

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH (GOB)  
AND  
THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)  
  
(ON BEHALF OF THE UNITED NATIONS AGENCIES WORKING ON THE ROHINGYA  
HUMANITARIAN RESPONSE IN BANGLADESH)  
  
RELATING TO BHASAN CHAR**

The Memorandum of Understanding (hereinafter referred to as the "MOU") undertaken by the Government of the People's Republic of Bangladesh (hereinafter referred to as "GOB") and the Office of the United Nations High Commissioner for Refugees (hereinafter referred to as "UNHCR"), on behalf of the United Nations agencies working on the Rohingya humanitarian response in Bangladesh (hereinafter referred to as "UN"), collectively hereinafter referred to as "the Parties";

The Parties, recognizing the successive waves of influx of refugees<sup>\*</sup>/Forcibly Displaced Myanmar Nationals (FDMNs) into Bangladesh from Myanmar's Rakhine State, the most recent being over 740,000 since the events of 25 August 2017;

The Parties, recognizing the significant challenges the GOB is facing in hosting refugees/FDMNs from Myanmar;

Also recognizing the extensive investments that the GOB has made in its Bhasan Char project, including in the facilities and infrastructure;

Recalling that Bhasan Char is a temporary arrangement for the refugees/FDMNs residing there until they are able to return to Myanmar in a safe, voluntary, and dignified manner;

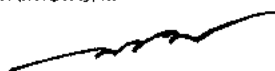
Recognizing that the right of all persons to return to their country is a fundamental right enshrined in Article -13(2) of the 1948 Universal Declaration of Human Rights and Article -12 of the 1966 International Covenant on Civil and Political Rights;

Recalling the UN in Bangladesh visit to Bhasan Char from 17-20 March 2021, facilitated and accompanied by the GOB, and taking note of the "UN Key Observations and Findings" further to that visit;

Further noting that, based on the UN visit, the UN clearly recognizes the humanitarian and protection needs of refugees/FDMNs residing on Bhasan Char;

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<sup>\*</sup> The Government of Bangladesh refers to the Rohingya as "Forcibly Displaced Myanmar Nationals (FDMNs)". The UN refers to the Rohingya population as refugees from Myanmar, in line with the applicable international framework.



Drawing upon previous discussions and consultations that have taken place with all relevant stakeholders, notably refugees/FDMNs in Cox's Bazar and on Bhasan Char, including during the UN visit to Bhasan Char, about their situation and views;

Reaffirming the protection framework that underpins the "Joint Response Plan(s) for the Rohingya Humanitarian Crisis" in Cox's Bazar, and underscoring they will be equally applicable to the refugees/FDMNs residing on Bhasan Char;

Recognizing the need to address the age, gender, disability and other specific needs of refugees/FDMNs residing on Bhasan Char;

Reaffirming the refugee/FDMNs humanitarian response on Bhasan Char will be guided by humanitarian principles and GOB's priorities and policies;

Recognizing refugees/FDMNs are granted temporary stay in Bangladesh on humanitarian grounds, are to be treated in accordance with the law, and have a duty and responsibility to comply with the laws and regulations of Bangladesh for as long as they are hosted in the country;

Noting the extent of the UN's operational engagement on Bhasan Char and ability to secure funding for humanitarian operations there will depend on the successful implementation of the MoU and overall funding availability;

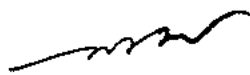
**HAVE AGREED ON THE FOLLOWING:**

**1. OBJECTIVE**

The objective of this MoU is to establish a Framework of Cooperation between the Parties in relation to the UN's overall engagement on Bhasan Char, based on humanitarian and protection principles and the GOB's priorities and policies.

**2. GENERAL PROVISIONS**

- a. The UN will operate on Bhasan Char under the overall coordination of and consultation with the GOB authorities. While operating on Bhasan Char, the UN and partner humanitarian personnel will coordinate and work closely with the relevant GOB authorities.
- b. The GOB will take all necessary measures to ensure the safety and security of the refugees/FDMNs on Bhasan Char and the UN and partner humanitarian personnel operating there.
- c. Until and after humanitarian operations are established, the GOB will allow the UN to carry out continuous consultations with all relevant stakeholders, notably refugees/FDMNs, as well as regular surveys and needs assessments to understand the evolving needs and requirements of refugees/FDMNs on Bhasan Char, including those



related to their protection, safety and wellbeing, and take action accordingly in consultation with the GOB.

- d. The UN and the relevant humanitarian agencies operating with GOB's approval on Bhasan Char will be permitted unhindered access to the refugee/FDMNs population there.
- e. In order to run necessary humanitarian operations on Bhasan Char, the GOB will allow and, where possible, support the UN to ensure necessary and predictable access to Bhasan Char for humanitarian goods, equipment, and supplies.
- f. The GOB will ensure relocations to and the stay of refugees/FDMNs on Bhasan Char take place on a voluntary basis. Refugees/FDMNs will be provided with accurate and timely information about the conditions and situation on Bhasan Char, ahead of any further actual relocations.
- g. The precise modalities and arrangements for movements of refugees/FDMNs from and to Bhasan Char on a needs basis will be agreed between the GOB authorities and UN.
- h. The GOB will allow refugees/FDMNs to move on and within Bhasan Char for their daily activities.
- i. The governance and administration of the refugees/FDMNs settlement on Bhasan Char will be led by civilian authorities of the GOB, with support, as required, of the UN and humanitarian actors. The civilian and humanitarian character of the refugees/FDMNs settlement on Bhasan Char will be maintained.
- j. The GOB and UNHCR will ensure the provision of protection to the population. This includes, but is not limited to, the provision of services and individual case management by specialized protection actors, psychosocial counselling, and community-based protection. The Parties will also carry out community outreach and work to prevent and respond to key protection issues.
- k. The GOB and UNHCR will ensure joint registration and documentation for refugees/FDMNs, which will be updated on a continuous basis.
- l. Refugees/FDMNs on Bhasan Char will be permitted to access the requisite services to meet their basic needs, including, but not limited to, shelter; food and nutrition; water, sanitation and hygiene.
- m. A comprehensive package of essential health services will be available to refugees/FDMNs on Bhasan Char, including community health services, referrals and health surveillance with a focus on health awareness and prevention.
- n. Refugees/FDMNs will be permitted to engage in livelihood activities on Bhasan Char. Refugees/FDMNs will also be permitted to access skills, vocational training and capacity building activities, in particular those commensurate with the opportunities available in Rakhine State. These activities and opportunities will allow refugees/FDMNs to better prepare them for their sustainable return and reintegration in Myanmar.



- o. Education for refugees/FDMNs children will be ensured in Myanmar language and Myanmar curriculum and use of the Learning Competency Framework and Approach (LCFA), wherever it is required, until the transition to the Myanmar curriculum reaches full scale.
- p. The GOB will ensure uninterrupted telecommunication services on Bhasan Char.
- q. Being mindful of natural disaster risks on Bhasan Char, including monsoons and cyclones, the GOB will put in place emergency response planning and relevant disaster risk reduction measures with the support of the UN as and when required.
- r. The humanitarian response on Bhasan Char will aim to mitigate any potential impact of economic, trade or livelihood activities on nearby Bangladeshi communities.

### **3. MONITORING**

Any subsequent action plan or implementation of assistance and services for refugees/FDMNs on Bhasan Char will be guided by the principles outlined and agreed in the MoU.

The Parties agree that any difference in interpretation and on implementation of this MoU will be resolved amicably through close consultation and dialogue between the Parties.

### **4. ENTRY INTO FORCE**

This MoU will enter into force from the date of signature by the GOB and UNHCR below and will remain in force until it is terminated by either of the Parties, which must provide three months' notice of their intention to terminate.

IN WITNESS, WHEREOF, the authorised Representatives of the GOB and UNHCR do hereby sign this MoU. Done at Dhaka on this 09 October 2021, in the English language in duplicate.

On behalf of  
The Government of the People's Republic  
of Bangladesh



Md. Mohsin  
Secretary  
Ministry of Disaster Management and  
Relief

On behalf of  
The United Nations High Commissioner for  
Refugees



Johannes van der Klaauw  
Representative  
UNHCR, Bangladesh