

# ALTSEAN

## BURMA

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### ROHINGYA TARGETED BY ETHNIC CLEANSING IN ARAKAN/RAKHINE STATE

On 25 August 2017, violence dramatically escalated in northern Arakan/Rakhine State, after insurgents staged a major coordinated attack against security forces outposts.<sup>1</sup> The Arakan Rohingya Salvation Army (ARSA) claimed responsibility for the offensive, in order to “liberate our people from dehumanized oppression perpetrated by all successive Burmese regimes”.<sup>2</sup>

The ensuing military clearance operations killed hundreds of people and forced over 507,000 civilians from all communities to flee their homes.<sup>3</sup> Independent reports documented that “operations” mostly involved the Tatmadaw indiscriminately burning Rohingya villages and opening fire on their residents, with some instances of villagers joining the militants to fight the security forces.<sup>4</sup>

UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein declared “[t]his turn of events is deplorable. It was predicted and could have been prevented”. He noted that “decades of persistent and systematic human rights violations, including the very violent security responses to the attacks since October 2016 [see *Escalation of violence*], have almost certainly contributed to the nurturing of violent extremism, with everyone ultimately losing”.<sup>5</sup>

The latest wave of deadly violence in Arakan State did not happen overnight. Independent accounts, including a flash report issued by the Office of the UN High Commissioner on Human Rights (OHCHR) on 3 February 2017, showed that, since 9 October 2016, the Tatmadaw has targeted Rohingya with “unprecedented” violence.<sup>6</sup>

Burmese authorities, including military Commander-in-Chief Sr Gen Min Aung Hlaing and State Counsellor Aung San Suu Kyi, have repeatedly denied the accusations of human rights violations [see *Government “terrorist” narrative*].

**11 Sep: UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein described the situation in northern Arakan State as “a textbook example of ethnic cleansing”. He urged the Burmese government to stop denying the reality.**

**13 Sep: UN Secretary-General Antonio Guterres declared the situation amounted to ethnic cleansing and called on the Burmese government to suspend military action, end the violence, uphold the rule of law and recognize the right of return of all those who had to leave the country”.**

**13 Sep: the UN Security Council, including China, condemned the violence and called for humanitarian aid to be delivered.**

**14 Sep: The European Parliament condemned the attacks and urged security forces to “cease the killings, harassment and rape of Rohingya people, and the burning of their homes”.**

**20 Sep: French president Emmanuel Macron said that the attacks on Rohingya amounted to genocide.**

The outbreak of violence took place just hours after the Advisory Commission on Rakhine State – also known as Annan Commission – released its final report, jeopardizing the implementation of its recommendations. The Annan Commission – inaugurated on 5 September 2016 at the behest of Aung

<sup>1</sup> Reuters (25 Aug 17) At least 71 killed in Myanmar as Rohingya insurgents stage major attack

<sup>2</sup> RFA (01 Sep 17) Who Are the Arakan Rohingya Salvation Army?

<sup>3</sup> ISCG (11 Sep 17) Situation Report: Influx (August 2017); Reliefweb (03 Oct 17) Myanmar: Displacement from Rakhine after 25 Aug 2017 (as of 1 Oct 2017)

<sup>4</sup> BBC (02 Sep 17) Myanmar conflict: Fake photos inflame tension

<sup>5</sup> UN News (29 Aug 17) Myanmar: UN rights chief says violence in Rakhine state 'predictable and preventable'

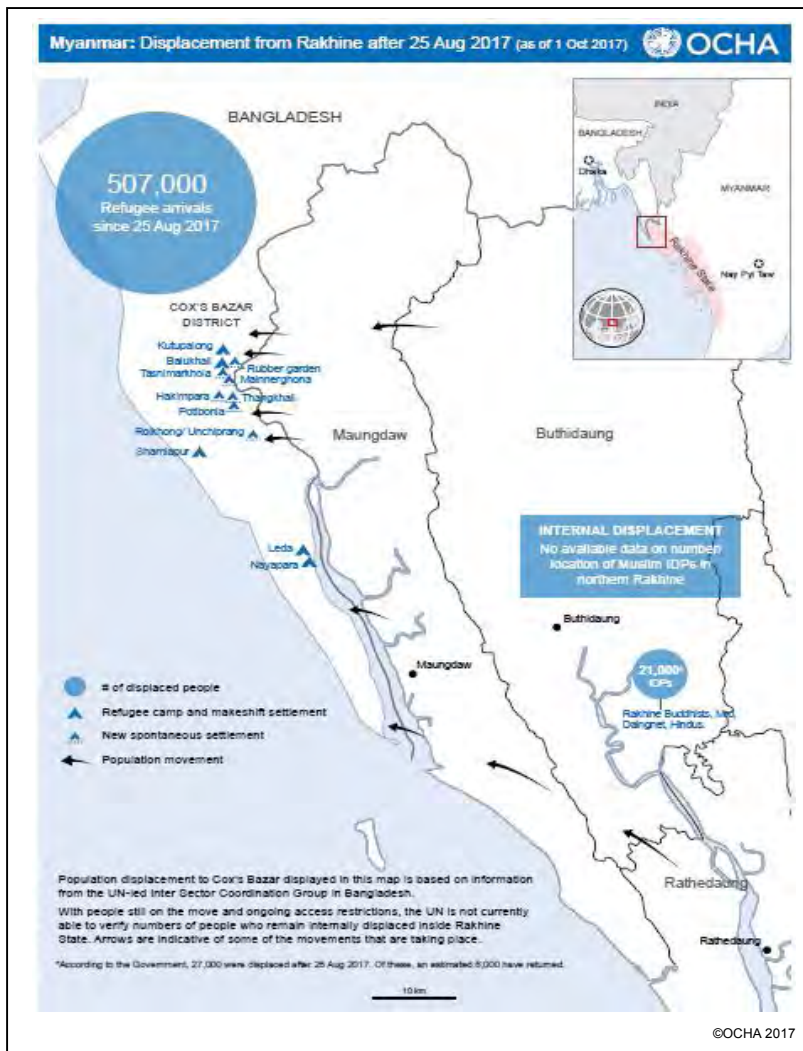
<sup>6</sup> OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

San Suu Kyi and chaired by former UN Secretary-General Kofi Annan – was mandated with providing recommendations to secure peace and prosperity in Arakan State. Its final report, which did not name the Rohingya at Aung San Suu Kyi’s request, urged Burma to eliminate all restrictions on the people’s ability to gain citizenship, move freely and participate in politics.<sup>7</sup>

## Refugee and humanitarian crisis in Bangladesh

The military “clearance operations” prompted a new exodus of Rohingya refugees to Bangladesh. On 31 August, UN sources estimated that more than 27,000 people had crossed the border, while 20,000 more remained stuck in an unoccupied area between the two countries.<sup>8</sup> On 3 September, the estimated number of new arrivals was 73,000,<sup>9</sup> while on 8 September it was over 270,000.<sup>10</sup> The most recent report on 3 October put the figure at 507,000, but high mobility has been making it impossible for aid agencies to verify these numbers.<sup>11</sup>

This added to the pre-existing displaced population, estimated at around 164,000 by the ISCG – chaired by the International Organization for Migration (IOM).<sup>12</sup> Among these, nearly 34,000 long-term displaced Rohingya were officially registered as refugees at Kutupalong and Leda camps in Cox’s Bazar, Bangladesh, and approximately 87,000 arrived as a result of the clearance operations that followed the 9 October 2016 attacks in Maungdaw Township.<sup>13</sup>



About 100 Rohingya, including women and children, were known to have drowned between 25 August and 14 September in boat disasters that occurred as refugees tried to cross the border during the monsoon period.<sup>14</sup> On 28 September, another boat capsized in rough waters. The bodies of 23 people were retrieved, but 40 others were missing and presumed drowned. Many were likely to be

<sup>7</sup> DVB (25 Aug 16) Arakan Commission must address ‘decades of discrimination’: Amnesty; Advisory Commission on Rakhine State (24 Aug 17) Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine - Final Report

<sup>8</sup> BBC (31 Aug 17) Myanmar: What sparked latest violence in Rakhine?; UN News (31 Aug 17) Myanmar: UN expert urges efforts to break ‘worsening cycle of violence’ in Rakhine

<sup>9</sup> Aljazeera (03 Sep 17) Rohingya exodus continues after 73000 flee Myanmar

<sup>10</sup> Reuters (08 Sept 17) Exodus of Rohingya to Bangladesh reaches 270,000- UNHCR; Reuters (07 Sept 17) Exclusive: U.N. expects up to 300,000 Rohingya could flee Myanmar violence to Bangladesh

<sup>11</sup> ISCG (11 Sep 17) Situation Report: Influx (August 2017); Reliefweb (03 Oct 17) Myanmar: Displacement from Rakhine after 25 Aug 2017 (as of 1 Oct 2017)

<sup>12</sup> ISCG (11 Sep 17) Situation Report: Influx (August 2017)

<sup>13</sup> HRW (11 Sep 17) Burma: Ensure Aid Reaches Rohingya; UNHCR (08 Sep 17) Bangladesh: Refugee camp capacity exhausted; thousands in makeshift shelters

<sup>14</sup> UNHCR (08 Sep 17) Bangladesh: Refugee camp capacity exhausted; thousands in makeshift shelters; Channel News Asia (14 Sep 17) Rohingya boat toll nears 100 as bodies wash ashore

children too weak for the strong currents.<sup>15</sup> The latest incident occurred on 8 October, when a boat sank in the Naf River with nearly 100 people on board. At least 12 died, including 10 children.<sup>16</sup>

The UN Refugee Agency (UNHCR) reported that vast majority of refugees were women and families with children, in poor condition, exhausted, hungry and desperate for shelter. The surge of refugees, many sick or wounded, strained the resources of aid agencies and communities.<sup>20</sup> More than half of the refugees now live in squalid conditions, crammed into makeshift sites composed of plastic sheets, lacking clean drinking water and sanitation.<sup>21</sup> The hazardous conditions were intensified by some of the worst monsoon floods in recent years.<sup>22</sup> Emergency Coordinator at Medicines Sans Frontiers (MSF) Robert Onus said the scale of the crisis was "...impossible to describe unless you see it with your own eyes".<sup>23</sup>

The Bangladesh government sought help to deal with the influx.<sup>24</sup> PM Sheikh Hasina said Bangladesh wanted refugees to return home and called for Burma to allow their safe repatriation.<sup>25</sup> She offered to create "safe zones" for Rohingya in Arakan State, but rights groups warned that safety could not be ensured and segregation could only worsen the conflict.<sup>26</sup> On 2 October, Bangladesh and Burma announced that a joint working group would discuss the repatriation of refugees. On 4 October, Amnesty International (AI) said that it is the responsibility of the international community to ensure that refugees are not forced back to Burma as long as they remain at risk of human rights violations.<sup>27</sup>

### Sexual violence

Health workers said that dozens of women showed injuries consistent with violent sexual attacks among the Rohingya refugees in Bangladesh. The social stigma surrounding sexual violence prevented many victims from coming forward, but some survivors described the rape as being used as a "calculated tool of terror to force targeted populations to flee". Many women said they were raped in front of their children; many were beaten before they were raped and/or gang raped; many had bite marks on their breasts and genitals. Doctors noted that the treated injuries suggested "more aggressive" attacks on women than previously seen, despite the fewer reported cases.<sup>17</sup>

Irine Loria – IOM protection officer for gender-based violence – said that the sexual violence this time appeared to be different in nature and more opportunistic: "Before it seems rape was being used as a tool. People were paraded naked in public, humiliated... This time it appears it is more about pushing them out as fast as possible".<sup>18</sup>

Arakan State Minister for Security and Border Affairs Col Phone Tint dismissed accounts of sexual violence against Rohingya women saying "Look at those women who are making these claims - would anyone want to rape them?"<sup>19</sup>

### Thousands still trapped amid violence

Refugees reported that, while many people from Maungdaw Township could escape to Bangladesh, tens of thousands of displaced Rohingya were still trapped in the areas surrounding Rathedaung and Buthidaung townships. They were hiding in the fields and hills without food, medical care, and other vital humanitarian assistance.<sup>28</sup>

<sup>15</sup> Coconuts Yangon (29 Sep 17) Boat capsizes compounds tragedy for Rohingya refugees; 60 feared dead

<sup>16</sup> Al Jazeera (09 Oct 17) Dozen die, scores missing as Rohingya boat capsizes

<sup>17</sup> Reuters (24 Sep 17) U.N. medics see evidence of rape in Myanmar army 'cleansing' campaign; Straits Time (24 Sep 17) Gang rape horrors haunt Rohingya refugees

<sup>18</sup> Straits Time (24 Sep 17) Gang rape horrors haunt Rohingya refugees

<sup>19</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar; BBC (06 Sep 17) Rohingya crisis: Suu Kyi says 'fake news helping terrorists'

<sup>20</sup> UNHCR (08 Sep 17) Bangladesh: Refugee camp capacity exhausted; thousands in makeshift shelters

<sup>21</sup> Al Jazeera (18 Sep 17) Cox's Bazar: Chaos all around at Rohingya camps; HRW (23 Sep 17) 'Safe Zones' for Rohingya Refugees in Burma Could Be Dangerous

<sup>22</sup> Reuters (25 Aug 17) Worst monsoon floods in years kill more than 1,200 across South Asia; Al Jazeera (18 Sep 17) Cox's Bazar: Chaos all around at Rohingya camps

<sup>23</sup> Al Jazeera (18 Sep 17) Cox's Bazar: Chaos all around at Rohingya camps

<sup>24</sup> HRW (23 Sep 17) 'Safe Zones' for Rohingya Refugees in Burma Could Be Dangerous

<sup>25</sup> Al Jazeera (22 Sep 17) Bangladesh PM wants Rohingya safe zones in Myanmar

<sup>26</sup> HRW (23 Sep 17) 'Safe Zones' for Rohingya Refugees in Burma Could Be Dangerous

<sup>27</sup> Amnesty International (04 Oct 17) Myanmar/Bangladesh: Rohingya refugees must not be forced home to abuse and discrimination

<sup>28</sup> HRW (11 Sep 17) Burma: Ensure Aid Reaches Rohingya

In Rathedaung Township, there were 21 Muslim villages and 3 camps for internally displaced persons (IDPs). Since 25 August, 16 of those villages and all 3 IDP camps were emptied and in many cases burnt. The 5 surviving Muslim villages and their inhabitants were cut off by hostile Arakanese Buddhists, and lacked food. They were also terrified, having repeatedly received death threats, and were begging for a secure passage to safety.<sup>32</sup> In Buthidaung Township, Rohingya residents were “struggling to survive”, lacking medical care and food.<sup>33</sup>

Tensions prevented local communities and international agencies from delivering vital supplies to the Rohingya community. On 12 September, Soe Chay – an Arakanese woman from Ywa Thit ward, Myebon Township – was robbed, beaten up and publicly humiliated for giving rations to Rohingya. She said a group of men punched and kicked her, cut off her hair, tied her with a rope and paraded her through the village with a sign reading “I am a national traitor”.<sup>34</sup> On 20 September, Buddhist mobs attacked an International Committee of the Red Cross (ICRC) aid shipment headed to Maungdaw Township. Nearly 300 people gathered at Set Yoe Kya jetty, Sittwe, and threw petrol bombs at the ICRC vessel.<sup>35</sup> On 22 September, a bomb exploded inside a mosque of Mee Kyaung Zay village, Buthidaung Township.<sup>36</sup>

Despite hostility growing throughout the entire country and several towns imposing official restrictions on Muslims,<sup>37</sup> Karen Women's Organization condemned the violence committed by the Tatmadaw against the Rohingya civilians. In a statement issued on 18 September, they urged national and international authorities to act and put an end to the military impunity for human rights abuses.<sup>38</sup>

On 29 September, Bangladeshi Buddhist leaders declared “we, the Buddhists outside Myanmar, are saying that what Myanmar is doing is a human rights violation ... and the Buddhist religion does not support it at all. We cannot support it as human beings. The religion says every living creature of the universe should be happy and the Rohingyas are not excluded from living creatures”.<sup>39</sup>

### The Tula Toli Massacre

On 30 August massacre took place at Tula Toli village (also known as Min Gyi), north of Maungdaw. Burmese security forces reportedly killed civilians, emptied the village, and set houses on fire. On 7 September, Zahir Ahmed described how he hid in nearby jungle and saw Burmese soldiers corner residents on the river bank, shoot adults, and throw babies and toddlers into the water. His wife and children, including the youngest daughter, 6-month old Hasina, were among them.<sup>29</sup>

On 12 September, Rashida, a 25 year-old Rohingya woman who survived Tula Toli, said Burmese soldiers separated the women and children from the men, pushed them to the river's shore, and started shooting. Rashida collapsed on the ground cradling her 1-month-old baby. When all residents seemed to be dead, soldiers dug a mass grave. Rashida was still alive but her head was hit with a machete and her baby taken away. She later found herself in a house with 7 other women. They were beaten and raped for countless hours there. When soldiers thought their victims were dead, they set fire to the house and left.<sup>30</sup>

On 19 September, satellite imagery confirmed the demolition of Tula Toli village. The only part of the village that appeared still intact was inhabited by Arakanese Buddhists.<sup>31</sup>

<sup>29</sup> The Guardian (7 Sep 17) Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack

<sup>30</sup> VICE News (12 Sep 17) “They struck us until we were lifeless”

<sup>31</sup> The Guardian (19 Sep 17) Myanmar: satellite imagery confirms Rohingya village of Tula Toli razed

<sup>32</sup> The Bangkok Post (18 Sep 17) ‘We will kill you all’; Rohingya beg for safe passage

<sup>33</sup> Al Jazeera (06 Oct 17) Myanmar’s Rohingya beg for help: ‘People are starving’

<sup>34</sup> DVB (18 Sep 17) Arakanese woman publicly humiliated for being a ‘traitor’

<sup>35</sup> The Irrawaddy (21 Sep 17) Sittwe Police Arrest 8 and Use Tear Gas to Disperse Mob Blocking Aid Shipment; The Bangkok Post (21 Sep 17) Myanmar Buddhist mob attacks aid shipment for Rohingya

<sup>36</sup> DVB (22 Sep 17) Bomb explodes at Buthidaung mosque

<sup>37</sup> Coconuts Yangon (12 Sep 17) ‘Muslim-free zones’ are on the rise in Myanmar: BHRN; Coconuts Yangon (26 Sep 17) Muslims can no longer travel freely in Kayin State

<sup>38</sup> Karen Women's Organization (18 Sep 17) Karen Women's Organisation Press Statement on Burmese Military Persecution of the Rohingya people

<sup>39</sup> Channel News Asia (29 Sep 17) Bangladesh's Buddhists throw support behind Rohingyas despite lingering fears

## Humanitarian assistance blocked

According to rights groups, the humanitarian catastrophe created by Burmese security forces in northern Arakan State “has been multiplied by the authorities’ unwillingness to provide access to humanitarian agencies”.<sup>40</sup> Humanitarian agencies have been forced to suspend all operations in the region since 25 August, including providing aid to IDPs and other vulnerable populations, “because the security situation and government field-visit restrictions rendered [them] unable to distribute assistance”.<sup>41</sup>

The UN and other international agencies have also been forced to withdraw some staff from the area after the government alleged that aid workers were helping the militants.<sup>42</sup> The government’s assumption was based on the finding of some WFP biscuits in a militants’ camp.<sup>43</sup> The Ministry of Home Affairs further accused local and international aid groups of being a source of material support to the attackers because improvised bombs were allegedly made out of imported steel pipes and ammonia fertilizers.<sup>44</sup>

On 29 August, UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein said that the unsupported allegations made by governmental authorities against international aid workers “are irresponsible and only serve to increase fears and the potential for further violence”.<sup>45</sup> On 13 September, the UN Security Council called for humanitarian aid workers to be able to reach those in need in northern Arakan State [see *International condemnation*].<sup>46</sup>

## “Textbook example of ethnic cleansing”

On 11 September, UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein described the situation in Arakan State as “a textbook example of ethnic cleansing”.<sup>47</sup> He noted that the situation could not be fully assessed because Burmese authorities have been refusing access to independent investigators, but said the UN had received “multiple reports and satellite imagery of Burmese security forces and local militia burning Rohingya villages, and consistent accounts of extrajudicial killings, including shooting fleeing civilians”.<sup>48</sup> On 13 September, UN Secretary General Antonio Guterres confirmed that the mass displacement of Rohingya amounted to ethnic cleansing and urged Burmese authorities “to suspend military action, end the violence, uphold the rule of law and recognize the right of return of all those who had to leave the country”.<sup>49</sup>

On 4 October, the UN Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) warned that the human rights violations committed by security forces against Rohingya women and children may amount to crimes against humanity.<sup>50</sup>

Rohingya survivors — many of whom suffered from burns and bullet wounds — described systematic and coordinated attacks against the civilian population, as well as mass-scale targeted burnings.<sup>51</sup> Burmese security forces hit villages with helicopter gunships and mortar shells, entered them and indiscriminately fired against the Rohingya residents.<sup>52</sup> Some of the injured Rohingya

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<sup>40</sup> HRW (11 Sep 17) Burma: Ensure Aid Reaches Rohingya

<sup>41</sup> The Guardian (04 Sep 17) Myanmar blocks all UN aid to civilians at heart of Rohingya crisis

<sup>42</sup> Reuters (28 Aug 17) Bangladesh pushes back thousands of Rohingya fleeing Myanmar violence

<sup>43</sup> The Guardian (28 Aug 17) Aung Sang Suu Kyi's office accuses aid workers of helping 'terrorists' in Myanmar

<sup>44</sup> DVB (30 Aug 17) NGOs a source for explosive materials used by militants in Arakan: minister

<sup>45</sup> UN News (29 Aug 17) Myanmar: UN rights chief says violence in Rakhine state 'predictable and preventable'

<sup>46</sup> Frontier Myanmar (14 Sep 17) UN Security Council calls for 'immediate steps' to end Rakhine violence

<sup>47</sup> Reuters (11 Sep 17) U.N. brands Myanmar violence a 'textbook' example of ethnic cleansing

<sup>48</sup> BBC (11 Sep 17) Rohingya crisis: UN sees 'ethnic cleansing' in Myanmar

<sup>49</sup> Frontier Myanmar (14 Sep 17) UN Security Council calls for 'immediate steps' to end Rakhine violence

<sup>50</sup> OHCHR (04 Oct 17) Myanmar Rohingya abuses may be crimes against humanity, UN rights experts warn

<sup>51</sup> Amnesty International (14 Sep 17) Myanmar: Scorched-earth campaign fuels ethnic cleansing of Rohingya from Rakhine State

<sup>52</sup> Amnesty International (14 Sep 17) Myanmar: Scorched-earth campaign fuels ethnic cleansing of Rohingya from Rakhine State

refugees said they were hit while at home, while others said they were shot when running for safety from their villages or hiding from Burmese soldiers in the fields.<sup>53</sup>

Refugees testified that as survivors fled, Burmese security forces and Buddhist mobs set fire to their houses.<sup>54</sup> Some of the injured recounted how the military burned down their homes while they were inside.<sup>55</sup> Other eyewitnesses said that soldiers burned their relatives alive.<sup>56</sup>

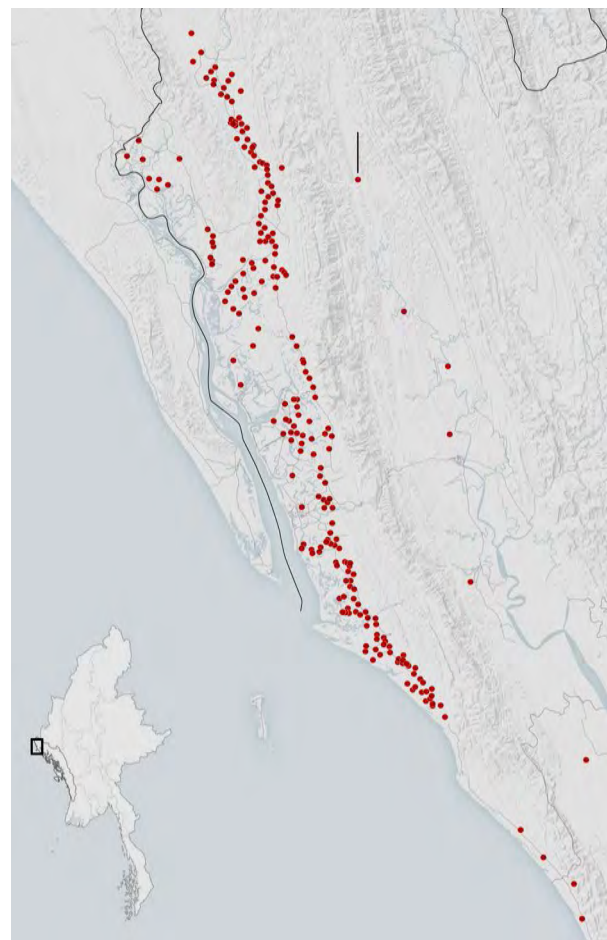
On 9 September, Amnesty International (AI) reported that Burmese security forces planted internationally banned antipersonnel landmines along the border with Bangladesh. In the previous week, landmines had seriously injured at least 3 civilians, including 2 children, and killed a man.<sup>57</sup> Two new landmine incidents were reported on 10 Sep, offering further evidence that security forces deliberately targeted locations that Rohingya refugees use as crossing points.<sup>58</sup>

On 11 September, the BBC reported that, during a government-organized visit to Maungdaw Township, journalists witnessed ethnic Arakanese Buddhist men setting fire to the Muslim village of Gawdu Thar Ya. One of the men admitted they had torched the houses, with the help of the police. Nobody did anything to stop the burning.<sup>59</sup> However, Arakan State Minister for Security and Border Affairs claimed that “Bengali terrorists” had taken control of Rohingya villages, and burned the houses of who refused to offer a man as a fighter.<sup>60</sup>

After the clearing of monsoon clouds on 16 September, satellite imagery revealed that the fire destruction of Rohingya Muslim houses and villages in northern Arakan State was much greater than expected: 214 villages were destroyed, with more than 90% of the structures in each village damaged.<sup>61</sup>

On 27 September, Minister for Social Development, Relief and Resettlement Win Myat Aye reportedly said that the government will take over the burned land because, “according to the law, burnt land becomes government-managed land”. There was no mention of what access to their old villages any returning Rohingya could expect.<sup>62</sup> An economic zone is planned for Maungdaw Township.

**214 villages destroyed in Arakan State since 25 August 2017**



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<sup>53</sup> HRW (08 Sep 17) Burma: Rohingya Describe Military Atrocities

<sup>54</sup> HRW (08 Sep 17) Burma: Rohingya Describe Military Atrocities; Amnesty International (14 Sep 17) Myanmar: Scorched-earth campaign fuels ethnic cleansing of Rohingya from Rakhine State

<sup>55</sup> Al Jazeera (25 Sep 17) Inside the hospital treating Rohingya refugees

<sup>56</sup> CNN (02 Sep 17) Rohingya refugees: Why I fled

<sup>57</sup> Amnesty International (09 Sep 17) Myanmar Army landmines along border with Bangladesh pose deadly threat to fleeing Rohingya

<sup>58</sup> Amnesty International (10 Sep 17) Myanmar: New landmine blasts point to deliberate targeting of Rohingya

<sup>59</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar

<sup>60</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar

<sup>61</sup> HRW (15 Sep 17) Burma: Military Torches Homes Near Border; HRW (19 Sep 17) Burma: Satellite Imagery Shows Mass Destruction

<sup>62</sup> Reuters (27 Sep 17) Government will take over burned Myanmar land: minister

The deadly violence also targeted the Hindu minority living in Arakan State. Families described attacks carried out by unknown masked assailants in villages of Maungdaw Township. At least 100 Hindus were reportedly killed and their houses set on fire. Survivors initially said they did not know who those attackers were.<sup>70</sup> Further accounts from refugees in Bangladesh spoke of local Arakanese Buddhist attacking them, while displaced Hindu families in Maungdaw claimed that the assailants were Muslims. Altered pictures were presented as part of highly divisive propaganda [see *Social media disinformation propaganda*].<sup>71</sup>

The State Counsellor Office Information Committee alleged that Rohingya militants burned homes of Rohingya and Hindu residents, but did not provide evidence to support those claims.<sup>72</sup> The Burmese government repeatedly denied any security forces abuses and claimed they were carrying out lawful counterterrorism operations. HRW South Asia Director Meenakshi Ganguly commented that “[l]awful operations against armed groups do not involve burning the local population out of their homes.”<sup>73</sup>

### Government “terrorist” narrative

Against the backdrop of a deep-rooted discrimination of the Rohingya minority, the Burmese government created a “terrorist” narrative that failed to take into account the testimonies of thousands of civilians trapped amid the violence. It said that Rohingya militants and villagers were burning their own houses and planting landmines at the border, and avoided mentioning the many Rohingya asylum seekers fleeing into Bangladesh.<sup>74</sup>

On 25 August, the State Counsellor Office Information Committee strongly condemned the attacks to the police outposts blaming “Bengali

### Arson, govt to take over burnt land

**2 Sep:** Satellite imagery showed the destruction of at least 450 buildings in the urban area of Maungdaw. Damage signatures were consistent with fire and concentrated in 2 areas mainly inhabited by Rohingya. The government alleged that Rohingya militants burned the homes but did not provide evidence.<sup>63</sup>

**8-9 Sep:** About 12 Muslim villages and 1 IDP camp were burned down in Rathedaung Township.<sup>64</sup> It was unclear who was responsible. The destroyed villages included Ah Htet Nan Yar – where 300 to 400 Rohingya who escaped other burnings had been sheltering – and Auk Nan Yar, some 65 km north of Sittwe.<sup>65</sup>

**11 Sep:** The BBC observed, during a state-organized visit to Maungdaw Township, Buddhist men set fire to the Muslim village of Gawdu Thar Ya. An arsonist said they torched the houses with the help of police. Arakan State Minister for Security and Border Affairs Col Phone Tint claimed “Bengali terrorists” burned the houses of Rohingya who refused to offer one man per household as a fighter.<sup>66</sup>

**13 Sep:** President’s Office spokesperson Zaw Htay confirmed that 176 villages of 471 villages targeted in clearance operations were empty, and at least 34 others partially abandoned.<sup>67</sup>

**19 Sep:** HRW reported that after monsoon clouds cleared, new satellite imagery showed 214 burnt villages, much more than previously known.<sup>68</sup>

**27 Sep:** Minister for Social Development, Relief and Resettlement Win Myat Aye said the government will take over burned land as, “according to the law, burnt land becomes government-managed land”. There was no mention of what access to their old villages any returning Rohingya could expect.<sup>69</sup> An economic zone is planned for Maungdaw.

<sup>63</sup> HRW (09 Sep 17) Burma: Satellite Images Show Urban Destruction

<sup>64</sup> Reuters (10 Sep 17) After insurgents' truce, Myanmar says 'we don't negotiate with terrorists'; Reuters (09 Sep 17) New fires ravage Rohingya villages in northwest Myanmar: sources

<sup>65</sup> Reuters (09 Sep 17) New fires ravage Rohingya villages in northwest Myanmar: sources

<sup>66</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar

<sup>67</sup> The Guardian (13 Sep 17) Myanmar says 40% of Rohingya villages targeted by army are now empty

<sup>68</sup> HRW (15 Sept 17) Burma: Military Torches Homes Near Border; HRW (19 Sep 17) Burma: Satellite Imagery Shows Mass Destruction

<sup>69</sup> Reuters (27 Sep 17) Government will take over burned Myanmar land: minister

<sup>70</sup> RFA (01 Sep 17) Nearly 400 Rohingya Insurgents Killed in Rakhine Violence: Myanmar Military Chief

<sup>71</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar

<sup>72</sup> HRW (09 Sep 17) Burma: Satellite Images Show Urban Destruction

<sup>73</sup> HRW (08 Sep 17) Burma: Rohingya Describe Military Atrocities

<sup>74</sup> BBC (06 Sep 17) Myanmar conflict: The view from Yangon; Reuters (06 Sept 17) Exclusive – Myanmar laying landmines near Bangladesh border: government sources in Dhaka; Reuters (06 Sept 17) Exclusive: Bangladesh protests over Myanmar's suspected landmine use near border

extremist terrorists”. The label “Bengali” has been used by Burmese nationalists to deny Rohingya identity and discriminate against them.<sup>75</sup> It then enforced the use of the term “terrorists”, threatening action against media that described ARSA as “insurgents”.<sup>76</sup> On 10 September, President’s Office spokesperson Zaw Htay dismissed a month-long unilateral humanitarian ceasefire declared by the ARSA, tweeting that they had “no policy to negotiate with terrorists”.<sup>77</sup> On 9 October, Defense Minister Lt Gen Sein Win echoed the position.<sup>78</sup>

Despite early allegations of military abuses, on 26 August, the government called on Rohingya civilians to cooperate with the security forces and promised those not related to the insurgents would not be affected.<sup>79</sup> On 30 August, the Upper House of Parliament approved a proposal to grant "greater power" to security forces, and increase budgets for police border security.<sup>80</sup>

Following further allegations of human rights violations by security forces, authorities claimed insurgents were spreading fake news and images on social media.<sup>81</sup> On 5 September, Aung San Suu Kyi blamed “terrorists” for “a huge iceberg of misinformation calculated to create a lot of problems between different countries”, while the Burmese government was allegedly protecting all the people in Arakan State.<sup>82</sup>

On 11 September, the Burmese Foreign Affairs Ministry said Burma shared the global concerns at the displacement and suffering of “all communities” in Arakan State, but maintained that terrorists were to blame for the violence, and alleged that the 25 August attacks were deliberately timed to sabotage the release of the Annan Commission’s final report.<sup>83</sup>

### **Social media disinformation propaganda**

Since 25 August, anti-Rohingya and anti-Muslim rhetoric has been on the rise, with misleading narratives being presented as part of highly divisive and dangerous propaganda.<sup>84</sup>

Ambiguous information has been presented by both sides of the competing narrative, increasing tensions. No less than President’s Office spokesperson Zaw Htay posted an altered image on his Twitter account. The post claimed to show Muslims setting fire to their houses, but further investigation revealed that the people pictured were Hindus staying at a government shelter in Maungdaw Township.<sup>85</sup> Similar photos went viral on social media, and were distributed among journalists on a government-organized visit to Maungdaw Township. Journalists concluded that “they had faked the photos to make it look as though Muslims were doing the burning”.<sup>86</sup>

On 24-25 September, the Tatmadaw reportedly discovered 45 bodies in mass graves near Yebawkya village, Maungdaw Township. Hours after the bodies were unearthed, the Office of the Commander-in-Chief said that the victims were Hindus “cruelly and violently killed by ARSA extremist Bengali terrorists”. The State Counsellor’s Office Information Committee echoed these accusations. Rights

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<sup>75</sup> State Counsellor Information Committee (25 Aug 17) Many police outposts and police stations in Maungdaw attacked by Bengali extremist terrorists

<sup>76</sup> Reuters (27 Aug 17) Gunfire heard near Bangladesh border as thousands flee Myanmar violence; BBC (06 Sep 17) Myanmar conflict: The view from Yangon

<sup>77</sup> Reuters (10 Sep 17) After insurgents' truce, Myanmar says 'we don't negotiate with terrorists'

<sup>78</sup> The Irrawaddy (09 Oct 17) Myanmar Army Rejects ARSA on Final Ceasefire Day

<sup>79</sup> Reuters (27 Aug 17) Gunfire heard near Bangladesh border as thousands flee Myanmar violence

<sup>80</sup> The Irrawaddy (30 Aug 17) Upper House Approves Rakhine State Proposal

<sup>81</sup> BBC (06 Sep 17) Myanmar conflict: The view from Yangon

<sup>82</sup> The Telegraph (06 Sep 17) Aung San Suu Kyi lashes out at 'misinformation' from 'terrorists' as 126,000 Rohingya flee Burma; Reuters (09 Sep 17) New fires ravage Rohingya villages in northwest Myanmar: sources

<sup>83</sup> The Guardian (11 Sep 17) Myanmar treatment of Rohingya looks like 'textbook ethnic cleansing', says UN

<sup>84</sup> The Quint (25 Sep 17) Anti-Rohingya Propaganda Relying On Fake Images Of Children

<sup>85</sup> The Irrawaddy (22 Sep 17) Analysis: Media, Misinformation and Misleading Photos in Rakhine Crisis

<sup>86</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar



groups heavily criticized the quick conclusion and accused the Burmese government of complicity in the dissemination of fake news about the conflict.<sup>87</sup>

The social media campaign hardened attitudes on both sides, ultimately worsening the conflict. The power of this misleading information has been fuelled by the government’s denial of access to Arakan State for independent observers, including the fact-finding mission established by the UN Human Rights Council to investigate the allegations of human rights abuse in the country.<sup>88</sup>

### Aung San Suu Kyi's national address

On 19 September, State Counsellor Aung San Suu Kyi gave a much anticipated national address on the crisis in Arakan State, raising international concern and criticism. Many of her claims were found conflicting with the Annan Commission’s final report and other independent accounts.<sup>89</sup>

AUNG SAN SUU KYI	ANNAN COMMISSION AND OTHER INDEPENDENT SOURCES
<p>“We want to find out why this exodus is happening”.</p>	<ul style="list-style-type: none"> <li>➤ Annan Commission: Several issues were identified in relation to the refugee exodus, including the lack of citizenship for Rohingya, economic challenges, and military action on Arakan State.<sup>90</sup></li> <li>➤ 31 Aug, UN SP Yanghee Lee: “The situation had worsened considerably (...), with credible multiple sources reporting violations which include Rohingyas being indiscriminately killed and injured by military gunfire, even while fleeing”.<sup>91</sup></li> <li>➤ 11 Sep, UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein: The UN has received "multiple reports and satellite imagery of Burmese security forces and local militia burning Rohingya villages, and consistent accounts of extrajudicial killings, including shooting fleeing civilians".<sup>92</sup></li> <li>➤ 19 Sep, HRW: Between 25 August and 16 September, 214 villages in Maungdaw and Rathedaung townships have been burned down.<sup>93</sup></li> </ul>
<p>Burma “does not fear international scrutiny”. Monitors are invited to “study the peaceful areas for themselves”.</p>	<ul style="list-style-type: none"> <li>➤ Annan Commission: Humanitarian and media access to northern Arakan State is highly restricted.<sup>94</sup></li> <li>➤ 20 Jan, UN SP Yanghee Lee: “There is one word that has hung heavily on my mind during this visit – reprisals. (...) In one case, an individual directly told me they thought they would be arrested following our conversation”.<sup>95</sup></li> <li>➤ 29 Jun, Burmese govt: The Ministry of Foreign Affairs ordered embassies not to issue visas to the UN fact-finding mission members.<sup>96</sup></li> <li>➤ 4 Sep, AI: Aid activities have been restricted in Arakan State since early August, and suspended since 25 August.<sup>97</sup></li> </ul>
<p>“After several months of seemingly quiet and</p>	<ul style="list-style-type: none"> <li>➤ 21 Jul, UN SP Yanghee Lee: “The general situation for the Rohingya has hardly improved since my last visit in January, and has become further</li> </ul>

<sup>87</sup> Coconuts Yangon (25 Sep 17) Myanmar army says 28 Hindus found in Maungdaw mass graves; Coconuts Yangon (29 Sep 17) Myanmar is ‘playing politics’ with slain Hindus: HRW

<sup>88</sup> BBC (06 Sep 17) Myanmar conflict: The view from Yangon; OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

<sup>89</sup> CNN (20 Sep 17) 5 dubious claims Myanmar’s Aung San Suu Kyi made in her speech; The Guardian (20 Sep 17) Fact check: Aung San Suu Kyi’s speech on the Rohingya crisis

<sup>90</sup> Advisory Commission on Rakhine State (24 Aug 17) Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine

<sup>91</sup> UN News (31 Aug 17) Myanmar: Worsening cycle of violence in Rakhine must be broken urgently, UN expert warns

<sup>92</sup> BBC (11 Sep 17) Rohingya crisis: UN sees ‘ethnic cleansing’ in Myanmar

<sup>93</sup> HRW (19 Sep 17) Burma: Satellite Imagery Shows Mass Destruction

<sup>94</sup> Advisory Commission on Rakhine State (24 Aug 17) Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine

<sup>95</sup> OHCHR (20 Jan 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

<sup>96</sup> Myanmar Times (30 Jun 17) No entry to UNHRC fact-finding mission in Rakhine

<sup>97</sup> Amnesty International (4 Sep 17) Myanmar: Restrictions on international aid putting thousands at risk

peace, on 25 August, 30 police outposts were attacked”.	<p>complicated in the north of Rakhine. I continue to receive reports of violations allegedly committed by security forces”.<sup>98</sup></p> <p>➤ 11 Aug, UN SP Yanghee Lee: The military boost of security in Arakan State, which took place on 10 August, “is a cause for major concern”.<sup>99</sup></p>
Since 5 September, there have been “no armed clashes and there have been no clearance operations”.	<p>➤ 8-9 Sep, Reuters: Dozen Muslim villages and one IDP camp were burned down in Rathedaung Township.<sup>100</sup></p> <p>➤ 11 Sep, BBC: Journalists on a government-organized visit saw Arakanese men setting fire to the Muslim village of Gawdu Thar Ya, Maungdaw.<sup>101</sup></p> <p>➤ 15 Sep, HRW: “The Burmese military is deliberately burning ethnic Rohingya villages near the Bangladesh border”.<sup>102</sup></p> <p>➤ 19 Sep, HRW: Between 25 August and 16 September, 214 villages in Maungdaw and Rathedaung townships have been burned down.<sup>103</sup></p>
The “great majority” of Muslims stayed in the conflict areas and “more than 50% of the villages of Muslims are intact”.	<p>➤ 7 Sep, UN SP Yanghee Lee: “More than 1,000 people, mostly from the Rohingya community, may have been killed”.<sup>104</sup></p> <p>➤ 19 Sep, HRW: Satellite imagery showed the destruction of 214 villages, with more than 90% of the structures in each village damaged.<sup>105</sup></p> <p>➤ 19 Sep, UNHCR: An estimated 421,000 Rohingya Muslims have fled from Burma to Bangladesh since 25 August.<sup>106</sup></p>
“All people in Arakan State have access to health care services and education”.	<p>➤ Annan Commission: Restrictions to movement have resulted in “a wide range of detrimental effects, including reduced access to education, health and services. (...) Access to health is particularly low within the Muslim community. In some areas, Muslims face discriminative obstacles that prevent available lifesaving services from being accessed.”<sup>107</sup></p>
Burma is willing to take back refugees “at any time” subject to a “verification” process.	<p>➤ Annan Commission: Approximately 4,000 Muslims out of 1 million stateless Muslims were granted citizenship to date. Many are reluctant to submit their documents for fear of being left undocumented. Others have lost their previous documents.<sup>108</sup></p> <p>➤ 1 Jul, UN SR Yanghee Lee: “There (...) appear to be incidents of Rohingya being targeted by unknown assailants for applying to be verified as a citizen”.<sup>109</sup></p>

## Aung San Suu Kyi “Take Two”

On 12 October, in apparent response to heightened international pressure, State Counsellor Aung San Suu Kyi delivered another televised speech in Burmese language to express the government's commitment to effective humanitarian assistance, repatriation, resettlement and rehabilitation for those affected by the conflict. She prioritized “bringing development to the region and establishing durable peace” and said that negotiations were underway in Bangladesh concerning the repatriation of those who fled.<sup>110</sup>

<sup>98</sup> OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

<sup>99</sup> UN News (11 Aug 17) UN rights expert urges restraint in security operation in Myanmar's Rakhine state

<sup>100</sup> Reuters (09 Sep 17) New fires ravage Rohingya villages in northwest Myanmar: sources

<sup>101</sup> BBC (11 Sep 17) Rohingya crisis: Seeing through the official story in Myanmar

<sup>102</sup> HRW (15 Sep 17) Burma: Military Torches Homes Near Border

<sup>103</sup> HRW (19 Sep 17) Burma: Satellite Imagery Shows Mass Destruction

<sup>104</sup> Frontier Myanmar (08 Sept 17) Myanmar violence may have killed more than 1,000: UN rapporteur

<sup>105</sup> HRW (19 Sep 17) Burma: Satellite Imagery Shows Mass Destruction

<sup>106</sup> UNHCR (19 Sept 17) Mud and rain worsen plight for Rohingya refugees

<sup>107</sup> Advisory Commission on Rakhine State (24 Aug 17) Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine

<sup>108</sup> Advisory Commission on Rakhine State (24 Aug 17) Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine

<sup>109</sup> OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

<sup>110</sup> Mizzima (12 Oct 17) Aung San Suu Kyi thanks people for their support, calls for refugee repatriation; Myanmar State Counsellor Office facebook page (12 Oct 17) Report to the People By State Counsellor Daw Aung San Suu Kyi [https://web.facebook.com/state.counsellor/posts/1133341753466706?\\_rdc=1&\\_rdr](https://web.facebook.com/state.counsellor/posts/1133341753466706?_rdc=1&_rdr)

Aung San Suu Kyi also announced the establishment of the high-level “Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine” which will “allow the Union Government and all local and international organizations to work in all sectors and all strata of society”. The body will be chaired by the State Counsellor and vice-chaired by Dr. Win Myat Aye, Union Minister for Social Welfare, Relief and Resettlement/Chair of the Committee assigned to implement the recommendations Kofi Annan’s Advisory Commission on Rakhine State.<sup>111</sup>

**A pattern of denial: 7 government initiatives result in naught**

Since 2012, the governments led by former general President Thein Sein (2011-2015) and President Htin Kyaw (2016-present) have mandated 7 main initiatives to address the situation in Arakan State. The Advisory Commission on Rakhine State was not granted investigation power. The 2012, 2014, and 2016 national-level investigation commissions downplayed allegations of human rights abuses against the Rohingya minority as false news aimed to discredit the government and/or destabilize the country, refused to recognize the right of Rohingya to identify themselves and instead labeled them as “Bengali” illegal immigrants, did not provide witness protection, especially for crimes of sexual violence, and contradicted international human rights standards.<sup>112</sup> The 24 October 2016 state-level committee – chaired by Arakan lawmaker Aung Win – denied human rights violations, blamed the violence only on Rohingya and recommended increasing security. Aung Win said it was impossible that soldiers had raped Rohingya women because “they are very dirty... They are not attractive”. The 9 February 2017 military inquiry board and the 11 February 2017 police departmental inquiry were tasked with determining if their own personnel committed abuses against Rohingya, undermining credibility and impartiality of both initiatives.<sup>113</sup>

NATIONAL-LEVEL INVESTIGATION COMMISSIONS		
2012 Commission on Sectarian Violence in Rakhine State	2014 Commission for Duu-Chee-Yar-Tan incident	2016 Investigation Commission on violence in Maungdaw
<ul style="list-style-type: none"> <li>➤ Allegations of HRs violations constantly rejected as part of a “smear campaign” against the regime.</li> <li>➤ Independent reports dismissed as false evidence fabricated by national and int’l organizations.</li> <li>➤ No investigation of human rights abuses.</li> <li>➤ Included members with extremist Buddhist views. Two Muslim members were purged.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Reports of violence rejected as false allegations to destabilize Burma.</li> <li>➤ UN and MSF blamed, with suspension of MSF activities.</li> <li>➤ Denial of killings based on broad and prebaked assumptions (e.g. No evidence of Rohingya deaths because their names did not match the immigration records).</li> <li>➤ No investigation of human rights abuses.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Composition: Former military general-led commission tasked with investigating the military.</li> <li>➤ Human rights violations continuously rejected as “fabricated rumors and news” to discredit the government.</li> <li>➤ No witness protection, manipulation of witness accounts (state media broadcasted interview).</li> </ul>

This pattern of denial has resulted in the perpetuation of discrimination, impunity, animosity between communities, denial of human rights protections, increased vulnerability of marginalized communities, and significant loss of local and international trust in the authorities' will and ability to develop and implement sustainable solutions.<sup>114</sup>

<sup>111</sup> Mizzima (12 Oct 17) Aung San Suu Kyi thanks people for their support, calls for refugee repatriation; Myanmar State Counsellor Office facebook page (12 Oct 17) Report to the People By State Counsellor Daw Aung San Suu Kyi [https://web.facebook.com/state.counsellor/posts/1133341753466706?\\_rdc=1&\\_rdr](https://web.facebook.com/state.counsellor/posts/1133341753466706?_rdc=1&_rdr)

<sup>112</sup> ALTSEAN (03 Mar 17) Burma/Myanmar: Flawed Domestic Investigations Necessitate UN Commission of Inquiry on Serious Crimes

<sup>113</sup> ALTSEAN (03 Mar 17) Burma/Myanmar: Flawed Domestic Investigations Necessitate UN Commission of Inquiry on Serious Crimes

<sup>114</sup> ALTSEAN (03 Mar 17) Burma/Myanmar: Flawed Domestic Investigations Necessitate UN Commission of Inquiry on Serious Crimes

The 2016 Investigation Commission, chaired by Burma's Vice President Sr Gen Myint Swe, was tasked with uncovering the truth behind the attacks which occurred on 9 October 2016, and related events.<sup>115</sup> The interim report, released on 3 January 2017, rejected human rights violations as "fabricated rumors and news", and dismissed rape allegations for "lack of evidence".<sup>116</sup>

The final report, presented on 6 August 2017, concluded that there was no evidence of genocide.<sup>117</sup> Ignoring refugee accounts, it read that 2 main factors pushed over 87,000 people to Bangladesh: the intimidation of "terrorists" and the fabrication by some organizations of "horror stories that never actually happened" in Burma. It also claimed it was impossible to collect evidence of rape, and it was difficult to identify who set fire to houses and villages.<sup>118</sup>

HRW responded that "the commission's wholesale rejection of grave abuses despite considerable evidence from independent sources, coupled with the Burmese army's earlier inadequate investigation, demonstrates the urgent need for the government to allow full access to the United Nations-mandated, international fact-finding mission".<sup>119</sup> Right groups consistently criticized the lack of independence and credibility, as well as the inappropriate investigative method of the national investigation commission: intimidation of victims, alteration of witness accounts, and lack of any protection.<sup>120</sup>

Media reported that commission translators and representatives altered eyewitnesses' accounts to omit elements of rape allegations.<sup>121</sup>

A young Rohingya woman who testified about sexual violence by the military was subjected to further threats and humiliation. On 11 December, 25-year old Jamalida Begum, whose husband was shot dead, testified to government officials about the sexual assault she and other young women were subjected to by soldiers after being assured it was safe to do so. She was instead further victimized for telling the truth, harassed by translators and publicly humiliated by state media as a liar. Jamalida said that a governmental translator threatened to beat her, and that Tatmadaw soldiers came looking for her after her testimony to government officials and journalists. She realized it was not safe in Arakan State, and fled into Bangladesh across the Naf River.<sup>122</sup>

**"Commission rep: Did you see if those women were raped or not?"**

**Eyewitness: I did not.**

**Commission rep: So it's not true.**

**Eyewitness: Yes and no... They were bleeding directly from here (she points to between the legs)**

**Commission rep: Don't say that. Don't say bleeding. Just say whether you saw the rape or not."**

Asian Correspondent (29 Jan 17) Burma: Is the Burmese state media altering witness accounts of Rohingya rape? (Transcript from MRTV broadcast)

It is important to note that the authorities have refused to engage in any investigation of the widely documented human rights violations in other regions of the country, particularly in Kachin and Shan states, where serious crimes continue to persist and security forces have targeted civilians with extrajudicial killings, rape and sexual violence, arbitrary detention and forced displacement.

<sup>115</sup> President Office, The Republic of the Union of Myanmar (05 Dec 16) Formation of Investigation Commission

<sup>116</sup> DVB (05 Jan 17) Interim report of Arakan fails to impress; Myanmar Times (05 Jan 17) Rakhine Commission releases interim report

<sup>117</sup> Reuters (06 Aug 17) Myanmar rejects allegations of human rights abuses against Rohingya

<sup>118</sup> Investigation Commission for Maungdaw in Rakhine State (06 Aug 17) Summary of the report of the Investigation Commission for Maungdaw in Rakhine State

<sup>119</sup> HRW (07 Aug 17) Burma: National Commission Denies Atrocities

<sup>120</sup> HRW (07 Aug 17) Burma: National Commission Denies Atrocities

<sup>121</sup> Asian Correspondent (29 Jan 17) Burma: Is the Burmese state media altering witness accounts of Rohingya rape?

<sup>122</sup> BBC (11 Mar 17) Hounded and ridiculed for complaining of rape

## Escalation of violence and instability

Despite conflicting government's claims, the deadly escalation of violence in northern Arakan State did not happen overnight. Independent reports, including a flash report issued by the Office of the UN High Commissioner on Human Rights (OHCHR) on 3 February 2017, showed that since 9 October 2016, the Tatmadaw has targeted Rohingya Muslims with unprecedented violence, committing serious violations of human rights against the civilian minority.<sup>123</sup>

This wave of military-led violence has been described by the international community as crimes against humanity, ethnic cleansing, and even genocide, as it seriously threatens the existence of the Rohingya who have already been subjected to intense systematic discrimination, previous outbreaks of violence, and segregation. The reports have documented numerous instances of the following serious crimes: murder, including killings of children and babies, and burning of homes with their occupants; forcible transfer of population, arbitrary arrest – unlawful detention; torture; rape, sexual slavery and other sexual violence; persecution on ethnic, cultural and religious grounds; enforced disappearance of persons; destruction of property and means of livelihood, as well as blocking of aid.

***"..The devastating cruelty to which these Rohingya children have been subjected is unbearable – what kind of hatred could make a man stab a baby crying out for his mother's milk. And for the mother to witness this murder while she is being gang-raped by the very security forces who should be protecting her."* - UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein.**

UN News (03 Feb 17) UN report details 'devastating cruelty' against Rohingya population in Myanmar's Rakhine province

After an apparent break between February and May 2017, the Tatmadaw began to resume clearance operations in June and went to full strength on 10 August, after several cases of murder and disappearance inflamed tensions.<sup>124</sup>

On 3 August, the death of 6 persons of Mro ethnicity near Mayu mountain range, Maungdaw Township, led to increased tensions after village administrator Sein Hla Maung reported that the perpetrators were Muslim militants.<sup>125</sup> The Arakan State government condemned the murders as acts of terrorism.<sup>126</sup> The Burmese government accused the insurgents of instigating a campaign of terror.<sup>127</sup> Burmese political parties requested the government to take effective counter-terrorism measures and segregate the Muslim communities, calling for "designating No-Bengali zones" in Arakan State.<sup>128</sup> The Tatmadaw boosted security and deployed more troops.<sup>129</sup> Inter-communal violence and riots escalated, in some instances leading Buddhist villagers to block Rohingya neighbors inside their areas without access to food and water.<sup>130</sup>

Serious crimes have been committed by the Tatmadaw and other security forces in an environment where the Rohingya have been denied access to basic protections, denied fair trial, and judicial guarantees. The discriminatory laws, policies and practices imposed on the Rohingya have stripped them of citizenship, subjected them to targeted birth control and marriage restrictions, segregation, and denial of basic health and education, and made them targets of property destruction and pillaging.

<sup>123</sup> OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

<sup>124</sup> Reuters (25 Aug 17) At least 12 dead in Muslim insurgent attacks in northwest Myanmar

<sup>125</sup> The Irrawaddy (03 Aug 17) Six Bodies With Gunshot, Machete Wounds Found in Maungdaw

<sup>126</sup> DVB (09 Aug 17) Arakan govt says recent Maungdaw murders are acts of terrorism

<sup>127</sup> Reuters (25 Aug 17) At least 32 dead in Myanmar as Rohingya insurgents stage major attack

<sup>128</sup> The Irrawaddy (15 Aug 17) USDP-Led Coalition Calls on Govt to Reject Rohingya Ethnicity; Myanmar Times (15 Aug 17) 20 political parties urge govt to act on Rakhine issue; DVB (15 Aug 17) Burmese parties demand tougher action against 'terrorists'; The Irrawaddy (10 Aug 17) ANP Asks Army Chief to Segregate Ethnic Communities in Maungdaw

<sup>129</sup> RFA (10 Aug 17) Rakhine Lawmakers Meet With Myanmar's Military Chief to Discuss Security Crisis; The Irrawaddy (10 Aug 17) Tatmadaw Troops Arrive in Sittwe, Bound for Maungdaw: Source

<sup>130</sup> Reuters (22 Aug 17) Exclusive - Rohingya villagers blockaded amid fresh tensions in Myanmar's Rakhine - residents

On 29 August, Home Affairs Minister Lt Gen Kyaw Swe declared “We have already said that the Rohingya do not exist in Myanmar. There is no Rohingya among our ethnic groups. [What] we have seen are the Bengalis in this region who have tried to destroy Myanmar’s rule of law”.<sup>131</sup>

### Economic interests

On 1 September, Arakan State Minister for Planning and Finance Kyaw Aye Thein announced that the construction of Maungdaw economic zone would start when the current situation in the area has calmed down.<sup>132</sup> Kyaw Aye Thein said that the government has selected a parcel of land in Maungdaw Township as the proposed location for a border economic zone.<sup>133</sup> The Maungdaw economic zone is expected to host garment factories, refrigeration units for fish and produce, a fuel station, and commodity and industrial showrooms.<sup>134</sup> The Arakan regional minister clarified that the economic zone would not be designated a special economic zone (SEZ) and thus, would not be governed by the SEZ law.<sup>135</sup> On 20 September, the Arakan State government signed a Memorandum of Understanding (MoU) with the Naff River Galaxy Infrastructure Development Group to develop the proposed economic zone in Maungdaw. The company was a consortium of “about seven” businesses from Maungdaw and Rangoon/Yangon.<sup>136</sup>

Critics remained skeptical of the proposed economic zone because of the ongoing conflict, overall insecurity and worsening human rights situation in the area.<sup>137</sup> This is the third economic zone to be publicized in the state since anti-Rohingya violence broke out in 2012. The others are the nearly US\$ 10 billion Kyaukphyu SEZ and the SEZ India is planning to develop in Sittwe.

### International condemnation

The reports of atrocities committed by Burmese security forces in northern Arakan State provoked a chorus of international criticism.

### THREE ECONOMIC ZONES ON CONFLICT-AFFECTED LAND



**Maungdaw Economic Zone (announced on 1 Sep 2017):** Maungdaw Township became the launching point of security forces' “clearance operations” on 9 October 2016. Civilians were killed, Muslim houses were burnt down, children were thrown into the burning homes, and women were sexually assaulted by security forces. In June 2017, violence reignited in Maungdaw Township, killing hundreds and displacing thousands.

**Sittwe SEZ (announced in Aug 2016):** Designed to complement a US\$120 million deep sea port built by India, and to compete with Kyaukphyu SEZ. Sittwe has been the scene of ongoing violence since 2012: In June 2012, nearly 1,000 Rohingya homes were burned, over 100 were killed and more than 300 were wounded. In March 2014, anti-Muslim mobs violently attacked international aid agencies’ offices, destroying numerous buildings.

**Kyaukphyu SEZ (announced in Sep 2013):** Expected to cost nearly US\$ 10 billion, the Chinese-led project is being promoted as a “mini-Singapore” in terms of facilities. Kyaukphyu was worst hit on 23-24 October 2012 when Buddhist Arakanese razed the entire Muslim quarter, destroying over 800 houses. Officials said that 64 people died as a result of the unrest, but rights groups feared the number could be much higher.

<sup>131</sup> RFA (29 Aug 17) Myanmar Boosts Measures to Take on Rohingya Militants in Rakhine

<sup>132</sup> Myanmar Times (01 Sept 17) Rakhine to construct Maungdaw economic zone

<sup>133</sup> Myanmar Business Today (30 Aug 17) Maungdaw, Rakhine Slated for Special Economic Zone

<sup>134</sup> Myanmar Business Today (30 Aug 17) Maungdaw, Rakhine Slated for Special Economic Zone

<sup>135</sup> Myanmar Times (01 Sept 17) Rakhine to construct Maungdaw economic zone

<sup>136</sup> Frontier Myanmar (20 Sep 17) Crisis puts more pressure on Rakhine’s troubled economy

<sup>137</sup> Myanmar Times (01 Sept 17) Rakhine to construct Maungdaw economic zone; Myanmar Business Today (30 Aug 17) Maungdaw, Rakhine Slated for Special Economic Zone

**13 Sep:** The UN Security Council, including China, expressed concern about excessive force during security operations in Arakan State and called for “immediate steps” to end the violence. It was the first time in 9 years that the Security Council was able to agree on a common stance on Burma.<sup>138</sup>

**14 Sep:** The European Parliament (EP) adopted a resolution on Burma, urging security forces to “cease the killings, harassment and rape of Rohingya people, and the burning of their homes”. It called for independent monitors and aid agencies “to be granted access to all conflict areas and displaced people, without discrimination”. It requested Aung San Suu Kyi “to condemn unequivocally all incitement to racial or religious hatred and to combat social discrimination and hostilities against the Rohingya”.<sup>139</sup>

**19 Sep:** State Counsellor Aung San Suu Kyi cancelled her attendance at the UN General Assembly.<sup>145</sup> UK, US, French, Canadian and Australian leaders urged Burma to put an end to the violence, and emphasized the need for humanitarian access.<sup>146</sup> UK PM Theresa May announced they will end all engagement with the Tatmadaw until military action against civilians in Arakan State ceased.<sup>147</sup>

**24 Sep:** The Philippines, as ASEAN chair, issued a statement condemning “all acts of violence which resulted in loss of civilian lives, destruction of homes and displacement of large numbers of people”. Malaysia dissociated itself from the statement, calling it a misrepresentation of reality and pointing out the non mention of the Rohingya.<sup>148</sup>

## DISCRIMINATORY LAWS

### 1982 Citizenship Law<sup>140</sup>

This law, which essentially stripped Rohingya of citizenship, outlines 3 categories of citizenship:

**Full citizenship:** Only for the 8 ethnicities (Kachin, Kayah, Karen, Chin, Burman, Mon, Rakhine, and Shan) who resided in Burma prior to 1823.

**Associate citizenship:** For anyone who entered Burma before 1948 and claimed citizenship but does not belong to the 8 recognized races. This category gives holders the right to live in Myanmar, to vote, but not the right to contest in elections.

**Naturalized citizenship:** For anyone who entered Burma before 1948 but did not apply for citizenship. Similar political rights as associate.

The state can revoke associate or naturalized citizenship of any person, except a citizen by birth.

### “Protection of Race and Religion” Laws

**Religious Conversion Law<sup>141</sup>** (Signed into law 26 Aug 2015): Requires anyone wishing to convert to another religion to submit an application to a township registration board and undergo an interview.

**Interfaith Marriage Law<sup>142</sup>** (Signed into law 26 Aug 2015): Requires Buddhist women and men of other faiths to apply for permission to marry from local authorities and, in practice, discourages interfaith marriages by imposing disproportionate penalties.

**Population Control Law<sup>143</sup>** (Signed into law 19 May 2015): Allows regional authorities to limit reproductive rates and impose a 36-month ‘birth spacing’ requirement in areas of rapid population growth or “imbalance between population and resources.” Likely to be used to target Muslim and other religious minorities.

**Monogamy Law<sup>144</sup>** (Signed into law 31 Aug 2015): Sets out restrictions on Burmese citizens living with another person or entering into a second marriage while still married. The law allows the loss of property rights and criminal penalties of up to 7 years’ imprisonment for consensual extra-marital relationships.

<sup>138</sup> Frontier Myanmar (14 Sep 17) UN Security Council calls for ‘immediate steps’ to end Rakhine violence

<sup>139</sup> European Parliament (14 Sep 17) European Parliament resolution of 14 September 2017 on Myanmar, in particular the situation of Rohingyas (2017/2838(RSP))

<sup>140</sup> Working People’s Daily. Meeting held in the Central Meeting Hall, President House, Ahlone Road, 08 Oct 1982: Translation of the speech by General Ne Win, 09 Oct 1982; RFA (12 Jul 13) Citizenship Only for Myanmar’s ‘Legal’ Rohingyas

<sup>141</sup> RFA (27 May 2014) Myanmar Publishes Draft of Religious Conversion Bill; HRW (29 May 14) Burma: Drop Draft Religion Law; HRW (23 Aug 15) Burma: Discriminatory Laws Could Stoke Communal Tensions

<sup>142</sup> Irrawaddy (32 Aug 15) Buddhist Nationalists Secure Win as Religion Bills Become Law; Law Library of Congress (14 Sep 15) Burma: Four “Race and Religion Protection Laws” Adopted; HRW (09 Jul 15) Burma: Reject Discriminatory Marriage Bill

<sup>143</sup> Myanmar Times (25 May 15) President signs off on population control law; Reuters (31 Aug 15) Myanmar’s president signs off on law seen as targeting Muslims; Law Library of Congress (14 Sep 15) Burma: Four “Race and Religion Protection Laws” Adopted; Irrawaddy (07 Apr 15) Union Parliament Passes Population Control Bill

<sup>144</sup> HRW (29 May 14) Burma: Drop Draft Religion Law; Amnesty International (03 Mar 15) Myanmar: Scrap ‘race and religion laws’ that could fuel discrimination and violence; Reuters (31 Aug 15) Myanmar’s president signs off on law seen as targeting Muslims

<sup>145</sup> Reuters (13 Sep 17) U.N. chief, Security Council call on Myanmar to end violence

<sup>146</sup> Al Jazeera (19 Sep 17) Suu Kyi urged to condemn violence against the Rohingya; The Guardian (19 Sep 17) Julie Bishop says Rohingya must be protected despite ‘cash for return’ policy

<sup>147</sup> The Guardian (19 Sep) UK to suspend training of Burmese military over treatment of Rohingya

<sup>148</sup> Reuters (25 Sep 17) Malaysia’s dissent on Myanmar statement reveals cracks in ASEAN facade

**26 Sep:** Seven UN experts joined together to call on the Burmese government to stop all violence, ongoing persecution and serious human rights violations against the Rohingya community.<sup>149</sup>

**28 Sep:** During a UN Security Council public meeting on Burma, UN Secretary-General Antonio Guterres said that the violence in Arakan State had spiraled into the “world’s fastest developing refugee emergency, a humanitarian and human rights nightmare”.<sup>150</sup> US Ambassador to the UN Nikki Haley called on countries to suspend providing weapons to Burma until the Tatmadaw puts sufficient accountability measures in place.<sup>151</sup> However, the UN Security Council failed to agree on a joint resolution, as China and Russia were opposed.<sup>152</sup>

**29 Sep:** The UN Human Rights Council extended the mandate of the UN fact-finding mission into the violence in Burma [see *March Bulletin*].<sup>153</sup>

**9 Oct:** The EU and US were considering targeted sanctions against Burmese military leaders. EU diplomats said Western countries were coordinating their response to the crisis and were in agreement that punitive actions needed to target the military. US officials said that targeted sanctions against Commander-in-Chief Sr Gen Min Aung Hlaing and other generals, as well as leaders of ethnic Arakanese Buddhist militias, were under consideration.<sup>154</sup>

It is the responsibility of the regional and international community to urge the Burmese government towards peace and justice. Besides statements condemning the violence and human rights abuse, no action has thus far been taken by international actors. Sanctions should be imposed to pressure the Burmese military and government to put an end to the violence. These include arms embargos, the imposition of sanctions against key individuals, and the suspension of military engagement, as well as economic development projects and foreign investments in the conflict areas.

### **SUMMARY OF ACTIONS URGED BY HUMAN RIGHTS ACTIVISTS**

#### **Grant full access to independent investigators, humanitarian aid, media**

- Grant the UN fact-finding mission access to Burma, including northern Arakan State.
- Grant full humanitarian and media access.
- Implement independent investigations into the reported human rights abuses.
- Ensure victim and witness protection.
- Ensure people do not face reprisals for speaking out.

#### **Halt impunity**

- Adopt a UN resolution that calls on the security forces to cease all operations in Arakan State.
- Amend the Constitution to place the Tatmadaw under civilian authority.
- Challenge military impunity and demand accountability for abuses.
- Implement arms embargos.

#### **End discriminatory laws and policies**

- Grant citizenship and freedom of movement to all people in Arakan State.
- Amend the 1982 Citizenship Law to bring it in line with international standards.
- Ensure that the citizenship verification process respects international standards and participants do not face reprisals for self-identifying as Rohingya.
- Remove or end other discriminatory laws and policies.

#### **Safe resettlement of displaced people**

- Ensure that refugees can voluntarily and safely return to their homes.
- Restore the ownership of the burned land.
- Cease economic development projects and foreign investments linked to abuses.

<sup>149</sup> OHCHR (26 Sep 17) Myanmar: UN experts condemn ongoing persecution of Rohingya in Rakhine State

<sup>150</sup> Reuters (29 Sep 17) Myanmar violence could spread, displace more Rohingya: U.N. chief

<sup>151</sup> Reuters (29 Sep 17) U.S. says countries should suspend providing weapons to Myanmar

<sup>152</sup> The Telegraph (29 Sep 17) The UN has failed the Rohingya – it's time for every nation to step up and end this horror

<sup>153</sup> UN News (29 Sep 17) UN Human Rights Council wraps current session, adopts texts on Myanmar, Yemen, Burundi

<sup>154</sup> Reuters (09 Oct 17) Exclusive: West edges towards punishing Myanmar army leaders over Rohingya crisis - sources