

The Rohingya Crisis and the Future of Arakan: Reassessing Self-Determination in International Law

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Abstract: *The Rohingya crisis remains one of the most protracted humanitarian and legal challenges in contemporary international law. Despite sustained international efforts, repatriation initiatives have failed to address the structural causes of displacement, including statelessness, denial of citizenship, and the absence of meaningful political representation. This article examines whether external self-determination may constitute a legally sustainable and durable solution for Arakan under contemporary international law. Using a normative (doctrinal) legal research method, the study analyzes international legal instruments, judicial decisions, historical sources, and relevant scholarly literature through statutory, case law, historical, and conceptual approaches. The analysis gives particular attention to Reference re Secession of Quebec (1998), the Kosovo and Chagos Advisory Opinions of the International Court of Justice (2010 and 2019), and the communications of the African Commission on Human and Peoples' Rights in Katangese Peoples' Congress v. Zaire (1995) and Kevin Mgwanga Gunme et al. v. Cameroon (2009). The article argues that the relevant right-holders are the peoples of Arakan collectively, including the Rohingya, the Rakhine, and other historically rooted communities. While international law does not recognize a settled right to remedial secession, the prolonged denial of meaningful internal self-determination, the systematic exclusion of the Rohingya under the Burma Citizenship Law 1982, and widespread human rights violations place Arakan within the category of exceptional cases warranting serious legal consideration. The article further contends that accountability mechanisms before the International Court of Justice and the International Criminal Court, although essential, cannot by themselves resolve the underlying constitutional causes of the crisis. It concludes that any durable solution must combine accountability, inclusive governance, equal citizenship, and meaningful political participation within a framework consistent with contemporary international law.*

Keywords: *remedial secession; Rohingya; self-determination; statelessness; territorial integrity*

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INTRODUCTION

The Rohingya are widely described as one of the most persecuted minorities in the world.¹ They have historically lived in Arakan (present-day Rakhine State) in Myanmar and, for more than seven decades, have endured legal erasure, disenfranchisement, and recurrent waves of violence that have driven mass displacement, especially to neighboring Bangladesh. The large-scale military operations that began in August 2017 drew greater international attention to the crisis, yet durable solutions remain elusive. Humanitarian responses and repatriation agreements, however well-intentioned, have failed to address the structural conditions underlying Rohingya vulnerability, including the denial of citizenship, ethnic recognition, and security.

Existing scholarship has extensively examined the Rohingya crisis from the perspectives of genocide,² statelessness,³ forced displacement,⁴ and minority rights.⁵ Scholars have also explored the historical roots of the conflict,⁶ including the legacies of colonial boundary-making⁷ and the contested political status of Arakan,⁸ while others have analyzed the denial of citizenship⁹ and the limitations of international responses centered on humanitarian assistance¹⁰ and repatriation.¹¹ These studies explain much about the causes and consequences of the crisis, but they have paid comparatively little attention to whether external self-determination, particularly through the doctrine of remedial secession, offers a legally defensible and practically viable framework for resolving the structural causes of Rohingya

¹ “The World’s Most Persecuted People: Dumb Ideas Are Worsening the Rohingya’s Dire Plight,” *The Economist*, September 25, 2025, accessed July 20, 2026, <https://www.economist.com/asia/2025/09/25/the-worlds-most-persecuted-people>.

² Afroza Anwar, “Political, Physical and Cultural Techniques of Genocide against the Rohingyas of Myanmar,” *The International Journal of Human Rights* 29, no. 6 (2025): 1069–92, <https://doi.org/10.1080/13642987.2024.2434915>.

³ Natalie Brinham, *Citizenship and Genocide Cards: IDs, Statelessness and Rohingya Resistance in Myanmar* (London: Routledge, 2024), 62; Archana Parashar and Jobair Alam, “The National Laws of Myanmar: Making of Statelessness for the Rohingya,” *International Migration* 57, no. 1 (2019): 94–108, <https://doi.org/10.1111/imig.12532>.

⁴ Yunizar Adiputera and Antje Missbach, “Indonesia’s Foreign Policy Regarding the Forced Displacement of Rohingya Refugees: Muslim Solidarity, Humanitarianism, and Non-Interventionism,” *Asia-Pacific Journal on Human Rights and the Law* 22, no. 1 (2021): 69–95, https://brill.com/view/journals/aphu/22/1/article-p69_69.xml.

⁵ Kudret Bulbul, Md. Nazmul Islam, and Md. Sajid Khan, eds., *Rohingya Refugee Crisis in Myanmar: Ethnic Conflict and Resolution* (Singapore: Palgrave Macmillan, 2022), 44.

⁶ Iqthyer Uddin Md Zahed, “The State against the Rohingya: Root Causes of the Expulsion of Rohingya from Myanmar,” *Politics, Religion & Ideology* 22, nos. 3–4 (2021): 436–60, <https://doi.org/10.1080/21567689.2021.1995716>.

⁷ Mohammad Shahabuddin, “Decolonising Minority Rights Discourse,” *International Journal on Minority and Group Rights* 30, no. 5 (2023): 931–79, <https://doi.org/10.1163/15718115-bja10137>.

⁸ Jacques P. Leider, “The Arakan Army: Challenges for Rakhine State’s Rising Ethnonational Force,” in *Southeast Asian Affairs 2023* (Singapore: ISEAS–Yusof Ishak Institute, 2023), 217–32, <https://www.jstor.org/stable/27422520>.

⁹ Melissa Crouch, “States of Legal Denial: How the State in Myanmar Uses Law to Exclude the Rohingya,” *Journal of Contemporary Asia* 51, no. 1 (2021): 87–110, <https://doi.org/10.1080/00472336.2019.1691250>.

¹⁰ Abdul Kader Khan and Tiina Kontinen, “Impediments to Localization Agenda: Humanitarian Space in the Rohingya Response in Bangladesh,” *Journal of International Humanitarian Action* 7, no. 1 (2022): 1–15, <https://doi.org/10.1186/s41018-022-00122-1>.

¹¹ Anthony Ware and Costas Laoutides, “The Rohingya Repatriation Myth: Why Repatriation from Bangladesh to Myanmar is (Nigh) Impossible,” *Development in Practice* 34, no. 5 (2024): 633–40, <https://doi.org/10.1080/09614524.2024.2338213>.

persecution. This article addresses that gap. It reads the historical evidence against contemporary international law on self-determination, remedial secession, and the protection of persecuted peoples to evaluate whether self-determination for Arakan would constitute a durable legal and political solution.

This article argues that repatriation to Myanmar, absent a reconstituted political authority in Arakan, cannot provide a durable solution to the Rohingya crisis. Drawing on Arakan's historical experience of independent statehood, its distinctive ethnic and cultural composition, and the trajectory of Arakanese mobilization for autonomy and independence, it contends that a significant legal, moral, and pragmatic basis exists for reconsidering Arakan's claim to self-determination. It does not claim that contemporary international law establishes a settled right to remedial secession for Arakan. Its claim is narrower: the law of self-determination, as developed through the UN Charter, the decolonization resolutions, the Friendly Relations Declaration, and international jurisprudence, provides a legal and normative basis for considering external self-determination in exceptional circumstances in which a state has persistently denied meaningful internal self-determination.

This article addresses the following questions: (1) To what extent does contemporary international law recognize a right to external self-determination through remedial secession where a state has systematically denied a people internal self-determination? (2) Do the historical, political, and legal circumstances of Arakan and the Rohingya, including the denial of meaningful internal self-determination, the seriousness and persistence of human rights violations, the availability of effective domestic remedies, and the viability of internal self-determination alternatives, justify consideration of a claim to external self-determination? (3) Can self-determination provide a more durable solution than repatriation for ensuring the safety, citizenship, and political participation of the Rohingya? The article derives these considerations from international jurisprudence and uses them as an analytical framework rather than as elements of a settled legal test for remedial secession. The analysis therefore examines whether the circumstances in Arakan involve prolonged denial of meaningful internal self-determination, serious and persistent human rights violations, the absence of effective domestic remedies, and the availability of viable alternatives within internal self-determination. These considerations serve as the benchmark for assessing whether the circumstances justify consideration of external self-determination, without assuming that international law presently recognizes a general right to remedial secession.

METHOD

This study adopts a normative (doctrinal) legal research method to examine whether the principle of self-determination, including its remedial dimension, provides a legally sustainable framework for resolving the Rohingya crisis. Doctrinal legal research is appropriate because the article seeks to analyze and interpret the content, evolution, and application of international legal norms rather than to generate empirical findings. The analysis combines four approaches: statutory, case law, historical, and conceptual.

The statutory approach examines the principal legal instruments governing the right to self-determination and state sovereignty, including the Charter of the United Nations, the two International Covenants of 1966, and the relevant United Nations General Assembly resolutions, particularly Resolution 1514 (XV), the Declaration on the Granting of

Independence to Colonial Countries and Peoples, and Resolution 2625 (XXV), the Friendly Relations Declaration. It also examines Myanmar's Burma Citizenship Law 1982 and related domestic instruments affecting the legal status of the Rohingya. The case law approach analyzes the jurisprudence of international courts and tribunals, including advisory opinions and judgments of the International Court of Justice, together with other relevant authorities concerning self-determination, territorial integrity, and remedial secession.

Because the legal claims advanced in this article are closely connected to the historical status of Arakan, the historical approach critically evaluates competing historiographical accounts of the region's political development, the historical presence of the Rohingya, and the evolution of Myanmar's territorial sovereignty. Rather than adopting any single historical narrative uncritically, the analysis compares competing interpretations by assessing the provenance, consistency, and evidentiary support of primary historical records alongside peer-reviewed historical scholarship. Where accounts diverge, the analysis gives greater weight to sources that multiple independent authorities corroborate and that contemporaneous documentary evidence supports. Finally, the conceptual approach clarifies the legal meaning of, and the relationship between, internal and external self-determination, remedial secession, statelessness, and minority protection in contemporary international law. The study uses secondary materials, including academic books, journal articles, reports of international organizations, and publications of recognized experts, to interpret and contextualize the relevant legal principles.

ANALYSIS AND DISCUSSION

Arakan's Political Identity and the Rohingya Presence: A Historical Reappraisal

Arakan lies along the northeastern coast of the Bay of Bengal, separated from the Burmese heartlands by the Arakan Yoma mountain range and bordered to the north and west by present-day Bangladesh and India. This geography shaped Arakan's cultural and economic orientation: maritime routes drew it toward Bengal and the broader Indian Ocean networks, while mountain barriers constrained integration with central Burma. Historically, Arakan's territory exceeded its present administrative boundaries; colonial and postcolonial reallocations (such as the integration of areas into British Burma and British India in the nineteenth and early twentieth centuries) and later administrative fragmentation reduced Arakan's size and influence.¹² These geographical characteristics matter because they contributed to a distinct territorial and political identity and because self-determination jurisprudence attends to separateness and distinctiveness, both ethnocultural and territorial, relative to a metropolitan center. For the purposes of this article, the expression "the peoples of Arakan" refers collectively to the historically rooted communities of the territory, including the Rohingya, the Rakhine, and other indigenous ethnic groups, whose future political status the article examines through the framework of self-determination. International law does not require a "people" to be ethnically homogeneous; rather, a shared territorial connection, historical continuity, and common political destiny may together establish the basis for the exercise of the right to self-determination.

¹² Pamela Gutman, *Burma's Lost Kingdoms: Splendours of Arakan* (Bangkok: Orchid Press, 2001), 91.

Statehood, Dynasties, and Continuity of Political Identity

Arakan's recorded political traditions stretch back millennia, with dynastic chronicles and inscriptions attesting to enduring institutions from at least the first millennium BCE through the eighteenth century CE.¹³ Over this span, Arakan maintained distinctive political, cultural, and religious expressions, including its own script, courtly traditions, and diplomatic and commercial ties, especially with Bengal. By the sixteenth and seventeenth centuries, Arakan had become a prosperous kingdom integrated into regional maritime commerce, minting its own coinage and projecting symbolic authority across its realm.

The late eighteenth century marked a rupture: in 1784, King Bodawpaya of Burma invaded and annexed Arakan. Accounts describe large-scale violence, depopulation, and the flight of substantial segments of the population to British Bengal. Arakanese resistance nonetheless persisted after annexation and included alliances with external powers. During the First Anglo-Burmese War (1824–26), Arakan's exiled leadership allied with British India; the subsequent Treaty of Yandabo (1826) transferred Arakan from the Burmese Kingdom to British control.¹⁴ Despite Arakanese expectations of restored independence, the British integrated Arakan into their colonial framework, first within British India and later within British Burma. This pattern of external incorporation ran counter to local aspirations.¹⁵

This arc of conquest, colonial restructuring, and unrequited promises of autonomy or independence is central to evaluating Arakan's present-day claim. It reveals a precolonial polity with distinct institutions and borders that colonial administrative consolidation wrongfully subsumed, a situation at the core of decolonization law.

Arakanese Mobilization for Autonomy and Independence

From the late nineteenth to the mid-twentieth century, Arakanese political mobilization intensified. Organizations such as the Rakkhapura League and the All Arakan League emerged, followed by the Arakan National Congress (ANC), which sought to position Arakan within broader anticolonial and antifascist movements in exchange for recognition of Arakan's future status. Although Arakanese leaders collaborated within Burma-wide coalitions (e.g., the Anti-Fascist People's Freedom League [AFPFL]) against colonial and fascist rule, their correspondence and platforms consistently emphasized separate recognition for Arakan. The assassination of General Aung San (1947), the subsequent centralization under U Nu, and the 1962 military coup extinguished the prospect of meaningful autonomy and entrenched a unitary structure that sidelined Arakanese rights claims. Successive governments repeatedly deferred or abandoned proposals for autonomy or federal restructuring despite periodic promises.

Arakan's claim to self-determination is therefore neither a post-2017 invention nor a narrowly ethno-sectarian gambit. It is a *longue durée* political project that predates Burmese independence and that metropolitan consolidation and military centralization have repeatedly

¹³ G. E. Harvey, *History of Burma: From the Earliest Times to 10 March 1824, the Beginning of the English Conquest* (1925; repr., London: Frank Cass, 1967), 3.

¹⁴ Khaing Aung Win, "Arakanese Nationalism and the Struggle for National Self-Determination," last modified 2005, accessed March 26, 2026, <https://www.locjkt.or.id/application/docliblckjt/upload/Arakanese-Nationalism-and-the-Struggle-for-National-Self-R.pdf>.

¹⁵ Martin Smith, "Nationalism, Identity and Conflict in Arakan: The Rush to Independence and the Postcolonial Fallout," in *Rohingya Stories* (Singapore: Springer, 2025), 68.

thwarted. This historical continuity strengthens the legal and moral case for external self-determination where internal avenues have failed.

The Rohingya in Arakan: Identity, Presence, and Contestation

Arakan's location at the meeting point of South and Southeast Asia produced a complex ethnogenesis. The Rohingya are generally understood to have Indo-Aryan roots, with admixtures from various Indian Ocean communities (Bengali, Indian, Mughal, Pathan, Arab, Persian, Turkic, Moorish, and Central Asian lineages), a pattern consistent with centuries of coastal trade and migration.¹⁶ Their language belongs to the Indo-Aryan family and is closest to the Bengali-Assamese branch, with Persian and Arabic loanwords that reflect historical Islamic and courtly influences. The Rakhine Buddhist community, by contrast, is primarily Tibeto-Burman in origin and language.

Arakan maintained close ties with Chittagong (in present-day Bangladesh): Arakanese political influence extended into Chittagong for decades during the early modern period, while Chittagong's language and culture in turn shaped Arakan.¹⁷ This two-way exchange complicates origin narratives that reduce the Rohingya presence to late colonial labor migration. The coexistence of Persian, Bengali, and Arakanese inscriptions and coinage; the use of Islamic iconography and the *kalima* (the Islamic declaration of faith) on state symbols during certain dynastic periods; and the testimonies of early modern poets and chroniclers together corroborate a long-standing Muslim presence in Arakan.¹⁸

The Ethnonym "Rohingya" and Historical Attestations

Disputes over the name "Rohingya" often serve political ends, yet historical usage of the ethnonym predates modern identity politics. Early accounts refer to Muslims in Arakan who "call themselves Roaingia," meaning natives of Arakan.¹⁹ Even earlier regional chronicles and literary works refer to Arakan as Rohang, Roshang, or Roang and name its inhabitants accordingly.²⁰ The celebrated seventeenth-century Arakanese court poet Shah Alaol, who was also captain of the royal guard under the Mrauk U king, referred to the country as the "Kingdom of Roshang/Rosango." The present form "Rohingya" derives either from the name of the country (Rohang, Roang, or Roshang) or from the terms "Roshangee" and "Roain," all of which denote the inhabitants of Rohang. Medieval Bengali works and Rennell's map render the name as Roshang.²¹ Ethnonyms evolve; their contemporary political salience does not negate historical continuity. The insistence that "Rohingya" is an anachronism ignores

¹⁶ Nurul Islam, "Rebuttal to U Khin Maung Saw's Misinformation on Rohingya," *The Rohingya*, last modified 2012, accessed April 4, 2026, <https://www.rohingya.org/rebuttal-to-u-khin-maung-saws-misinformation-on-rohingya/>.

¹⁷ Mohamed Ali, "Bengal-Arakan Relations: A Study in Historical Perspective," *The Rohingya*, last modified 2006, accessed March 13, 2026, <https://www.rohingya.org/bengal-arakan-relations-a-study-in-historical-perspective/>.

¹⁸ Jacques P. Leider, "Rohingya: The History of a Muslim Identity in Myanmar," in *Oxford Research Encyclopedia of Asian History* (Oxford: Oxford University Press, 2018).

¹⁹ Ba Shin, *Coming of Islam in Burma 1700 AD* (Rangoon: Burma Historical Commission, 1961), 4.

²⁰ Suniti Bhushan Qanungo, *A History of Chittagong* (Chittagong: University of Chittagong, 1994), 571.

²¹ S. B. Qanungo, *A History of Chittagong* (Chittagong: Chittagong Press, 1979), 132; Horace Hayman Wilson, *Narrative of the Burmese War in 1824–26* (London: W. H. Allen, 1852), 82; Arthur Purves Phayre, *History of Burma* (London: Trübner & Co., 1883), 33.

evidence of local Muslim communities that identified with the land long before the modern Burmese state existed.

The historical presence of the Rohingya in Arakan remains one of the most contested aspects of the broader political dispute. Competing interpretations have shaped both academic scholarship and official state narratives, particularly regarding the origins of the Rohingya community and the historical continuity of its identity. These debates matter because Myanmar has relied on a particular historical interpretation to justify excluding the Rohingya from citizenship under the Burma Citizenship Law 1982. Accordingly, although international law does not make fundamental human rights conditional on proof of centuries-old residence, the competing historiography requires examination because historical claims continue to shape the legal and political status of the Rohingya.

Migration, Demography, and the Colonial Period

Opponents of Rohingya recognition often argue that a significant Muslim presence dates only from British-era labor recruitment.²² Colonial economic policy, the expansion of rice cultivation, and growing administrative capacity did draw migrants from across British India, including to Arakan. Two clarifications, however, are necessary.²³

First, as shown above, the documented Muslim presence in Arakan long predates 1823. Second, British-era mobility also reshaped the demography of the Buddhist Rakhine, with census figures showing growth across communities. Differential growth rates therefore do not prove the absence of precolonial Muslim communities. Moreover, the available accounts do not support the contention that the Rohingya were chiefly a colonial administrative class; rather, many were cultivators and fisherfolk embedded in local economies.²⁴

Colonial-era migration added to this demographic complexity, but it does not erase the long-standing, place-based identity of Rohingya communities. Nor can the historical debate justify present-day denials of fundamental rights, because modern international law does not make basic citizenship protections conditional on proof of settlement before 1823.

Whether Arakan's colonial incorporation should be regarded as an unfinished process of decolonization remains contested. Some scholars argue that Arakan's separate historical identity raises unresolved questions concerning colonial boundary-making and the application of the principle of self-determination, while others maintain that the territorial boundaries inherited at Myanmar's independence remain protected by the principle of *uti possidetis juris*. The article does not contend that Arakan automatically qualifies as a non-self-governing territory under classical decolonization law. Rather, it argues that the region's historical political identity provides important context for evaluating whether the prolonged denial of meaningful internal self-determination, together with serious and systematic human rights violations, may support renewed consideration of its political status under contemporary international law.

²² Abdul Karim, *The Rohingyas: A Short Account of Their History and Culture* (Dhaka: Jatiya Sahitya Prakash, 2016), 62.

²³ M. N. Habib Ullah, *History of Rohingya* (Dhaka: Comparative Book Society, 1995), 4.

²⁴ A. T. M. Salimullah Bahar, *Dynamic of Ethnic Relations in Burmese and the Rohingyas* (Windsor: University of Windsor Press, 1981), 89.

Structures of Exclusion: Citizenship and Denial of Belonging

Myanmar's 1982 Citizenship Law reorganized national membership into three tiers (full, associate, and naturalized citizenship) and linked full citizenship to membership in "national races" settled in the country before 1823.²⁵ This scheme put historical revisionism into practice: the state excluded the Rohingya from the list of recognized ethnic groups, effectively rendering them stateless or, at best, precariously "naturalized" without durable guarantees. The structure of the law facilitates discrimination in documentation, freedom of movement, education, access to health care, land ownership, and political participation.²⁶

Official Narratives and Securitization

Myanmar has not provided meaningful internal self-determination for the peoples of Arakan, whether Rakhine Buddhists or Rohingya Muslims.²⁷ Decades of centralization, military rule, and the constitutional entrenchment of Tatmadaw prerogatives have closed off any form of substate autonomy strong enough to safeguard minority rights. The reforms of the 2010s did not change these dynamics; in Rakhine, escalating violence culminated in mass expulsion. In this context, appeals to internal self-determination carry little weight, because the state has not made good-faith efforts to represent "the whole people belonging to the territory without distinction as to race, creed or colour," as the Friendly Relations Declaration requires.²⁸

The 1982 Citizenship Law established three categories of citizenship: full citizenship, associate citizenship, and naturalized citizenship. Under the law, members of officially recognized "national races" are entitled to full citizenship by birth. To qualify as a national race, a group must have settled in the country before 1823, the year preceding the First Anglo-Burmese War. The government officially recognizes 135 ethnic groups as national races, and the Rohingya are not among them. The government maintains that the Rohingya settled in northern Rakhine after 1823.²⁹ Under the 1982 Citizenship Law, they are therefore not recognized as a national race and are denied full citizenship. Under international standards on nationality, the question whether the Rohingya settled in the region before or after British colonization matters little. Nevertheless, because Myanmar has relied on this historical claim to deny Rohingya citizenship, the historical evidence on Rohingya settlement in Rakhine requires examination.

The earliest known kingdom in Arakan (present-day Rakhine) emerged around 300 BCE, established by Indo-Aryan settlers who migrated from the Ganges Valley.³⁰ At that time, several indigenous groups, including the Mru, Sak, and Kumi peoples, were already living in

²⁵ Burma Citizenship Law 1982 (Pyithu Hluttaw Law No. 4 of 1982), secs. 3–4.

²⁶ Azeem Ibrahim, *The Rohingyas: Inside Myanmar's Hidden Genocide* (London: Hurst, 2016), 5.

²⁷ Amnesty International Netherlands, "Nowhere to Belong: The Rohingya's Struggle against Ethnic Cleansing," March 4, 2026, accessed July 22, 2026, <https://aims.amnesty.nl/2026/03/04/nowhere-to-belong-the-rohingyas-struggle-against-ethnic-cleansing/>.

²⁸ Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, GA Res. 2625 (XXV), annex (October 24, 1970), principle 5, para. 7.

²⁹ Tomás Ojea Quintana, *Report of the Special Rapporteur on the Situation of Human Rights in Myanmar*, UN Doc. A/HRC/25/64 (2014), accessed July 27, 2026, <https://digitallibrary.un.org/record/768958?v=pdf>.

³⁰ Md Firoz Hasnat and Faisal Ahmed, "The History of the Rohingya Crisis: Origin and Uprising," *British Journal of Arts and Humanities* 5, no. 4 (2023): 192–208, <https://doi.org/10.34104/bjah.02301920208>.

the hilly parts of the area.³¹ It is argued that Arakan's cultural heritage remained predominantly Indian in character until the tenth century CE, after which it gradually absorbed Burmese influences.³² Arakan's geographical isolation, a product of its rugged coastal ranges and difficult terrain, limited its connections with mainland Burma while fostering stronger links with the Indian subcontinent across the Bay of Bengal. Until the ninth century, the inhabitants of Arakan had closer ethnic and cultural affinities with India than with Burma. The Rohingya language belongs to the Indo-Aryan family, is considered part of the Bengali-Assamese group, and traces its origins to the region's pre-ninth-century population.³³ The Rakhine, by contrast, are generally believed to have arrived in Arakan around the ninth century and to have established permanent settlements from the tenth century onward. The demographic predominance of the earlier inhabitants gradually declined as the Arakanese intensified their interaction with central Burma and expanded their influence in the region.

This historical experience is relevant not because former independence automatically establishes a contemporary legal entitlement to statehood, but because it demonstrates that Arakan possessed a distinct political identity before its incorporation into successive imperial administrations. The existence of an identifiable historical polity is part of the factual context in which contemporary claims to self-determination must be assessed.

The article neither accepts nor rejects either historiographical position wholesale. It gives greater weight to interpretations that contemporaneous documentary evidence supports and that multiple independent historical sources corroborate. Although British colonial rule accelerated migration from other parts of British India and contributed to the demographic transformation of Arakan in the nineteenth and early twentieth centuries, the available historical evidence does not support the conclusion that all Muslims in Arakan arrived only after 1823 or that the region lacked an established Muslim population before colonial rule. Historical records sufficiently establish the existence of precolonial Muslim communities, even though the precise evolution of the modern Rohingya identity remains a matter of legitimate scholarly debate.

For decades, highly centralized governance, prolonged military rule, and constitutional arrangements preserving extensive powers for the Tatmadaw have left little room for meaningful political autonomy in Arakan. The Rohingya crisis therefore matters beyond the humanitarian consequences of forced displacement: it exposes the inability of Myanmar's constitutional order to accommodate the legitimate political aspirations and equal citizenship of the peoples of Arakan. This sustained failure frames the analysis that follows, which considers whether contemporary international law permits recourse to external self-determination as an exceptional remedy where internal self-determination has been persistently denied.

Arakanese Self-Determination under International Law

³¹ "The Rohingya: The Exodus Isn't Over—A Humanitarian Emergency Decades in the Making," *The New Humanitarian*, last modified 2024, accessed July 15, 2026, <https://www.thenewhumanitarian.org/in-depth/myanmar-rohingya-refugee-crisis-humanitarian-aid-bangladesh>.

³² Anthony Ware and Costas Laoutides, "The Rohingya 'Origin' Narrative," in *Myanmar's "Rohingya" Conflict* (Oxford: Oxford University Press, 2018), 73.

³³ Hitomi Takemura, "Background to the Rohingya Crisis," in *The Rohingya Crisis and the International Criminal Court* (Singapore: Springer, 2023), 11.

Before examining the legal basis of self-determination, the analysis must identify the “people” entitled to exercise that right. The article does not contend that the Rohingya alone possess a legal entitlement to external self-determination over the territory of Arakan. It argues instead that the relevant right-holder comprises the peoples of Arakan collectively, including the Rohingya, the Rakhine, and other historically rooted communities that share a long-standing territorial connection with the region. International law does not require a “people” to be ethnically homogeneous; rather, common territorial attachment, historical continuity, and a shared political destiny may together establish the collective identity necessary for the exercise of self-determination.³⁴ Within this broader political community, the systematic persecution of the Rohingya, their exclusion from citizenship, and the denial of their political participation provide arguable evidence that Myanmar has failed to secure meaningful internal self-determination. The article relies on the Rohingya’s experience not to establish an exclusive claim to statehood but to demonstrate the collapse of the existing constitutional order and the resulting need to reconsider Arakan’s political future through an inclusive process of external self-determination.

That some members of the Rakhine community have at times taken part in violence against the Rohingya does not negate the existence of a broader Arakanese political community for the purposes of self-determination. International law recognizes that a “people” may comprise diverse communities with differing historical experiences and internal political conflicts. The proposed exercise of self-determination is therefore not meant to reward one ethnic group for persecuting another; it seeks to establish an inclusive constitutional framework in which all peoples of Arakan enjoy equal citizenship, political participation, and legal protection.

The UN Charter refers to self-determination in Articles 1(2) and 55, initially as a principle tied to the development of friendly relations among nations. In the decolonization era, UN General Assembly Resolution 1514 (XV) (1960) recast self-determination as a right of colonial peoples to “freely determine their political status.” Resolution 1541 (XV) (1960) set out criteria for identifying non-self-governing territories, including geographical separateness and ethnic or cultural distinctness from the administering state, and required that integration result from the freely expressed wishes of the territory’s peoples.³⁵ The two 1966 Covenants, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), codified self-determination in common Article 1, while the 1970 Friendly Relations Declaration (GA Res. 2625 (XXV)) balanced the rights of peoples against the territorial integrity of states and conditioned protection of the latter on governments representing the whole people without discrimination.³⁶

Contemporary doctrine distinguishes internal self-determination (democratic participation and autonomy within an existing state) from external self-determination (independence, free association, or integration), which is typically available to colonial peoples

³⁴ James Crawford, *The Creation of States in International Law*, 2nd ed. (Oxford: Oxford University Press, 2006), 37–61, 96.

³⁵ International Covenant on Civil and Political Rights, December 16, 1966, 999 UNTS 171, art. 1; International Covenant on Economic, Social and Cultural Rights, December 16, 1966, 993 UNTS 3, art. 1.

³⁶ GA Res. 2625 (XXV), annex (October 24, 1970).

and, on some views, in exceptional remedial circumstances. Although international law does not readily endorse unilateral secession, some scholars and states have recognized a remedial pathway where a people suffers systematic denial of internal self-determination combined with gross human rights violations and exclusion.³⁷

Arakan's Status through a Decolonization Lens

Arakan's precolonial statehood, distinct geography, and ethnocultural characteristics match core indicia that informed the law of decolonization. British colonial rule placed Arakan in administratively convenient units, first under British India and then under British Burma, without any act of self-determination by Arakan's peoples.³⁸ The subsequent transfer of sovereignty to the Union of Burma in 1948 preserved colonial boundaries by default rather than by popular consent. As Shahabuddin argues, colonial powers drew many postcolonial boundaries without regard to political and social realities and thereby subordinated minority peoples within new states. Arakan's incorporation fits this pattern.³⁹

Burma, in its present territorial form, did not exist as a single state in the precolonial period. The Burmese Kingdom coexisted with the independent Kingdom of Arakan and the Mon kingdom.⁴⁰ Having taken control of all three kingdoms by 1885, the British integrated them into a single colonial unit and annexed it to British India.⁴¹ Arakan had a long history of independent statehood until the late eighteenth century, when it lost its independence to the Burmese Kingdom. It was the British who demarcated Arakan's boundaries with both the Kingdom of Burma and colonial India. In 1948, the British granted independence to Burma as a union that incorporated Arakan, and that transfer of political power was against the will of the Arakanese people. The internationally recognized territorial integrity claimed by Burma as the successor state therefore operates as a forcible deprivation for the people of Arakan. During the decolonization period, when peoples exercised the right to self-determination to free themselves from colonial rule, Arakan was entitled to claim independence on the same basis. Arakan falls within the definition of a colony: it had a precolonial history of independence, and it is a geographically separate and ethnically or culturally distinct territory.

Self-Determination in International Jurisprudence

Although the principle of self-determination is firmly established, international and national courts and regional human rights bodies have adopted a cautious and context-specific approach toward claims of unilateral secession. The jurisprudence does not establish a uniform legal test for remedial secession; rather, different authorities address different aspects of the relationship between self-determination, territorial integrity, and unilateral independence.

³⁷ Antonio Cassese, *Self-Determination of Peoples: A Legal Reappraisal* (Cambridge: Cambridge University Press, 1995), 119–20; Milena Sterio, *The Right to Self-Determination under International Law: "Selfistans," Secession, and the Rule of the Great Powers* (Abingdon: Routledge, 2013), 36.

³⁸ John Sydenham Furnivall, *Colonial Policy and Practice* (Cambridge: Cambridge University Press, 1948), 12.

³⁹ Mohammad Shahabuddin, "Post-Colonial Boundaries, International Law, and the Making of the Rohingya Crisis in Myanmar," *Asian Journal of International Law* 9, no. 2 (2019): 334–58, <https://doi.org/10.1017/S2044251319000055>.

⁴⁰ Taslima Akter, "Political Dynamics of Pre-colonial Myanmar/Burma: The Context for Colonisation," *Indian Historical Review* 51, no. 2 (2024): 222–37, <https://doi.org/10.1177/03769836241287054>.

⁴¹ James Mill, *The History of British India*, abridged and ed. William Thomas (Chicago: University of Chicago Press, 1975), 14.

The leading judicial authority is *Reference re Secession of Quebec* (1998), in which the Supreme Court of Canada distinguished internal from external self-determination.⁴² The Court held that international law generally expects peoples to exercise self-determination within the framework of an existing state. It identified colonial domination, foreign occupation, and potentially the denial of meaningful internal self-determination as circumstances relevant to claims of external self-determination. The Court did not, however, establish a definitive doctrine of remedial secession; it expressly left open whether such a right exists under contemporary international law. The decision therefore clarifies the distinction between internal and external self-determination but does not establish a generally applicable test for secession.

The International Court of Justice adopted an equally cautious approach in its *Kosovo Advisory Opinion* (2010).⁴³ The question before the Court was confined to whether Kosovo's unilateral declaration of independence was in accordance with international law. The Court concluded that general international law contains no applicable prohibition of declarations of independence, but it did not decide whether Kosovo possessed a positive right to secede or whether a doctrine of remedial secession exists. The Opinion therefore supports the narrower proposition that a unilateral declaration of independence is not, in itself, prohibited by general international law; it does not establish a right to remedial secession.

Regional human rights jurisprudence similarly illustrates the importance of factual and institutional context. In *Katangese Peoples' Congress v. Zaire*,⁴⁴ the African Commission on Human and Peoples' Rights considered a claim to independence under the African Charter. The Commission emphasized the importance of self-determination while favoring its realization through participation within the existing state in the circumstances before it. The decision is therefore relevant to the relationship between self-determination and territorial integrity but does not establish a general test governing all claims to external self-determination. Likewise, in *Kevin Mgwanga Gunme et al. v. Cameroon*,⁴⁵ the Commission considered allegations concerning the rights of the people of Southern Cameroons and recognized the importance of self-determination. Its treatment of external self-determination was closely tied to the particular facts and the remedies sought and therefore should not be read as formulating a general doctrine of remedial secession.

More recently, the International Court of Justice's *Chagos Advisory Opinion* (2019)⁴⁶ reaffirmed the central importance of self-determination in contemporary international law. Unlike *Quebec* and *Kosovo*, however, *Chagos* concerned the process of decolonization rather

⁴² *Reference re Secession of Quebec*, [1998] 2 SCR 217, para. 134 (Can.), accessed July 27, 2026, <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/1643/index.do>.

⁴³ *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*, Advisory Opinion, 2010 I.C.J. Reports 403 (July 22), accessed July 27, 2026, <https://www.icj-cij.org/node/103776>.

⁴⁴ Mtendeweka Owen Mhango, "Recognizing a Right to Autonomy for Ethnic Groups under the African Charter on Human and Peoples' Rights: *Katangese Peoples Congress v. Zaire*," *Human Rights Brief* 14, no. 2 (2007): 11–15, <https://paperity.org/p/82338189/recognizing-a-right-to-autonomy-for-ethnic-groups-under-the-african-charter-on-human-and>.

⁴⁵ *Kevin Mgwanga Gunme et al. v. Cameroon*, Communication No. 266/03, African Commission on Human and Peoples' Rights (2009), accessed July 27, 2026, <https://achpr.au.int/en/decisions-communications/kevin-mgwanga-gunme-et-al-cameroon-26603>.

⁴⁶ *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*, Advisory Opinion, 2019 I.C.J. Reports 95 (February 25), accessed July 27, 2026, <https://www.icj-cij.org/node/105778>.

than a claim to remedial secession from an existing state. The Court held that the right to self-determination is a fundamental principle of international law in the context of decolonization and stressed that decolonization must reflect the freely expressed will of the people concerned. The Opinion therefore reinforces the legal importance of self-determination, particularly in the colonial context, but does not determine the legality of remedial secession outside that context.

Taken together, these authorities do not establish a single or universally accepted test for remedial secession. Rather, they demonstrate that self-determination is a firmly established principle of international law, while the legal consequences of that principle differ according to the factual and legal context in which a claim is made. *Quebec* is particularly significant for distinguishing internal from external self-determination and for acknowledging the uncertainty surrounding remedial secession; *Kosovo* establishes that general international law does not prohibit unilateral declarations of independence, although it recognizes no corresponding right to secede; the African Commission decisions illustrate the contextual treatment of self-determination claims within the African Charter framework; and *Chagos* confirms the fundamental status of self-determination in the specific context of decolonization. These authorities thus support a cautious conclusion: international law firmly protects self-determination and generally favors its internal realization and the territorial integrity of states, but the jurisprudence has not crystallized a universally applicable entitlement to remedial secession.

Applying the Jurisprudence to Arakan

The circumstances of Arakan differ in important respects from those in each of these authorities. Unlike Quebec, where democratic participation and constitutional negotiation remained available, the peoples of Arakan have experienced decades of military rule, constitutional centralization, and the absence of meaningful political autonomy. The Rohingya, in particular, have been deprived of citizenship, excluded from political participation, and subjected to widespread persecution and forced displacement. Broader demands for political autonomy advanced by Rakhine communities have likewise remained largely unresolved.

Accordingly, the article does not argue that contemporary international law recognizes a settled right of remedial secession applicable to Arakan. Rather, it examines whether the circumstances in Arakan fall within the exceptional situations discussed, but not definitively resolved, in the *Quebec Reference* and subsequent jurisprudence. First, the article considers whether the Rohingya have been effectively denied meaningful internal self-determination, including through their exclusion from political participation and the erosion of their ability to determine their political, social, and cultural affairs within Myanmar. Second, it assesses whether the pattern of human rights violations against the Rohingya is sufficiently serious and systematic to distinguish the situation from ordinary political or autonomy disputes. Third, it examines whether meaningful and effective domestic constitutional or legal remedies remain available to address that denial and the associated violations. Fourth, it considers whether external self-determination through secession could be regarded as legally necessary or preferable in the circumstances, having regard to the possibility of meaningful internal arrangements, autonomy, political participation, and other forms of negotiated self-determination. The article applies these considerations as analytical questions derived from the jurisprudence rather than as elements of a settled legal test. On this basis, the article argues that

the Arakan situation warrants consideration within the unresolved space surrounding remedial secession, while recognizing that international law does not presently provide a definitive rule authorizing secession in these circumstances.

The article conceives the right it asserts not as an exclusive right of a single ethnic community but as a claim to self-determination by the people(s) of Arakan, understood in a territorial and inclusive sense. This approach recognizes that Arakan has historically been, and still is, home to several distinct communities, including the Rohingya, the Rakhine, and other ethnic groups, whose interests and claims to political participation cannot be reduced to those of one ethnic group. The article therefore uses “the peoples of Arakan” to refer to the communities inhabiting the territory collectively, rather than to suggest that they constitute a single homogeneous ethnic “people” under international law.

This approach also differs from asserting an independent right of self-determination for the Rohingya alone. A Rohingya-specific claim would center on the Rohingya as a distinct people and would require a separate assessment of whether they satisfy the relevant criteria for holding a right of self-determination and, in particular, whether that right could extend to external self-determination. By contrast, the approach adopted here focuses on the territorial community of Arakan and asks whether the population of the territory, including its different constituent communities, should be entitled to determine its political status and governance arrangements collectively. Such an approach does not deny the Rohingya’s distinct identity or their particular experience of exclusion and persecution; rather, it seeks to avoid framing self-determination in a manner that could reproduce exclusion by privileging one community over others. At the same time, the article acknowledges that international law does not provide an unequivocal rule establishing that all communities inhabiting Arakan necessarily constitute a single “people” for the purposes of self-determination. The proposed territorial conception is therefore an analytical and normative position advanced by this article, not a settled proposition of international law.

A Roadmap to Arakan’s Self-Determination

If external self-determination proves to be both justified and necessary, it cannot be pursued as a sudden political rupture or a purely symbolic legal claim.⁴⁷ It would have to proceed through a careful, staged process that combines historical and legal grounding, diplomatic strategy, civilian protection, and institution-building.⁴⁸

The first priority would be to establish the factual and legal basis of any claim, including the historical and contemporary circumstances relevant to self-determination, decolonization, territorial integrity and, where applicable, remedial secession.⁴⁹ A comprehensive historical and legal record would assist this assessment, although the preparation of a white paper or doctrinal brief is a policy recommendation rather than a requirement of international law.

⁴⁷ Rashwet Shrinkhal, “Indigenous Sovereignty and Right to Self-Determination in International Law: A Critical Appraisal,” *AlterNative: An International Journal of Indigenous Peoples* 17, no. 1 (2021): 71–82, <https://doi.org/10.1177/1177180121994681>.

⁴⁸ Anne F. Bayefsky, ed., *Self-Determination in International Law: Quebec and Lessons Learned* (The Hague: Kluwer Law International, 2000), 57.

⁴⁹ Robert Howse and Ruti Teitel, “Humanity Bounded and Unbounded: The Regulation of External Self-Determination under International Law,” *Law and Ethics of Human Rights* 7, no. 2 (2013): 155–84, <https://doi.org/10.1515/lehr-2013-0008>.

Any subsequent transition should prioritize civilian protection, restoration of rights, and inclusive political participation. International human rights and humanitarian law provide relevant legal standards but do not require a particular transitional authority. The article therefore proposes a broadly representative transitional body, mechanisms for addressing displacement and property claims, and independent institutional safeguards as policy measures capable of giving practical effect to these legal principles.⁵⁰

The determination of Arakan's final political status should likewise remain open. International law does not prescribe independence over autonomy, federalism, free association, or other negotiated arrangements. The relevant legal consideration is whether the process genuinely reflects the will of the population concerned and respects applicable human rights standards. Comparative experiences in Timor-Leste,⁵¹ Kosovo,⁵² Bougainville,⁵³ South Sudan,⁵⁴ and Aceh⁵⁵ show different institutional pathways but do not establish legally binding models for Arakan. They instead illustrate that negotiated autonomy, transitional administration, and internationally supported status processes may offer alternatives to unilateral secession.⁵⁶

The proposed roadmap is thus neither a legal requirement nor evidence that independence is predetermined. It is a normative framework informed by international law: establish the legal and factual basis of the claim, protect rights and participation, consider viable forms of internal self-determination, and determine political status through an inclusive and legitimate process. The sequence is designed to ensure that any eventual claim to external self-determination is assessed against, rather than assumed to override, the continuing relevance of internal self-determination and territorial integrity.

Contemporary Developments: De Facto Governance and the Future of Inclusive Self-Determination in Arakan

The political and military situation in Arakan has changed significantly since late 2024.⁵⁷ The United League of Arakan/Arakan Army (ULA/AA) has established effective control over most of Rakhine State and now performs substantial administrative, judicial, and security

⁵⁰ Thomas Weatherall, *The Right to Self-Determination in International Law* (Oxford: Oxford University Press, 2026), 42.

⁵¹ Norrie MacQueen, "United Nations Transitional Administration in East Timor (UNTAET)," in *The Oxford Handbook of United Nations Peacekeeping Operations*, ed. Joachim A. Koops et al. (Oxford: Oxford University Press, 2014), 642.

⁵² Pushkar M. Sharma, "How Has the UN Mission in Kosovo Delivered on Action for Peacekeeping?" *IPI Global Observatory*, January 2020, accessed August 4, 2026, <https://theglobalobservatory.org/2020/01/how-has-unmik-delivered-on-action-for-peacekeeping/>.

⁵³ Anthony J. Regan, Kerry Baker, and Thiago Cintra Oppermann, "The 2019 Bougainville Referendum and the Question of Independence: From Conflict to Consensus," *The Journal of Pacific History* 57, no. 1 (2022): 58–88, <https://doi.org/10.1080/00223344.2021.2010683>.

⁵⁴ "South Sudan Backs Independence Results," *BBC News*, last modified 2011, accessed August 4, 2026, <https://www.bbc.com/news/world-africa-12379431>.

⁵⁵ Edward Aspinall, *The Helsinki Agreement: A More Promising Basis for Peace in Aceh?* (Washington, DC: East-West Center, 2005), 58.

⁵⁶ Karen Knop, *Diversity and Self-Determination in International Law* (Cambridge: Cambridge University Press, 2002), 111.

⁵⁷ Sai Wansai, "The Arakan Crossroads: Between the Dream of Independence and the Reality of Confederation," *Shan News*, last modified 2026, accessed August 4, 2026, <https://english.shannews.org/archives/29953>.

functions that the Myanmar state traditionally exercised.⁵⁸ This development is relevant to the practical feasibility of self-government because it demonstrates an existing capacity to exercise governmental functions. It does not, however, by itself establish a legal entitlement to external self-determination or international recognition.

The legal significance of ULA/AA governance depends less on the extent of its territorial control than on how it exercises that authority. International law does not make military effectiveness a substitute for self-determination, nor does effective control alone establish a right to secession. Any assessment of a future political order must therefore consider whether governance is inclusive, respects fundamental human rights, and provides meaningful political participation to all constituent communities. Recent reports have raised concerns about the treatment of Rohingya civilians in areas under ULA/AA influence, including allegations of forced recruitment, restrictions on movement, and other violations. These allegations require careful factual and legal assessment; if substantiated, they would undermine rather than strengthen the claim that existing *de facto* governance provides a legitimate foundation for inclusive self-determination.

ULA/AA governance is therefore both an institutional opportunity and a legal challenge. Its capacity to administer territory may provide a practical foundation for future self-government, but its legal significance depends on the character of that governance. For the purposes of this article, self-determination is not satisfied merely by transferring effective control from the Myanmar state to another political or military authority. A legitimate claim must also address the political status and rights of all communities concerned, including the Rohingya, the Rakhine, and other inhabitants of Arakan. Accordingly, the present *de facto* authority can contribute to the practical case for self-government only if it evolves toward an inclusive political order founded on equal citizenship, meaningful representation, non-discrimination, minority protection, and accountability. A political arrangement that reproduces exclusion or serious rights violations would weaken, rather than substantiate, the broader claim to inclusive self-determination.

CONCLUSION

This article has examined whether contemporary international law provides a legal basis for considering external self-determination as a possible durable solution to the Rohingya crisis. It has addressed three questions: who may constitute the relevant “people” for self-determination in Arakan; whether the circumstances justify consideration of external self-determination; and whether such an approach offers a more sustainable solution than repatriation alone.

The analysis does not show that Arakan currently meets a settled legal threshold for remedial secession. It concludes instead that the circumstances warrant serious consideration of such a claim within the unsettled area of international law. For analytical purposes, the article approaches self-determination territorially and inclusively, recognizing the Rohingya, the Rakhine, and other communities inhabiting Arakan without asserting that they constitute a

⁵⁸ James T. Davies and Htoon Oung, “Decentralisation by Force: The United League of Arakan/Arakan Army’s Expansion in Western Myanmar,” *ANU Myanmar Research Centre*, March 16, 2026, accessed August 1, 2026, <https://myanmar.anu.edu.au/research/decentralisation-force-united-league-arakan-arakan-armys-expansion-western-myanmar>.

single homogeneous “people” as a settled matter of international law. Their shared territorial and political future provides the basis for considering the question of self-determination collectively, while preserving the distinct identity and interests of each community.⁵⁹ The jurisprudential analysis further shows that international law does not yet recognize a settled right to remedial secession. The authorities examined affirm the importance of self-determination and generally favor its internal realization and territorial integrity, while leaving unresolved the circumstances in which external self-determination might arise. Against this legal background, the prolonged denial of citizenship, political participation, and equal protection under Myanmar’s legal framework, particularly since the Burma Citizenship Law 1982, together with serious and systematic violations against the Rohingya, provides substantial grounds for considering whether the limits of internal self-determination have been reached. On the present state of international law, however, these circumstances do not establish an automatic entitlement to secession. Any such claim would also require an assessment of the availability of meaningful internal political arrangements and effective remedies, as well as the inclusiveness and legitimacy of any proposed alternative.

The article therefore does not contend that independence is legally required or necessarily preferable to other forms of self-determination. Enhanced autonomy, federal restructuring, power-sharing, or other meaningful forms of internal self-determination may provide alternative pathways, provided that they secure equal citizenship, political participation, minority protection, and effective accountability. Repatriation alone, however, cannot be a durable solution unless these underlying political and constitutional conditions are addressed. The proceedings before the International Court of Justice and the International Criminal Court remain important accountability mechanisms but cannot by themselves resolve the structural causes of the crisis.

The findings also have regional implications. Bangladesh and other states continue to bear the consequences of prolonged displacement, while ASEAN’s efforts under the Five-Point Consensus have made limited progress. Future regional and international efforts should therefore move beyond repatriation as an exclusive objective and support an inclusive political process involving the communities of Arakan. Such a process should combine constitutional reform, meaningful political participation, international accountability, and regional cooperation. The article’s central conclusion, then, is not that international law currently grants Arakan a right to remedial secession but that the exceptional and continuing circumstances of the Rohingya crisis warrant serious legal and political consideration of external self-determination alongside viable forms of internal self-determination.

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