

Abstract:**Unwanted Resident Foreigners: The Plight of Rohingya women**

Traditionally gender roles in Asia are dichotomous, where women are relegated to “home” and men are in charge of “outside” i.e. income, decision making. These distinctions are deep rooted in the society and make women more dependent on their male counterparts. Hence, most Asian women are provided with identity and social standings through their relationships to men. In this backdrop, stateless women of Asia are in a unique situation. The experiences and issues faced by stateless women are then very much shaped by their unequal position of power vis-à-vis men. Even though the affects of statelessness are felt by both genders alike, women often fall into disadvantaged position than men in a similar situation due the preconceived societal norms.

Statelessness has affected the lives of the Rohingya women of North Rakhine, Myanmar for nearly sixty years. They are denied full array of human rights including the most fundamental right of nationality. Without nationality, Rohingyas are faced with an identity crisis. Hence, they cannot be a part of the political processes, they are denied legal protection of a state, they have limited or no access to health care and education, they are unable to own property and are often lives in poverty. Statelessness has exposed most of Rohingya women to different forms of harassment, abuses and violence mostly sexual in nature. The right to travel, to marry, reproduce or even communicate to others are restricted in the case of Rohingyas. More often than not, these women are left to be the sole breadwinners to their families that are left behind due to forcible removal of men from their lives. These women, who are in desperate search of freedom and livelihood opportunities often fall prey to human traffickers/smugglers or suffer at the hands of employers given their non-legal status.

It is evident that the national laws do not recognize the existence of Rohingya women. The international legal protection frameworks for the stateless do not sufficiently address all forms of discrimination rendered against stateless women and therefore is ineffective in practice. Hence, the objective of this paper is to analyze the case of statelessness from a gendered perspective, with particular reference to Rohingya women.