

the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The Foreigners Act of 1946 and the Passport Act of 1920 are the primary domestic legislations governing non-citizens; nonetheless, they do not contain measures particular to refugees (Rahman, 2025). Consequently, refugees are in a legal gap between immigration regulation and humanitarian aid.

2.3. The Rohingya Crisis and Humanitarian Response

Several studies have looked at the Rohingya crisis' humanitarian dimensions. Ashraf (2021) underscores the political delicacy of conferring legal status to Rohingyas, stressing apprehensions regarding national security and resource depletion. Islam & Mia (2024) emphasize the government's coordination issues among various ministries and international organizations. Although food, shelter, and healthcare have garnered attention, justice and legal protection remain secondary in humanitarian initiatives. This exclusion sustains reliance and marginalization.

2.4. Informal Justice Systems and Refugee Communities

In numerous displaced contexts, informal judicial mechanisms like community mediation and customary councils address the void created by the absence of governmental institutions (Karanja, 2022). These mechanisms provide rapidity and cultural familiarity, although frequently exhibit deficiencies in neutrality and gender sensitivity. In the Rohingya camps, Majhis and Imams often mediate familial and property conflicts, however their resolutions may violate international human rights principles (Islam, 2025). The difficulty consists of reconciling accessibility with equity and harmonizing community standards with legal doctrines.

2.5. Gender, Vulnerability, and Justice

Gender significantly influences experiences of justice. Women and girls in refugee camps encounter increased vulnerabilities to gender-based violence (GBV), early marriage, and trafficking. Cultural constraints and apprehension of social exclusion deter people from pursuing restitution via formal avenues (UN Women, 2023). Feminist legal experts advocate for the integration of gender-responsive strategies in refugee protection policy, highlighting empowerment and involvement (Charlesworth, 1999). It is imperative to ensure women's participation in camp governance and justice systems.

2.6. Theoretical Lens

The study integrates two theoretical frameworks: - human-security theory and rights-based development. Human security broadens the notion of protection from a state-centric focus to encompass individual welfare, incorporating legal and social protections (UNDP, 1994). Rights-based development connects humanitarian aid to legal entitlements, asserting that refugees are rights-holders rather than mere recipients (Cornwall & Nyamu-Musembi, 2004). Collectively, these frameworks substantiate the incorporation of access to justice as an essential element of sustainable solutions.

3. Methodology

3.1. Research Design

This study employed a mixed-method design, combining qualitative and documentary methodologies. The combination facilitated a thorough examination of the lived experiences of refugees and the legal systems influencing those experiences.

3.2. Study Area

The study had been carried out in 33 notable Rohingya camps located in Cox's Bazar District, specifically in Ukha and Teknaf, from January 2024 to May 2025. These locations were selected based on their population density and the concentration of legal aid services.

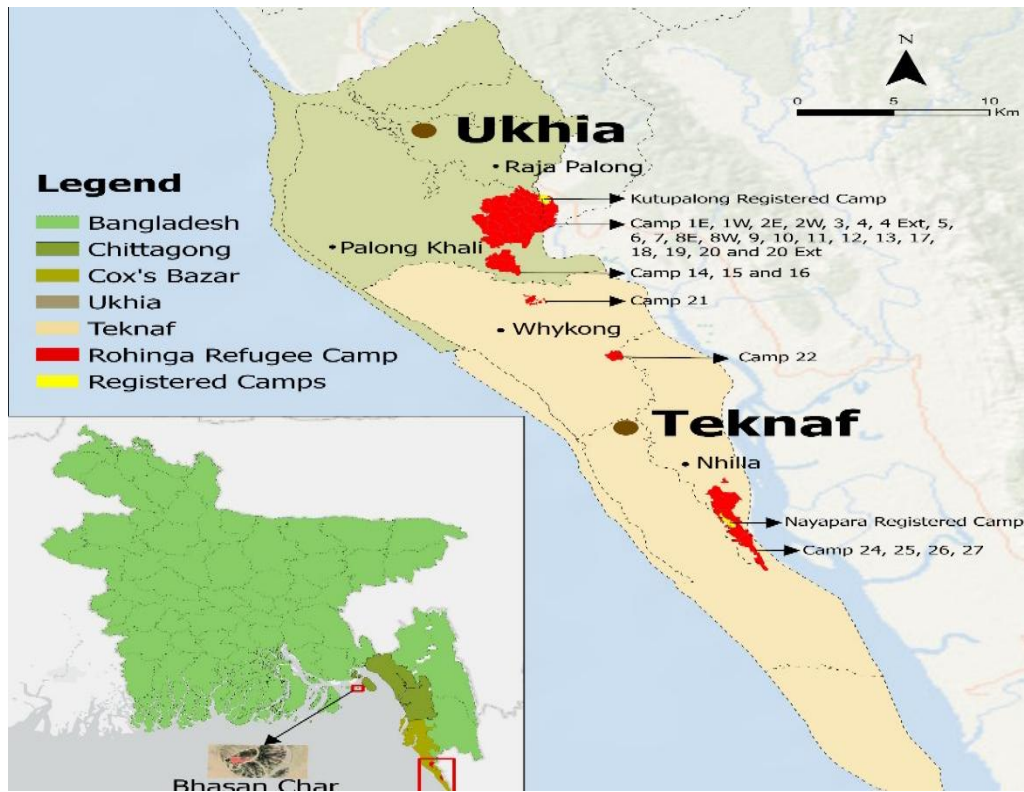


Figure 1. Distribution of research area (Camps)

3.3. Sampling and Participants

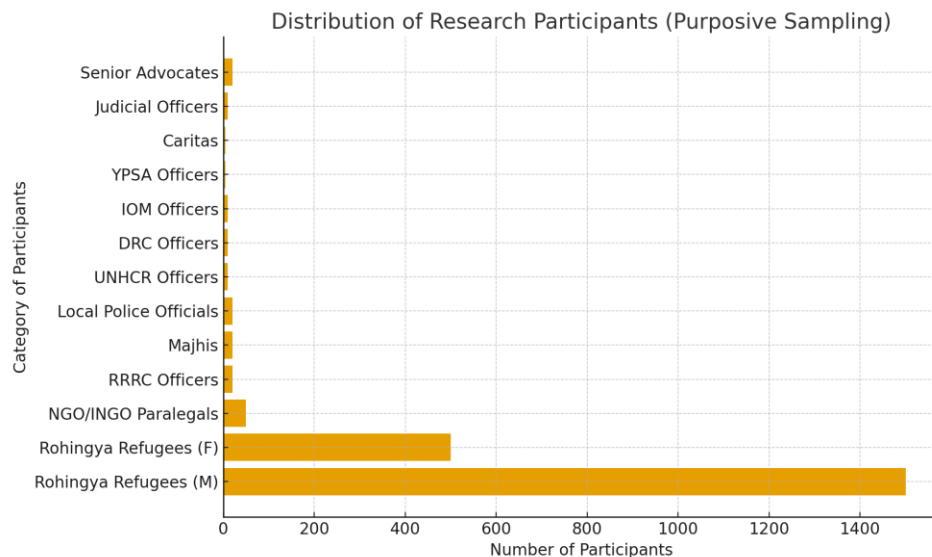


Figure 2. Distribution of research participants under purposive sampling.

The majority of respondents were Rohingya refugees (n=2000), followed by camp-based NGO/INGO paralegals (n=50), community leaders or Majhis (n=20), local police officials (n=20), UNHCR protection officers (n=10), DRC protection officers (n=10), IOM protection officers (n=10), YPSA protection officers (n=50), Caritas protection officers (n=5), judicial officers (n=10), and senior advocates (n=20). This composition ensured diverse perspectives from both refugee communities and justice-sector actors.

3.4. Data Collection Methods

- Interviews: Semi-structured interviews were conducted with 2000 participants, including Rohingya refugees, legal aid providers, and local administrators.
- Focus Group Discussions (FGDs): Three FGDs were held with community leaders (majhis) and women’s groups to gather perspectives on dispute resolution and access barriers.
- Document Analysis: Relevant national laws (such as the Foreigners Act 1946), UNHCR policy documents, and NGO reports were reviewed.
- Observation: On-site visits to camp justice centres and mediation facilities provided insights into real-time operations.

3.5. Data Analysis

Data were analysed thematically, using both descriptive and interpretive coding. Themes such as “legal invisibility,” “institutional mediation,” and “gendered access to justice” emerged through cross-comparison. The triangulation of qualitative and documentary data enhanced validity.

3.6. Ethical Considerations

All interviews adhered to informed consent protocols, guaranteeing confidentiality and voluntary participation. The research complied with the ethical criteria set by the Bangladesh Social Science Research Council (BSSRC, 2023) and international refugee protection protocols.

4. Results

4.1. Overview

The findings of this study are based on qualitative data collected through in-depth interviews, focus group discussions, and key informant interviews conducted in several Rohingya camps within the Cox’s Bazar district. The results are organized thematically, reflecting the main issues affecting access to justice for Rohingya refugees, with a focus on the legal framework, barriers to justice, institutional responses, and perceptions of justice and legal protection.

4.2. Existing Legal and Institutional Framework

A detailed review of legal and policy documents indicates that Bangladesh has not ratified the 1951 Refugee Convention or its 1967 Protocol, resulting in the absence of formal recognition of refugees under state law. The Rohingya are classified as “Forcibly Displaced Myanmar Nationals (FDMNs)” and are mostly regulated by executive policies and humanitarian frameworks instead of statutory refugee law. Rohingya refugees in Bangladesh face significant barriers to formal justice, including bureaucratic barriers, restricted mobility, and absence of legal status, compelling them to rely on an informal, camp-based justice system administered by local leaders. This informal structure is devoid of professional control and responsibility, resulting in numerous unpunished crimes. Notwithstanding these limitations, Bangladesh, in accordance with its constitutional and international commitments, provides three primary channels for the Rohingya to pursue justice: - the formal judicial system of Bangladesh, informal justice mechanisms within host communities, and local justice systems functioning within the camps (Krehm & Shahan, 2019). Principal stakeholders in this process comprise the Camp-in-Charge (CiC), who supervises camp management; the Armed Forces and Police, tasked with upholding law and order; and the Majhis, local refugee leaders who adjudicate internal conflicts. NGOs, INGOs, and their volunteers are crucial in delivering legal assistance and protective services, whereas community elites and leaders affect mediation and decision-making processes. The Arakan Rohingya Salvation Army (ARSA) and familial units influence access to justice within the refugee population, either constructively or disruptively.

In grassroot level, justice and protection procedures are predominantly facilitated by international organizations such UNHCR, IOM, DRC, BRAC, BLAST, and UN Women, who offer legal assistance, mediation, and educational programs. The lack of formal legal status significantly restricts refugees’ access to national court remedies.

4.3. Barriers to Accessing Justice

4.3.1. Lack of Legal Status and Recognition

The majority of respondents regarded statelessness and the absence of refugee recognition as the fundamental reason of restricted access to justice. The Rohingyas, lacking legal identification or documentation, are barred from the formal judicial system and rely predominantly on camp-based or NGO-facilitated conflict resolution processes. One refugee interviewee remarked:

“We are unable to access the local court.” We are not inhabitants here. In the event of issues, we approach the camp office or representatives from the NGO.

4.3.2. Institutional and Procedural Limitations

Camp-level justice systems are informal and frequently lack procedural transparency. Although certain NGOs operate legal assistance desks, their capacity to enforce decisions is constrained. Law enforcement authorities, including police and administrative officers, were observed to assume a regulatory role rather than a protective one, frequently putting security issues over the administration of justice.

4.3.3. Gender-Based Barriers

Women have more significant barriers in pursuing justice. A significant number of female respondents articulated concerns regarding social stigma, linguistic obstacles, and the absence of female personnel inside judicial institutions. Cases of domestic violence, sexual abuse, and child marriage were frequently addressed through informal mediation and seldom reported to the legal authorities.

4.3.4. Language and Cultural Barriers

Communication gaps between refugees and Bangladeshi institutions were identified as major obstacles. The majority of Rohingyas communicate solely in the Rohingya dialect, although court proceedings are conducted in Bengali or English, necessitating reliance on translators and NGO mediators.

4.4. Institutional and NGO Interventions

4.4.1. Legal Aid and Awareness Programs

Non-governmental organizations and United Nations agencies have established legal help facilities and rights awareness initiatives within the camps. Participants from BLAST and BRAC indicated that numerous situations including familial conflicts, land disputes, and gender-based violence were addressed through legal counselling and mediation. Nonetheless, these services are constrained in their reach and are predominantly dependent on external financing. The absence of coordination across agencies occasionally results in the duplication or fragmentation of justice services.

4.4.2. Informal Dispute Resolution (Shalish and Camp Mediation)

Field observations reveal that the majority of disagreements are resolved by camp-level mediation conducted by Majhis (camp leaders) with the assistance of NGOs. This system, although accessible and culturally familiar, frequently lacks legal validity and may perpetuate power imbalances or patriarchal norms, especially against women and vulnerable groups.

4.5. Perceptions of Justice and Fairness

Refugee participants demonstrated a constrained comprehension of formal justice, although regarded fairness and peaceful resolution as essential indications of justice. Numerous individuals equate “justice” with alleviation, protection, and dignity rather than with litigation or judicial proceedings. Certain participants regarded NGO-led mediation as the sole feasible justice option, whilst others exhibited skepticism towards both camp leaders and Bangladeshi authorities due to prior adverse experiences.

4.6. Comparative Insights from Stakeholders

Interviews with key informants from NGOs and government officials disclosed varied viewpoints:

- NGO members underscored the necessity for a legal recognized framework and the enhancement of capabilities for local justice providers.

- Law enforcement officials emphasized security considerations and jurisdictional limitations, recognizing the lack of codified protocols for managing refugee-related matters.
- Policy actors observed that, although humanitarian entities are crucial, the state’s obligation to guarantee access to justice remained unclear.

4.7. Emerging Themes

From the integrated doctrinal and empirical analysis, several fundamental themes emerged:

- a) Justice devoid of legal identity: Refugees traverse a semi-formal justice framework reliant on humanitarian entities.
- b) Gendered justice gap: Women encounter various levels of exclusion in obtaining legal remedies.
- c) Dilemma of security vs justice: State mechanisms favor control and monitoring at the expense of rights protection.
- d) Disjointed institutional response: Conflicting mandates among agencies undermine the consistency of justice delivery.
- e) Resilience and communal mechanisms: In spite of adversities, refugees exhibit robust informal solidarity networks that facilitate internal conflict resolution.

4.8. Socio-Economic Impact

The study findings revealed that restricted access to justice and legal protection has extensive socio-economic consequences. The failure to establish land rights, combat gender-based abuse, or get legal documents obstructs refugees’ access to education, healthcare, and employment prospects, thereby affecting their long-term integration and stability. The study concludes that access to justice for Rohingya refugees in Cox’s Bazar is constrained, informal, and influenced by external factors. Although NGO and UN actions offer transient comfort, the lack of legal legitimacy, inadequate institutional coordination, and entrenched gender hurdles impede access to long-term justice. The findings highlight the necessity for legislative interventions, legal empowerment initiatives, and the incorporation of refugees into established justice systems to ensure sustainable access to justice in Bangladesh.

5. Discussion

5.1. Interpreting Access to Justice within the Rohingya Context

The results indicate that access to justice for Rohingya refugees in Cox’s Bazar is predominantly informal, externally governed, and limited by legal invisibility. This corresponds with previous studies suggesting that refugees lacking legal status frequently inhabit a “protection vacuum” (UNHCR, 2021; Ghosh, 2020). The lack of a national legal framework acknowledging refugee status in Bangladesh undermines the implementation of justice guidelines under the rule of law. As a result, Rohingya refugees depend mostly on camp-based mediation, NGO legal assistance, and humanitarian protection systems, rather than formal judicial institutions. Access to justice, as stated by the United Nations Development Programme (UNDP, 2005), includes the capacity of persons to pursue and secure remedies via formal or informal justice institutions in accordance with human rights norms. In the context of the Rohingya, this idea is only partially actualized. While NGOs like BRAC, BLAST, and UNHCR offer essential legal aid, their services lack sovereign authority and hence cannot ensure enforceable results (Islam & Akter, 2022).

5.2. Legal Invisibility and the Protection Gap

The findings indicate that the lack of formal legal recognition results in a protection deficit. The dependence of refugees on FDMN registration cards, which lack enforceability in national courts, reflects the overarching discourse on statelessness, highlighting susceptibility to rights violations (Goodwin-Gill & McAdam, 2021). The Bangladeshi legal system, although supportive of humanitarian efforts, lacks mechanisms for refugees to claim formal legal rights.

5.3. Informal Justice and Community Mediation

Informal procedures, such as majhi-led committees and religious mediators, provide expediency and cultural congruence but are deficient in procedural safeguards. This aligns with Karanja (2020), who observes that informal refugee justice systems frequently favor prevailing social groups. Although accessible, these techniques perpetuate existing power imbalances, disadvantaging underprivileged groups, particularly women.

5.4. Gendered Barriers

The study emphasizes that gender-based obstacles are systemic. Women's restricted mobility, apprehension of stigma, and exclusion from mediation processes hinder equitable access to justice. This corresponds with results of UN Women (2023), highlighting the necessity for gender-sensitive legal programming in refugee settlements.

5.5. NGO-Driven Humanitarian Justice

NGOs address essential deficiencies by offering paralegal assistance, conducting awareness initiatives, and facilitating mediation. The humanitarian justice model is deficient in enforceability and long-term viability. Refugees continue to rely on assistance organizations for conflict resolution. This highlights a wider tendency in prolonged refugee situations, where humanitarian entities replace governmental roles (Betts et al., 2019).

5.6. Institutional Fragmentation and the Humanitarian Justice Model

The findings further underscore the disjointed character of justice delivery. Numerous groups function concurrently within the camps, frequently exhibiting overlapping mandates and inconsistent protocols. This fragmentation affects coherence and predictability, which are essential principles of the rule of law. Comparable difficulties have been noted in other enduring refugee situations, including Kenya's Dadaab and Uganda's Bidi Bidi communities (Betts et al., 2019). The establishment of a "humanitarian justice model," wherein NGOs, UN agencies, and camp managers collaboratively mediate conflicts, exemplifies the international community's adaptive approach in the absence of state legal systems. This model prompts apprehensions regarding responsibility, transparency, and sustainability. Humanitarian organizations are not judicial entities; their justice systems do not include formal appeal procedures or enforcement power. As a result, the right of refugees to an effective remedy, as stipulated in Article 8 of the Universal Declaration of Human Rights (1948), is only partially realized.

5.7. Balancing Security and Justice

Discussions with government and law enforcement authorities disclosed a security-focused strategy for refugee administration. The focus on surveillance, control, and confinement instead of rights protection illustrates what scholars refer to as the "securitization of humanitarianism" (Chimni, 2018). Although security is undeniably crucial in extensive refugee camps, an excessive focus on it may hinder access to justice and community engagement. The study indicates that refugees frequently experience anxiety and mistrust in their dealings with law enforcement or camp officials. This corroborates previous findings that marginalized groups often eschew formal judicial systems when they see them as prejudiced or punitive (Golub, 2010). Therefore, enhancing confidence and accountability within justice systems is essential for sustainable refugee governance in Bangladesh.

5.8. Toward Legal Empowerment

The results confirm that substantial access to justice necessitates both institutional reform and grassroots legal empowerment. Legal empowerment allows refugees to comprehend and assert their rights, interact with institutions, and contest injustices (Asian Development Bank, 2022). Enhancing the capabilities of camp-level mediators, supplying interpreters, and improving cooperation among humanitarian organizations are pragmatic measures to achieve this objective.

5.9. Policy Implications

The results emphasize the imperative of transitioning from philanthropic protection to rights-based justice. Bangladesh might contemplate implementing a comprehensive refugee protection framework, notwithstanding its exclusion from the 1951 Convention. Integrating minimum standards of refugee rights into national legislation would conform to the constitutional principles of equality and justice (Articles 27 and 31 of the Constitution of Bangladesh) and fulfil international obligations under human rights treaties to which Bangladesh is a signatory, including the ICCPR and ICESCR.

5.10. Comparative Insights

Comparative analyses from Uganda and Kenya indicate that legal empowerment initiatives, which include paralegal training, community awareness, and secure reporting mechanisms, can markedly enhance refugees' access to justice (Karanja, 2020). These ideas are directly related to Bangladesh.

5.11. Theoretical Implications

The study endorses human security and rights-based frameworks, demonstrating that access to justice is both procedural and profoundly socio-political. Justice arises from the convergence of legal acknowledgment, institutional capability, and societal standards (Cornwall & Nyamu-Musembi, 2004).

In conclusion, the discourse indicates that facilitating access to justice for Rohingya refugees in Bangladesh necessitates both systemic legal reforms and community empowerment. The existing structure, characterized by humanitarian mechanisms, provides transient respite but does not ensure legal certainty or responsibility. To ensure long-term sustainability, justice for refugees must shift from a philanthropic framework to a rights-based paradigm, solidly rooted in national legislation and human rights values.

6. Conclusion and Policy Recommendations

6.1. Conclusion

This study aimed to investigate the assurance of access to justice for Rohingya refugees in, Bangladesh, utilizing a socio-legal framework that included doctrinal and empirical viewpoints. The results indicate that access to justice for the Rohingya is predominantly informal, humanitarian-driven, and legally ambiguous, influenced by the lack of national refugee legislation and the refugees' absence of formal legal status. Although Bangladesh has demonstrated notable humanitarian dedication by accommodating over a million migrants, the lack of justice within the camps is significant. The legal classification of refugees as Forcibly Displaced Myanmar Nationals (FDMNs) essentially excludes them from the safeguards of the national legal framework. As a result, conflicts are primarily settled via NGO mediation, camp-level processes, and humanitarian supervision, rather than through formal judicial systems or state-administered justice. The study underscores that gender disparity, institutional fragmentation, and the securitization of refugee management further impede substantive access to justice. Women encounter many forms of exclusion stemming from cultural norms, stigma-related apprehension, and a deficiency of female legal advocates. Notwithstanding these problems, Rohingya communities exhibit resilience through the establishment of informal solidarity networks and community-based dispute resolution mechanisms. Theoretically, the study asserts that access to justice in refugee contexts extends beyond legal availability; it is essentially a question of recognition, empowerment, and institutional accountability. In the absence of integration into national justice systems, refugees remain reliant on transitory humanitarian measures that, although beneficial, fail to provide lasting protection or legal certainty.

Consequently, guaranteeing access to justice for Rohingya refugees necessitates the conversion of the humanitarian approach into a rights-based framework, anchored in both domestic law reform and international collaboration.

6.2. Policy Recommendations

After considering findings and analysis, the following policy proposals are suggested to enhance access to justice and legal protection for Rohingya refugees in Bangladesh:

a. Enact a National Refugee and Asylum Law

Bangladesh ought to contemplate the establishment of a comprehensive national refugee policy or legal framework that delineates refugee status, rights, and processes for accessing justice. Although the nation is not a signatory to the 1951 Refugee Convention, such legislation could conform to constitutional provisions of equality and justice (Articles 27 and 31 of the Constitution of Bangladesh) and respect the obligations under international human rights treaties, including the ICCPR and ICESCR.

b. Integrate Refugees into the Formal Justice System

The Ministry of Law, Justice, and Parliamentary Affairs, in conjunction with the Refugee Relief and Repatriation Commissioner (RRRC), ought to establish procedures permitting refugees restricted access to local courts or quasi-judicial tribunals for civil, family, and gender-based matters. This may involve the creation of mobile legal aid clinics and refugee liaison sections inside local legal organizations.

c. Strengthen Legal Aid and Awareness Programs

Legal literacy among refugees is crucial. Enhancing community-based legal awareness initiatives, especially for women and youth, will enable refugees to comprehend and advocate for their rights. Capacity-building training for

Majhis (camp leaders) and NGO mediators on human rights and gender sensitivity should be formalized under UNHCR or NGO collaborations.

d. Promote Gender-Sensitive Justice Mechanisms

To rectify gender inequities, justice initiatives must prioritize the involvement and safeguarding of women. Prioritizing the establishment of women-friendly legal aid facilities, the recruitment of female legal facilitators, and the provision of psychosocial and legal support for survivors of gender-based violence in all refugee camps is essential.

e. Enhance Coordination Among Stakeholders

A multi-agency coordination framework must be established to synchronize justice-related initiatives among NGOs, UN agencies, and governmental entities. This cooperation might be streamlined via the RRRC office, establishing a cohesive case management and referral system, preventing redundancy, and improving accountability.

f. Balance Security with Rights Protection

Law enforcement authorities ought to undergo training on human rights and refugee law to guarantee that security management does not violate refugees' rights to equitable treatment and access to justice. Establishing trust among law enforcement, camp officials, and refugees via community engagement activities can mitigate fear and enhance collaboration.

g. Foster Regional and International Collaboration

Bangladesh ought to pursue regional discussion via SAARC or ASEAN frameworks to exchange best practices and encourage regional burden-sharing. International partners, including as UNHCR and IOM, must persist in offering technical and financial support for the enhancement of the legal system and programs aimed at refugee protection.

h. Encourage Research and Data-Driven Policy

Ongoing academic and policy research on refugee justice systems is essential to evaluate the efficacy of initiatives. The establishment of a national database for refugee legal cases and protection outcomes may facilitate evidence-based decisions and improve institutional learning. Ensuring access to justice for Rohingya refugees is both a humanitarian duty and a moral and legal requirement grounded in Bangladesh's constitutional principles and international human rights commitments. The durability of Bangladesh's refugee response relies on transitioning from temporary humanitarian measures to a systematic, inclusive, and legally established justice framework that safeguards the dignity and rights of all individuals inside its borders, whether citizens or refugees.

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