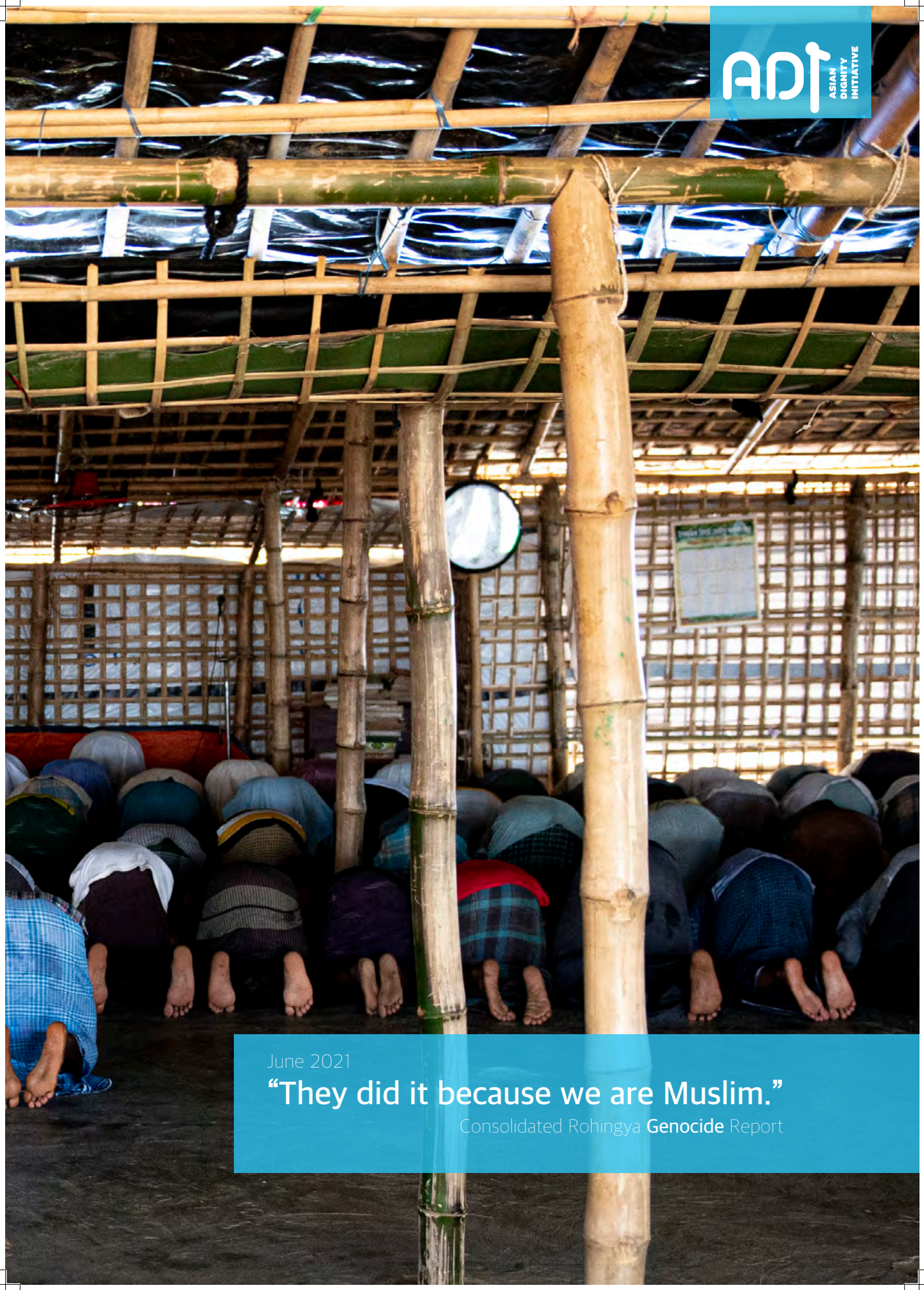

ASIAN DIGNITY INITIATIVE

June 2021

“They did it because we are Muslim.”

Consolidated Rohingya **Genocide** Report

ADI
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Asian Dignity Initiative supports victim-survivors and local activists
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Rohingya refugees pray at a mosque in the camp 14(Hakimpapra), Bangladesh on June 5, 2018. © CHO Jinsub

광주인권평화재단 Gwangju Human Rights Peace Foundation
The Truth Foundation 진실의 힘

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Executive Summary

In August 2017 and in October-November 2016, Myanmar security forces advanced upon numerous Rohingya villages in Rakhine state. The 100-300 assailants, comprised of the Myanmar military, Border Guard Police (BGP), police, and mmobilized Rakhine civilians, besieged the villages from their deployment stations, which typically included BGP camps, military camps, Rakhine villages, schools, and temples.

Security forces killed and injured Rohingya villagers with indiscriminate gunfire; raped Rohingya women, and unlawfully arrested Rohingya men. Security forces burned down Rohingya homes and looted Rohingya property. In the terror after such mass-scale violence and killing, Rohingya villagers escaped to Bangladesh, where they now live in temporary tents within precarious refugee camps.

Premeditation and intent to commit genocide is apparent from security forces' advance planning and deployment. They commonly began intimidation tactics in the dark hours before dawn, by firing guns, and then attacked the villages in the early hours of the morning. Security forces consistently surrounded Rohingya villages, completely blocking escape or leaving only one of four sides open for egress. They shot indiscriminate gunfire to incite panic and fired at Rohingya people as the civilians fled.

Yet the systematic destruction of the Rohingya people began far earlier than August 2017. Starting from decades earlier, the government confiscated land from Rohingya villagers.

And during the time period of 2012-2016, Rohingya experienced multiple and successive forms of religious discrimination and persecution. This included prohibitions on giving religious sermons, on holding religious events, on practicing Qurban (ceremonial sacrifice of livestock animals), and on performing azan (making calls to prayer). They were forbidden to gather in groups of five or more people, which abrogated religious fellowship. Nor could they freely use their mosque for prayer or provide Islamic education to their children at the madrasa. Security forces physically beat, arrested, jailed, and extorted money from those found in prayer or religious practice.

Marriage required payment of high fees, of up to 500,000 kyat, in order to obtain permission from the authorities. As the permission was issued, the authorities directed the Rohingya to have no more than two or three children, under threat of punishment.

The Rohingya had no freedom of movement but were forced to obtain a series of travel permits, even to travel to a neighboring village. And despite obtaining such permission by paying large amounts of money, security forces extorted money at checkpoints. Security forces beat, fined, arrested, and jailed those who did not obtain travel permission. Later, the Rohingya were forbidden to even leave their own homes between 6:00 p.m. and 6:00 a.m.

The Rohingya faced discrimination in schooling, thereby foreclosing their education. The government barred them from obtaining public employment. The military regularly conscripted Rohingya men into forced labor. The Rohingya also faced discrimination in obtaining medical treatment and healthcare.

Although the Rohingya voted before, this too was foreclosed after 2015. Finally, no Rohingya person held Myanmar citizenship. Indeed, the authorities tried to force them to accept NVC, a card which would register them as foreigners. In summation, Rohingya people were deprived of basic rights in essentially every aspect of daily life.

With this history of discrimination and persecution of the Rohingya as the backdrop, we recommend first that the international community provide affirmative support to having the entire matter of genocide referred to the International Criminal Court or to a newly established special or ad-hoc court for investigation and trial. The truth-seeking investigation must proceed without any grants of immunity, for the wrongdoers occupy all levels of society. The bad actors include the Myanmar military, BGP, and officials of the Myanmar government, including State Counsellor Aung San Suu Kyi and other Cabinet Members, as well as civilians who were mobilized into paramilitary forces.

We also recommend that the Myanmar government provide remedy and relief to the victims and survivors, founded first on restoration of previously-held rights, as well as financial recompense to those for whom such restoration is insufficient, such as victims who have suffered psychological harm. In such situations, it is critical to respect and decide the specific substance and form of remedy and relief according to the wishes of the victims and the Rohingya community.

Further action includes the introduction of legislation and administrative measures to abolish systems and practices that discriminate against the Rohingya, including those involving hate speech and other forms of prejudiced information. Education is necessary to improve awareness of hatred, bias, and discrimination.

The Myanmar government must cease registering the Rohingya with NVC identification cards and must ensure restoration of their citizenship rights. Finally, the Myanmar government and the international community must actively guarantee and ensure participation of Rohingya people in discussions about possible repatriation.

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I . Introduction

A. Rohingya Genocide in the News and Media

In August 2017, the Myanmar military commandeered a brutal crackdown on the Rohingya, immediately after Arakan Rohingya Salvation Army (ARSA) reportedly attacked approximately 30 police posts and an army base. The military's so-called counter-terrorism maneuvers were in fact horrific acts of mass killing, rape, arson, and looting of property. The military termed the scheme "Clearance Operations" and inflicted mass-scale violence against defenseless civilians who had already suffered systematic destruction under the boot of the government. As a result, 900,000 Rohingya people fled to Bangladesh in search of safety and refuge.

Numerous massacres in Rakhine State have been well documented by NGOs, like Physicians for Human Rights and Doctors Without Borders.[1] A report by Physicians for Human Rights identified how the massacres in Rakhine State conformed with the Myanmar government's systematic pattern of attacks.[2] A UN report quoted survivors from Sutogozi Bil, Borgozi Bil, Nga Khu Ya, Kiari Prang, Laung Don, Zammunia, and Bura Shikdar Para.[3] Other reporting has quoted survivors from the IDP camp in Pan Khaine, Fir Khali,[4] Chil Khali,[5] Chut Pyin,[6] Gora Khali,[7] Gudam Para,[8] Inn Din,[9] Kiari Prang,[10] Manu

1. "'No one was left:' Death and violence against the Rohingya in Rakhine State, Myanmar," Doctors Without Borders, March 2018, available at https://www.doctorswithoutborders.org/sites/default/files/2018-08/%27no-one-was-left%27_-death-and-violence-against-the-rohingya-in-rakhine-state%2C-myanmar.pdf.
2. "Widespread and Systematic: Violence Against the Rohingya in Myanmar," Physicians for Human Rights, 30 August 2018, available at https://phr.org/resources/widespread-and-systematic/.
3. "Interviews with Rohingyas fleeing from Myanmar since 9 October 2016," United Nations Human Rights, Office of the High Commissioner, 3 February 2017, available at https://www.ohchr.org/Documents/Countries/MM/FlashReport3Feb2017.pdf.
4. "Genocide Achieve, Genocide Continues: Myanmar's Annihilation of the Rohingya," International State Crime Initiative, 2018, available at http://statecrime.org/state-crime-research/genocide-achieved-genocide-continues-myanmars-annihilation-of-the-rohingya-isci-report/.
5. "Rohingya say Myanmar targeted the educated in genocide," AP News, 6 June 2018, available at https://apnews.com/3a486e94ea7e48d1bfa5a5e0e1bf0518/Rohingya-say-Myanmar-targeted-the-educated-in-genocide.
6. "We'll Turn Your Village Into Soil: Survivors Recount One of Myanmar's Biggest Massacres," The Wall Street Journal, 11 May 2018, available at https://www.wsj.com/articles/burn-the-houses-rohingya-survivors-recount-the-day-soldiers-killed-hundreds-1526048545?mod=e2fb.
7. "Rohingya exodus points to humanitarian crisis in Myanmar," Financial Times, 4 Sept. 2017, available at https://www.ft.com/content/719a83b0-915e-11e7-bdfa-eda243196c2c.
8. "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/.
9. "Massacre in Myanmar," Reuters, 8 February 2018, available at https://www.reuters.com/investigates/special-report/myanmar-rakhine-events/.
10. "Burmese military killed seven of my children, says Rohingya refugee," The Guardian, 10 December 2016, available at https://www.theguardian.com/world/2016/dec/10/burmese-military-killed-seven-of-my-children-says-rohingya-refugee.
    "Noor Ayesha held her last surviving daughter tight as their boat crossed into Bangladeshi waters. She left behind a firebombed home, a dead husband, seven slain children and the soldiers who raped her….
    "'Five of my children were burnt to death by the soldiers. They killed my two daughters after raping them. They also killed my husband and raped me.'
    "...Ayesha's account is one of a wave of reports of extrajudicial killing, arson and sexual assaults allegedly committed by Burmese soldiers in the north-west of the country."
    See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.

Para,[11] Shitapuru,[12] Zammunia (Pwint Hpyu Chaung),[13] and Zammunia (Zin Paing Nyar).[14]

The United Nations Institute for Training and Research also reported on the arson, destruction, and bulldozing of homes and terrain, as seen through satellite imagery, in multiple village tracts of Rakhine state.[15]

The news and other media have extensively documented the genocide of Rohingya people. Multiple outlets, which adhere to high journalistic standards, have reported on attacks and ethnic cleansing, including, The Wall Street Journal,[16] Al Jazeera,[17] The New York Times,[18] CBS,[19] National Geographic,[20] and Reuters.[21]

More specifically, an article from Pulitzer Center discussed the Myanmar government's manifest policy to destroy the Rohingya population:

> "The forceful expulsion of the Rohingya was proving a messy business for Myanmar's government…. So instead of all-out war against the Rohingya, the government decided to covertly and bureaucratically exterminate them.
> "A few years earlier, in 1988, Myanmar officials had begun crafting a secret program to legally subjugate the Rohingya and eventually drive them out of Myanmar. The eleven-point scheme detailed in a government report was titled 'Rohingya Extermination Plan,' according to documents published by the International State Crime Initiative, a London-based organization dedicated to researching state-sponsored human rights violations. 'Mass killing of the Muslim is to be avoided in order not to invite the attention of Muslim countries,' the report explained. Instead, according to the first point of the plan, the Rohingya were to be labeled 'insurgents' and

11. "'Blood flowed in the streets: refugees from one Rohingya hamlet recount days of horror," The Washington Post, 16 September 2017, available at https://www.washingtonpost.com/world/asia_pacific/blood-flowed-in-the-streets-refugees-from-one-rohingya-village-recount-days-of-horror/2017/09/15/34059ecc-9735-11e7-af6a-6555caaeb8dc_story.html?noredirect=on&utm_term=.178fcb55a642; "'I was lucky, I was only raped by three men says a survivor of Myanmar genocide,"" Forbes, 2 September 2018, available at https://www.forbes.com/sites/ewelinaochab/2018/09/02/i-was-lucky-i-was-only-raped-by-three-men-says-a-survivor-of-myanmar-genocide/#4fa334d777a3.
12. "Myanmar conflict: Rohingya refugee surge hits Bangladesh," BBC News, 5 September 2017, available at https://www.bbc.com/news/world-asia-41158703; "The Rohingya lists: refugees compile their own record of those killed in Myanmar," Reuters, 17 August 2018, available at https://www.reuters.com/article/us-myanmar-rohingya-lists-insight/the-rohingya-lists-refugees-compile-their-own-record-of-those-killed-in-myanmar-idUSKBN1L20EY.
13. "'There Are No Homes Left': Rohingya Tell of Rape, Fire and Death in Myanmar," The New York Times, 10 January 2017, available at https://www.nytimes.com/2017/01/10/world/asia/rohingya-violence-myanmar.html.
14. "'Kill All You See': In a First, Myanmar Soldiers Tell of Rohingya Slaughter," The New York Times, 8 September 2020 (updated 4 December 2020), available at https://www.nytimes.com/2020/09/08/world/asia/myanmar-rohingya-genocide.html ("Private Zaw Naing Tun, 30, said that he and four other members of his battalion shot dead seven Rohingya in Zin Paing Nyar").
15. "UNOSAT analysis of destruction and other developments in Rakhine State, Myanmar," United Nations Institute for Training and Research, 7 September 2018, available at https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/UNOSATReportMyanmar_20180912.pdf. (Hereinafter, "UNOSAT report.")
16. "We'll turn your village into soil: Survivors recount one of Myanmar's biggest massacres," The Wall Street Journal, 11 May 2018, available at https://www.wsj.com/articles/burn-the-houses-rohingya-survivors-recount-the-day-soldiers-killed-hundreds-1526048545?mod=e2fb.
17. "Who are the Rohingya?" Al Jazeera, 18 April 2018, available at https://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-170831065142812.html; "Rohingya crisis explained in maps," Al Jazeera, 28 October 2017, available at https://www.aljazeera.com/indepth/interactive/2017/09/rohingya-crisis-explained-maps-170910140906580.html.
18. "A genocide incited on Facebook, with posts from Myanmar's military," The New York Times, 15 October 2018, available at https://www.nytimes.com/2018/10/15/technology/myanmar-facebook-genocide.html; "Myanmar's Leader Faulted for Silence as Army Campaigns Against Rohingya," New York Times, 1 December 2016, available at https://www.nytimes.com/2016/12/01/world/asia/myanmars-leader-faulted-for-silence-as-army-campaigns-against-rohingya.html; "'There Are No Homes Left': Rohingya Tell of Rape, Fire and Death in Myanmar," The New York Times, 10 January 2017, available at
19. https://www.nytimes.com/2017/01/10/world/asia/rohingya-violence-myanmar.html.
"Investigators call for genocide prosecutions over slaughter of Rohingyas," CBS News, 2 August 2018, available at https://www.cbsnews.com/news/rohingya-crisis-myanmar-genocide-military-commanders-un-human-rights-mission/; "Peace Prize Laureates accuse Myanmar leaders of genocide against Rohingya," CBS News, 1 March 2018, available at https://www.cbsnews.com/news/nobel-peace-prize-laureates-accuse-myanmar-military-aung-san-suu-kyi-genocide-against-rohingya/.
20. "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
21. "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.

thus denied status as citizens. Next were listed the restrictions that would define Abdul's life, limiting his ability to travel, make a living, get an education, own property, and even marry and have children. The plan ordered judges to rule for Buddhists over Muslims, and it suggested that Muslims should be converted into Buddhists. Myanmar's government would be able to get exactly what it wanted without international pushback."[22]

Further, a report from the UN Human Rights, Office of the High Commissioner, describes the excessive violence of Myanmar security forces in October-November 2016, as well as systematic discrimination against the Rohingya.[23]

The UN has acknowledged multiple human rights violations in Myanmar against the Rohingya through an Independent International Fact-Finding Mission. The reports detail "systematic oppression and persecution of the Rohingya" and list the factors of denial of legal status and identity; denial of the right to freedom of movement; restrictions on access to food, livelihoods, heath care, and education; restrictions on humanitarian access; restrictions affecting private life; oppression through arbitrary arrest and detention; and other forms of oppression:

"458. The Rohingya are in a situation of severe, systemic and institutionalised oppression from birth to death. Their extreme vulnerability is a consequence of State policies and practices implemented over decades, steadily marginalising the Rohingya and eroding their enjoyment of human rights. The process of 'othering' the Rohingya and their discriminatory treatment started long before the period covered by the Mission.
"459. The cornerstone of this system of oppression is the lack of legal status of the Rohingya. This is compounded by restrictions affecting their movement, subsistence and development, and numerous other human rights violations....
"622. The level of oppression faced by the Rohingya is hard to fathom. Cumulatively all the rules, regulations, orders and practices laid out in this section have made life for the Rohingya in Rakhine State slowly but steadily unbearable. Rights were eroded and removed, in a process of marginalisation, exclusion and 'othering'. Layers of discrimination and ill treatment have been added. This occurred in the context of hateful and divisive rhetoric targeting the Rohingya on the basis of their ethnicity, religion and status. The multiple elements of oppression are based on State-sanctioned policies and practices and occur in the context of State-sanctioned discriminatory rhetoric. The Mission concludes that this severe, systemic and institutionalised oppression, from birth to death, amounts to persecution.
"623. This persecution has put the Rohingya population in a situation of extreme vulnerability, undermining all aspects of their lives and eroding their living conditions and their coping mechanisms. The daily attacks on human dignity have created intolerable conditions, and have weakened individuals, families and communities, pushing them further into destitution and insecurity. It is this oppressive climate, and the fear and desperation resulting from it, that forced thousands of Rohingya to leave Rakhine State by boat in the years since 2012."[24]

22. "The Lost Genocide," The Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
23. "Flash Report: Report of OHCHR mission to Bangladesh, Interviews with Rohingyas fleeing from Myanmar since 9 October 2016," UN Human Rights, Office of High Commissioner, 3 February 2017, available at https://www.ohchr.org/Documents/Countries/MM/FlashReport3Feb2017.pdf. (Hereinafter, OHCHR report.)
"The 'calculated policy of terror' that the Tatmadaw has implemented in nRS since 9 October cannot be seen as an isolated event. It must be read against the long-standing pattern of violations and abuses; systematic and systemic discrimination; and policies of exclusion and marginalization against the Rohingya that have been in place for decades in nRS, as described in the HC's report to the HRC (A/HRC/32/18). Even before 9 October, widespread discriminatory policies and/or practices targeting them on the basis of their ethnic and/or religious identity had led to an acute deprivation of fundamental rights."
24. "Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar - A/HRC/39/CRP.2," 18 September 2018, available at https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/A_HRC_39_CRP.2.pdf.

> "In its report, the Fact-Finding Mission also called on the UN Security Council to refer Myanmar to the International Criminal Court (ICC), or to an ad hoc tribunal for investigations and prosecutions for the crimes."[25]

In these reports, the perpetrators have consistently been identified as the Myanmar military, police, and Border Guard Police (BGP), the border guard security force that replaced Na Sa Ka.[26]

Meanwhile, Myanmar authorities continue to deny accountability and evade responsibility, as noted by the FFM:

> "Earlier during this Human Rights Council session, the representative of Myanmar stated that the Government will not condone impunity for human rights violations and that action will be taken against any perpetrators where there is concrete evidence. We welcome that, for the body of information and materials we are collecting is concrete and overwhelming. It points at human rights violations of the most serious kind, in all likelihood amounting to crimes under international law. It should spur action. In fact, action should have been taken long ago, since Myanmar's human rights obligations are not limited to acting when it is presented with concrete evidence. Its duty is to ensure that all allegations of human rights violations and abuses are promptly, thoroughly, independently and impartially investigated in the first place.
> "This is not happening. The response of the Myanmar Government and military to the events and allegations has been totally inadequate and is of grave concern."[27]

> "This latest eruption of violence drove some 75,000 Rohingya across the border into Bangladesh, the United Nations said. Myanmar's government has conceded some soldiers may have committed crimes but has rejected charges of 'ethnic cleansing.'"[28]

B. Interviews by Asian Dignity Initiative

Over the course of three years, local researchers from Asian Dignity Initiative interviewed 845 Rohingya survivors in the refugee camps in Bangladesh. Asian Dignity Initiative gathered and published their testimony in 30 reports on the genocide of the Rohingya people. These reports were organized by and produced for the 30 home villages in Myanmar from which the survivors fled in 2016 and 2017. This consolidated report seeks to provide a broader and more comprehensive view of the violence enacted against Rohingya people.

By combining testimony and data from across villages, Asian Dignity Initiative hopes to definitively demonstrate that the Myanmar government and armed forces committed genocide of the Rohingya, as defined by Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, as well as the Rome Statute of the International Criminal Court, which state:

> "... any of the following acts committed with intent to destroy, in whole or in part, a national,

25. "Accountability for atrocities in Myanmar 'cannot be expected within its borders – UN investigator,'" UN News, 24 October 2018, available at https://news.un.org/en/story/2018/10/1024062.
26. Note that, in their sworn statements, many Rohingya survivors use the terms BGP and Na Sa Ka interchangeably.
27. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
28. "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.

ethnical, racial or religious group, as such:
(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group."[29]

A large volume of survivor testimony confirms that the first four crimes were committed against the Rohingya. More than merely being state-sanctioned violence, the bad acts were decidedly performed by the Myanmar government. The consistency in the pattern of attacks – across village tracts and across townships within Rakhine state – reveal a significant level of coordination from the highest levels of military authority.[30] Further, communications – both written and verbal – from other governmental bodies display their complicity with the genocide.[31]

29. Convention on the Prevention and Punishment of the Crime of Genocide, Art. II; Rome Statute of the International Criminal Court, Art. 6.
30. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
31. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.

II. About this Consolidated Report

A. Methodology

As noted above, this consolidated report draws upon testimony from 845 Rohingya survivors as the primary source. The secondary sources are the 30 genocide reports, which are organized by village and which themselves drew upon the primary source material. With a view toward demonstrating consistency in the pattern of attacks across village tracts in Rakhine State, this consolidated report will focus on aggregating information from the village genocide reports. Beyond selected quotations from survivors, individual testimony will not be cited, as it was already incorporated into the village genocide reports.

Attached as an Annex is a chart of the 30 village reports and Rohingya place names, as opposed to Burmese place names, are used for village tracts. In citations, the village tracts are organized by township (Maungdaw, Buthidaung, and Rathedaung) and then geographically from north to south within townships.

This consolidated report will also illustrate the wide scope of the violence committed against the Rohingya people, including through the use of maps with key information, such as Battalion numbers, village tracts where Rakhine civilians were mobilized into paramilitary or auxiliary security forces, and, to the extent available from survivor testimony, specific movement patterns as the security forces advanced upon village tracts.

Maps of Maungdaw, Buthidaung, and Rathedaung Townships within Rakhine State are sourced from Myanmar Information Management Unit.[32] Additional maps are sourced from satellite imagery made publicly available by Google Earth.[33]

B. Organization

This consolidated report is organized by chronology, first detailing the longstanding pattern of discrimination against the Rohingya from 2012 through 2016. The following section addresses the 2016 and 2017 attacks, with particular focus on the consistency of the attacks across townships and village tracts. This section also includes discussion of the Rohngya's flight to safety in Bangladesh.

The next section addresses the perpetrators of the crime, as this is of key importance to survivors and is also germane to at least two legal suits currently pending before separate courts of law.

32. http://www.themimu.info/states_regions/rakhine.
33. https://earth.google.com.

To the extent possible, this report lays the foundation through a time-based analysis, in part to show malice aforethought, which helps to impute intent for purposes of the mental element of the crime of genocide, i.e. the "intent on the part of the perpetrators to physically destroy a national, ethnical, racial or religious group."[34]

The following section addresses the crime of genocide and sets forth how the attacks on the Rohingya people were acts of genocide.

The final section provides recommendations for further action towards transitional justice, with an emphasis on heeding and uplifting the voices of victim-survivors.

34. "Genocide," United Nations, available at https://www.un.org/en/genocideprevention/genocide.shtml.

III. Discrimination Experienced 2012-2016

Prior to the heavily-documented genocidal attacks of October-November 2016 and August 2017, governmental authorities of Myanmar heavily restricted the rights and freedoms of Rohingya people during the time period of 2012 - 2016.

As stated by the FFM, the "crisis in Rakhine stated… ha[d] a longstanding roots and deepened significantly in 2012."[35]

> "[The 'clearance operations'] occurred against a backdrop of State policies and practices implemented over decades, steadily marginalizing and 'othering' the Rohingya – resulting in a State-sanctioned and institutionalised system of oppression affecting the lives of Rohingya from birth to death."[36]

> "Beyond the violence itself, we noted highly discriminatory policies and practices, including heavy restrictions on freedom of movement and their adverse consequences on a host of economic, social and cultural rights; widespread extortion; and the lack of citizenship of the majority of Rohingya, which increases their vulnerability."[37]

Indeed, far from redressing the situation, "the Tatmadaw's persecution and genocidal intentions against the Rohingya population,"[38] continues to the present, as noted by the UN:

> "Returning them in this context is tantamount to condemning them to life as sub-humans and further mass killing."[39]

35. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
36. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S (emphasis added).
37. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
38. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.
39. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S.

> "The Myanmar authorities, both military and civilian, have effectively labelled the whole Rohingya population as Bengali 'illegal immigrants' and 'extremist terrorists.' They published the names and photographs of approximately 1,300 so-called 'ARSA terrorists' without any form of due process. The list includes children. It puts the lives of those individuals and their families at risk. The Parliament recently entertained the question of how best 'to make the international community understand that there is no group called 'Rohingya' in Myanmar,'" further fuelling tension. Hate speech and incitement to violence on social media is rampant, particularly on Facebook. To a large extent, it goes unchecked…. "It is difficult to see how such actions reflect a genuine attempt to address a large-scale crisis that according to official UN data has uprooted some 671,000 people since last August, in one of the fastest concentrated movements of people in recent history, and joining up to 500,000 Rohingya who have fled in previous years. A crisis that is the consequence of and has further exacerbated complex and long-standing fears and grievances in all communities; a crisis resulting from deep-rooted and systemic discrimination, in law and in practice; a crisis that seriously calls into question the conduct of the security forces."[40]

A. Oppression of Religious Practice

The 30 individual village genocide reports detail the severe restrictions on the Rohingya's religious freedom, including prohibitions on giving religious sermons, on practicing Jumma (Friday) prayers, on holding religious events, on practicing Qurban (ceremonial sacrifice of livestock animals), and on using a microphone for azan (to make calls to prayer). The Rohingya were forbidden to gather in groups of five or more people, which abrogated religious fellowship. Nor could they freely use their mosque for prayer or provide Islamic education to their children at the madrasa. Security forces physically beat, arrested, extorted money, and detained those found in prayer or religious practice.

> "The government said the country had freedom of religion for every race, but there was no freedom of religion for us. We were not allowed to have a religious school or madrasa in the village. If we built a new mosque or repaired the former one, we were beaten severely, arrested, and taken to the post. There was no freedom of religion for Muslims in that country, only for Buddhists."[41]

Security forces accused the Rohingya of holding meetings in mosques,[42] meetings that were purportedly against the government.[43] And even before the 2016 and 2017 attacks, community leaders and the educated were targeted for arrest,[44] and harassment:

> "There was a police camp in Roingyadaung. I [a village chair] was called for meetings there every week. Not only me, security forces used to call Muslim leaders, teachers, and respected people for meetings there. They used to harass us at the meeting, saying, 'You give shelter to terrorists, ARSA, and many others.'

40. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
41. GK17.
42. LD, NSK, KYP, NKY, ZPN, NYT, ATK, GK, TC, TM, YMKT, CK.
43. NSK, KYP, ZPN, ATK, GK, TC, TM, YMKT, CK.
44. GK, TM, TGN, GP, CK.

"Security forces arrested many innocent Rohingya on false charges. There were many times that I got people released by paying forced bribes and making myself a hostage to get them released."[45]

"Government officials and security forces seized us if they caught us teaching religion. Once, they called me for a meeting in Thanashak. They accused me of giving Islamic education and extorted money from me. I said that I did not do that. I had to pay 7,000 kyat in a forced bribe to 'prove' it to them. We were tortured since 2012."[46]

B. Repression of Marriage and Control of Population (Child-Bearing)

The individual village reports explore in great detail the population control measures imposed upon the Rohingya, including administrative blocks to marrying and having children. Rohingya villagers were required to pay forced bribes to marry and to register children to the household list, were beaten and arrested for wedding without permission and for bearing more than two or three children, and had to pay forced fines for release from detention. This consolidated report seeks to highlight the most egregious offenses and underscore how they were motivated by Islamophobia.

In numerous villages, the Rohingya were required to obtain travel permission in order to apply for marriage permission.[47] Note that the Na Sa Ka training manual explicitly refers to the Rohingya as "Bengalis."[48] Survivors also reported that they needed Temporary Registration Certificates in order to apply for marriage permission,[49] which meant that they had to accept "temporary" non-citizen status in order to wed.

Similarly, the Islamophobia is apparent from how, when applying for marriage permission, women were forced to remove their head coverings,[50] and men were forced to shave their beards,[51] when wearing head coverings and having beards are integral parts of Islamic practice.

"We had to go to the constabulary in Merulla (Myin Hlut). There, they checked us…. They said, 'As you are a malawi (religious teacher) and going to marry, you cannot keep a beard or moustache. You have to shave to marry.' Then I had to shave my beard and moustache….
"We took a photo as a couple…. I had to take off my kurata (clothing for a religious teacher). The girl had to take off her veil. After making us do that, they shot the picture."[52]

45. DGZ14.
46. KGP12.
47. PD, KYP, NKY, USK, KGP, ZPN, GK, MH, KPD, YMKT, TGN, MGT.
48. Na Sa Ka training manual.
49. KYP, DGZ, KPD, TM, IDP. See also "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
"The village's imam sanctified the union in the Rohingya community, but in order to comply with a law enacted in accordance with the Rohingya Extermination Plan, Abdul then had to ask permission of local administrators to legally marry. The administrators told him that if he wanted to wed, both he and his wife would need identification cards, for which he would have to pay a bribe of about $100. It was a massive sum — Abdul and his family earned only about $1,000 a year selling rice — but it was a standard extortion for Rohingya seeking marriage licenses. When he brought the money, Abdul was informed that the identification cards would list him and his wife as Bengali, not Rohingya. He had no choice but to agree. He could not write, so the administrators filled out the forms for him."
50. PD, LD, NSK, KYP, PPC, DGZ, KGP, ZPN, ATK, GK, KPD, YMKT, MGT, GP.
51. PPC, ATK, GK, YMKT.
52. GK13.

Rohingya villagers were forbidden to have more than two or three children.[53] This prohibition was stated on the marriage permission document,[54] which they had to sign.[55]

> "Rakhine administrators had made Abdul and his wife's marriage license contingent on the couple only having one child. Regional authorities had issued population control policies for Rohingya in 1993 and 2005, the later of which decreed that families that had more than two children — and women who gave birth out of wedlock — could be jailed for up to 10 years."[56]

In a number of village tracts, survivors reported that birth control was forcibly administered and that authorities actively discouraged procreation through birth control measures and threats.[57]

> "My son and daughter-in-law were banned from having more than three children. When people had more than three children, the women would be given depo (provera) or medicine to prevent pregnancy."[58]

> "They commanded Rohingya women to take a shot to not get pregnant. One or two times, Rohingya women were taken to the camp authorities and they were made to sit there. Some of our youths asked them, 'Why do you make them sit?' The midwives said, 'We have to give them treatment.' They said there was a vaccine that if anyone take it, then she would not get pregnant for two or three years."[59]

Security forces accused the Rohingya of increasing the Muslim population.[60]

> "They said that we must obey the marriage rule. They also said the rule was implemented to prevent Muslims from giving birth."[61]

> "Those who violated the restriction were beaten and sentenced if they were found. They asked us why we were increasing the population of Muslims. They did not let those children be enlisted on the family register."[62]

Security forces also closely monitored pregnancies and births,[63] which denied their bodily autonomy:

> "When a woman became two to three months pregnant, the husband had to inform the village chairman that his wife was pregnant.
> "We village administrators had to go door to door and make lists of pregnant women. Then we had to inform the security forces camp of the pregnancies. We had to give lists of

53. PD, TT, LD, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
54. PD, TT, LD, NKY, YKS, DGZ, KGP, ZPN, NYT, ATK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, CP, CK.
55. PD, DP, LD, NKY, USK, YKS (not signature but fingerprint), DGZ, KGP, ZPN, NYT, ATK, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, CK.
56. "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
57. PD, LD, NSK, KYP, USK, GK, IDP, KTK, CK.
58. GK16.
59. CK24.
60. PD, NSK, ZPN, GK.
61. MGT05.
62. PD16.
63. DGZ, KTK.

newborn babies to security forces."[64]

"They used to say, 'You are not citizens of this country. Someday, you must leave this country. You are not an owner of this country.' They always used to say these kinds of racially discriminatory words. Once, when I was a member of the village committee, Na Sa Ka used to call us into a meeting once a month. In the meeting, they used to ask us how many children were born in our respective villages. We had to stand up and say how many we have. Then they said, 'Go to the Immigration office and register your children by paying 1,000 kyat per child.' Na Sa Ka also used to call pregnant women and tested them for pregnancy by hitting with sticks on their wombs. We faced such brutal acts from the government."[65]

Security forces also invaded the bodily rights of Rohingya women by demanding that they prove they were not already pregnant.[66]

"I had to take written permission from the village administrator to go to the BGP camp officer. BGP took photos and signatures from us. And they also checked my body for pregnancy. Then BGP gave us permission. I had to pay 50,000 kyat to the village administrator and another 50,000 kyat to the BGP officer. For the urine test, they charged me 10,000 kyat."[67]

"Security forces sent my four daughters to the clinic for medical checkups. A Rahkine nurse checked my daughters and gave them medical reports after taking 10,000 kyat. They had to submit them to the constabulary."[68]

"People had to inform to the camp if any woman felt pregnant."[69]

Note also that in the family photographs, Rohingya villagers have cards numbering them around their necks,[70] as if they were livestock.

In addition to registering on a household list, the Rohingya were also forced to take a family photograph. Note that the family members are holding signs with numbers on them. These numbers appear to correspond with entry lines on the family register.[71]

64. DGZ14.
65. KTK09.
66. ZPN, ID.
67. ID07.
68. ZPN25.
69. GK06.
70. PD, KYP, USK, GK, YMKT, IDP, CK.
71. Na Sa Ka training manual ("Family pictures will be done according to the household registration and head of the household will have to hold it.… The rest of the family members would have to line up according to the list in the household registration, and their names must be written on the back of the picture").

C. Restriction of Movement

The 30 individual village genocide reports detail the systematic restraints upon the Rohingya's freedom of movement. In order to visit other places, the Rohingya were required to get a series of permissions from the level of village, township, and district – which essentially meant that they needed governmental permission. They were completely banned from traveling to Sittwe, the state capital. They needed Tawkenza to travel even to neighboring villages. And despite obtaining such permission by paying large amounts of money, security forces extorted more money at checkpoints. In addition, to travel greater distances they were required to pay exorbitant amounts of money to obtain Form No. 4 and also pay forced bribes at checkpoints. Security forces beat, fined, arrested, and jailed those who did not obtain travel permits.

> "We were kept in the village like prisoners. We could not move anywhere."[72]

> "We were not able to travel anywhere. The government imposed martial law on Muslims. They imposed restrictions on our movements everywhere."[73]

> "Travel and movement was complicated and bewildering for Muslims, because we could not travel, neither for economic reasons to earn money, nor to get something in an emergency. Wherever we went, we had to carry village administrator's permission. Even with that permission, security forces snatched and extorted at checkpoints. We couldn't go anywhere because the security forces persecuted us everywhere."[74]

> "First of all, the government didn't allow us to travel outside our village. If it was a big emergency, then we were obliged to travel by following their dirty rules made only for us."[75]

> "We were not able to go to any village without permission. Even the village administrator feared to give permission after 2012. So I was not able to see my son in jail. They used to give permission before 2012. After that they did not give us permission….
> "It affected us much. I was not even able to go to jail to see my son. See how much that affected us."[76]

In order to travel, Rohingya people needed Temporary Registration Certificates,[77] or "receipt" cards,[78] which meant that they had to accept non-citizen status in order to move from their home villages.

Yet jumping through all the hoops to obtain travel permission did not mean that they actually could travel. Security forces nevertheless extracted forced bribes at checkpoints,[79] despite the fact that the Rohingya had already paid to obtain travel permission.

72. TM22.
73. GP26.
74. NKY20.
75. ZPN14.
76. ZPN16.
77. NSK, USK, PPC, YKS, KGP, ZPN, NYT, GK, YMKT, TGN, MN, MGT.
78. LD, NSK, KYP, NKY, YKS, KGP, TC, MN, MGT.
79. PD, TT, DP, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, KTK, CK.

> "Even if we had permission, we had to show it on the way at military and BGP check posts. They sometimes allowed us to cross the check posts, but sometimes forbade us and forced us to pay additional money, like 500-1000 kyat, in order to cross the check post. If someone was unable to pay the money, they were not allowed to cross the check post and had to go back home."[80]

> "We were not allowed to travel to the township or district. Even if we got permission, security forces at Thanakyut checkpoint tore up the permission paper and sent us back home."[81]

Moreover, travel itself was risky for the Rohingya, for obtaining permission was no guarantee of safety from violence and extortion.

> "We had to pay to get permission. There are many times that we did not travel out of the village because of that. We were afraid to travel because security forces assaulted Rohingya people on our journey."[82]

> "We feared to travel even when we had the permission, because that did not stop us from being beaten."[83]

> "It was very uncomfortable and critical for us to travel. If we were beaten, arrested, and extorted for money, then we were not able to travel places as we wanted."[84]

Often security forces arbitrarily arrested villagers on trumped-up charges and forced fines from them, even if the Rohingya were in their own village:

> "We were not able to move freely in our own village. Sometimes, they beat us even though we had permission. They demanded to know, 'Who allowed you? Who gave you permission?' They fined us, saying, 'Your permission is expired,' even though the permission was unexpired.
> "My brother and other villagers were found without Tawkenza in their corn field. They were working there in the field. It was a maximum of 300 feet from their house. It was in their own village. But still security forces punished them."[85]

> "There was restriction on our movement in our own village. We were not allowed to go outside our houses after 6:00 p.m. Security forces used to catch people before 6:00 p.m. and then they kept the people for 30 minutes until 6:00 p.m. Then they accused people, saying, 'Look at the watch and say what time is it now? Now it's 6:00 p.m. and you are still out of the house. Now you will have to pay a fine.' They fined, beat, and jailed the people they caught like this."[86]

80. DP11.
81. KYP18.
82. TM13.
83. YMKT23.
84. CK23.
85. GP20.
86. GP23.

They also used the pretext of "errors" on the travel permission or other documents,[87] to arrest or force fines from the Rohingya.[88]

> "Even if we took permission, the permission paper was torn up. The person was taken to the post and extorted as they wished, 10,000-15,000 kyat."[89]

> "Security forces also extorted 5,000-10,000 kyat, as much as we had in our pockets at the check post on the way to Maungdaw. Because we are Muslim, they blamed us as they wanted, such as, 'You have no permission.' If we even had permission, then it was, 'You have no date in the permission.' They could create problems to blame us."[90]

> "The security forces would send people back if they found a tiny mistake on the Form No. 4. For example, my name is Mohammed Ismail, but the Immigration office wrote Muhammed Ismail. In that case, they would seize a fine or send me back to the Immigration office for correction of the name."[91]

> "They treated us as they wished. One day, a soldier checked my 'receipt' card. He said the signature was duplicated. Saying that, he tore my 'receipt' card."[92]

> "Security forces said, 'The signature is missing from the receipt card, so it is a duplicate copy.' Saying that, they extorted 1,000-2,000 kyat as a forced fine, even though we had Tawkenza and receipt card."[93]

The movement restrictions trapped the Rohingya in a living cage.[94]

> "We were not allowed to do anything without permission. If there is no freedom for us, think how difficult that is."[95]

> "If we cannot travel from one village to another village, then it is like we are in prison."[96]

> "We were always afraid to travel somewhere, even to neighboring villages. Even if a relative died, we could not go there because of our fear."[97]

> "We decided not to travel because we feared being jailed. We spent our lives sitting inside the house crying our whole lives."[98]

87. KGP, GK, TC, MGT, GP.
88. PD, LD, ATK, MH, TM, TGN, GP, KTK, CK.
89. PD12.
90. PD07.
91. MGT08. The "receipt card" was an identification document that served to strip the Rohingya of their Myanmar citizenship. See "Revocation of Citizenship" section, infra.
92. KYP09.
93. KGP09.
94. KYP, USK, PPC, NYT, ATK, TC, TM, TGN, IDP.
95. PD23.
96. IDP12.
97. KYP12.
98. USK25.

> "We felt mental pressure. Even if we wished to do business and eat food from different places, we could not. We were totally unable to disobey their misrule of horror."[99]

The movement restrictions also increased their food scarcity.[100]

> "We faced much difficulty to move from one place to another place for earning to support the family. Wherever we went, we were persecuted and needed permission from the village administrator or constabulary."[101]

> "As we were living in poverty, the travel restrictions affected us hard."[102]

> "They blocked traveling even from one village to another. We survived and protected our lives by Allah, as there was no way to earn to feed our family."[103]

> "If we did not have enough money to travel out of the village when we needed to, we could not travel, because there were many checkpoints. We had to stay starving without food when we could not go out to work."[104]

> "In addition, the authorities impose severe movement and other restrictions on all manner of daily life activities by the Rohingya, so that simply feeding one's family is immensely difficult."[105]

D. Denial of Education

The 30 individual village genocide reports detail how the Rohingya were discriminated against in schooling, thereby foreclosing their education.

The government undertook calculated efforts to create barriers to education.[106] In particular, the movement restrictions blocked them from obtaining education. The government's policies to isolate and marginalize the Rohingya may be seen as achieving their objective, as the Rohingya gave up any hope of bettering their lives.

> "I was unable to pursue further education because the high school was in Maungdaw township and were were not allowed to go to the township. Thus, I could not study after Class 8."[107]

> "I was not able to study further because the government restricted travel and movement.

99. USK15.
100. LD, ZPN, GK, CK.
101. LD16.
102. IDP13.
103. LD18.
104. GK12.
105. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
106. PD, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, ID, TC, TM, YMKT, TGN, IDP, CK.
107. YKS26.

> Even though we were students, we were checked and not allowed to travel without permission. We had to attend high school in Maungdaw township. There were numerous check posts on the way to the school, like for the military, BGP, and Tha Ya Pa (police intelligence unit). When we traveled, we had to bring permission from the village administrator and our 'receipt' card. Even when we had permission, security forces extorted money from us, or they persecuted and humiliated us. It was a very difficult situation for us in that country."[108]

> "My eldest son, Aziz Islam (17), committed suicide because he was barred from attending his matriculation examination. He was barred from this opportunity for refusing to shave his beard because it is part of our religious faith."[109]

In the village schools, Rohingya students were segregated from Rakhine students.[110] They were called "kalar,"[111] which is an ethnic slur.

> "The teachers treated my brothers differently, because all the teachers were Buddhist. They used to abuse them in school period in Burmese, such as 'mingollah kalar,' which means 'motherf*cking dark-skinned foreigner.' Because of these types of abuse, our children lost interest in further study."[112]

> "The government excluded us from learning at school, and the madrasa was locked down… and they used 'kalar' not only at school but also at the check post wherever we were found. When we went to school by bicycle, security forces threw the bicycle away and used to abuse as 'mingollah kalar,' and ask, 'What education are you learning? You don't need to learn education.' Then they committed ill-treatment upon us."[113]

> "I experienced discrimination while attending high school after 2012. The discrimination definitely worsened after 2012. The teachers abused us in their communication. They always called us "kalar," which is a word of hatred, and other different kinds of abusive terms….
> "We were supposed to use the Burmese language in school. But if we spoke in Burmese, the Rakhine teachers beat us and accused us of misbehaving."[114]

Survivors also reported how educated people were singled out for persecution and harassment.[115] The Associated Press reported on the retaliatory punishment suffered by one survivor who had been a teacher in Chil Khali:

> "Months before the August crackdown, the military called a meeting in the village of Chein Kar Li to demand more money from villagers who wanted to fish the local rivers. Kafait Ullah, a 26-year-old primary school teacher, took a breath, steadied his shaking hands and

108. TC17.
109. DP01.
110. PD, TT, DP, LD, NSK, NKY, KGP, ATK, GK, MH, KPD, TM, YMKT, TGN, MN, MGT, GP.
111. PD, LD, KYP, USK, KGP, ZPN, ATK, GK, MH, ID, TC, TM, YMKT, TGN, MN, CP, CK.
112. ZPN11.
113. ZPN09.
114. ID03.
115. LD, USK, DGZ, GK, MH, TC, TGN, IDP, CK.

rose to ask a question.
"'Why do we need to give you so much money?' he asked.
"He knew, with certainty, that he would be punished. 'I was so scared that I was shaking, but I thought it was my responsibility to speak out for my community because they didn't have money or education; they couldn't talk for themselves,' Ullah recalled, in an interview at the refugee camp.
"The retaliation began immediately.
"He said he was fined and made to go every morning to a military camp and sign a piece of paper, so the soldiers could monitor his actions. They searched his home and threatened him with jail."[116]

"My brother finished Grade 8 and my sister finished Grade 4. We did not study further at school because the government would kill a person who gained higher education."[117]

E. Destruction of Livelihood

The 30 individual village genocide reports detail how the Rohingya faced discrimination in employment opportunities and also suffered from egregious confiscation of their ancestral lands.

1. Bars to Public Employment and Self-Employment

The government barred the Rohingya from obtaining public employment, because they were not citizens of Myanmar,[118] which reveals the reverberating effect of the multiple levels of disenfranchisement they experienced.

"My children did not apply for jobs as government servants because the government did not permit Muslims to hold government jobs. The government refused to even allow us to apply for those jobs."[119]

"Our children were unable to get government jobs because they were hated racially, and they had no national identity cards because they were not recognized as citizens."[120]

"How could we get jobs when we were not even allowed to improve ourselves with education?"[121]

"How could Rohingya people get jobs when we needed permission in order to work in the field?! The government did not give us the opportunities because we are Rohingya."[122]

Further, the Rohingya were persecuted and blocked as they tried to maintain a subsistence level of existence. Security forces demanded bribes to allow villagers to work at their livelihoods.[123]

116. "Rohingya say Myanmar targeted the educated in genocide," AP News, 6 June 2018, available at https://apnews.com/3a486e94ea7e48d1bfa5a5e0e1bf0518/Rohingya-say-Myanmar-targeted-the-educated-in-genocide.
117. CK05.
118. PD, NSK, KYP, USK, PPC, KGP, NYT, GK, MGT.
119. DP15.
120. NSK20.
121. KYP14.
122. CK12.
123. PD, LD, KYP, YKS, KGP, ZPN, ATK, GK, MH, KPD, ID, TC, TM, YMKT, MN, GP, CK.

> "Security forces also came into our shops and checked the expiration dates. They said the groceries are expired and took 5,000-20,000 from me in forced bribes. They also seized 50,000 kyat from me as income tax for one year."[124]

> "I paid forced bribes to the government to get permission to fish in the river. The government also extorted money from us and we had to pay fish to the BGP camp. The government also restricted us from leaving our homes at night, so we had to fish in secret."[125]

> "We had to pay 40,000 kyat to get a license to catch fish. We paid the forced bribe to get a license for one year. But they took the license away after a few days, saying the license had expired. The police took the license away when they found us in the river or harbor."[126]

> "I had a motorcycle which I used to transport passengers and earn my livelihood. I could make about 10,000-15,000 kyat per day. But of the 15,000, I only took home 5,000 kyat. The remaining 10,000 kyat I had to pay as 'tax' to the police. And government employees used my motorcycle as they wished and never paid."[127]

In this way, security forces took advantage of the Rohingya's need to earn their livings, since keeping a mere portion was better than having no income at all.

> "We earned at least 400,000 kyat daily, but we were 20 owners together. With that 400,000 kyat, we had to pay 300,000 kyat to the government, like the military and BGP, and we 20 owners had to divide 100,000 kyat and get 5,000 kyat each daily."[128]

> "I had to get permission by paying 7,000-10,000 kyat per month to the BGP camp. Even for only one day, I had to pay 10,000 kyat. Otherwise, we were not allowed to catch fish. We had to pay BGP whether we got profits or not. Sometimes, we would make 300,000-400,000 kyat and we had to pay much money to BGP."[129]

Similarly, Rohingya people who held village administrator positions were paid no salary,[130] and also had to pay their own costs out of pocket to perform their duties.[131]

> "I had to help my villagers if anyone faced a problem. I solved the problems by contacting security forces or government officials. I had to help government officials or security forces when they asked for help. For example, if a group of military comes to my village and asks for food or money, then I had to provide food or money. I had to collect that from villagers."[132]

> "I was elected as a member of the village administration in 1996 and served until 2005. In 2005, the government had the village administrator elected from the Rakhine community.

124. KGP07.
125. KGP16.
126. GP21.
127. MN02.
128. TC18.
129. TC14.
130. USK, DGZ, CK.
131. USK, DGZ.
132. USK10.

> The government ruled out Rohingya village administrators because the government provided salaries."[133]

> "Before 2012, Muslims were village administrators. But after 2012, Muslims were not selected to be village administrators. They selected a foreman from Rohingya people and the village administrator from Rakhine people. Only the Rakhine village administrator had the seal."[134]

2. Governmental Confiscation of Ancestral Land

Most egregiously, the government confiscated land from the Rohingya,[135] using it for their own purposes,[136] and allocating it to Rakhine settlers.[137]

> "The ruthless military cruelly confiscated 10 kani from me. It wasn't only from me. Land was confiscated from the whole of our villagers because the government created a new Rakhine para. I rented farmland from Rakhine people and paid 30 aris of paddy per kani."[138]

The Pulitzer Center detailed the government's scheme to dispossess the Rohingya of their land:

> "Abdul was seven years old when he began to understand his government wanted to exterminate him…. The year was 1999. Abdul was supposed to watch the roads for trouble from Buddhists settled in nearby 'model villages,' a program conducted by the Myanmar government to essentially drive the Rohingya out of their homes….
> "In the early 1990s, the government continued a policy of confiscating Rohingya land and building these model villages: basically, Buddhist outposts in Muslim territory. Model villages were populated with the Rohingya's age-old adversaries — the Bamar, the dominant Buddhist ethnic majority that controls Myanmar, and the Rakhine, a local Buddhist ethnic group — to help the government control the Rohingya….
> "But a previously unpublished U.N. report describes the program in detail: Model villagers were often convicts and marginalized people like the homeless, relocated from overcrowded parts of Myanmar. The government moved the settlers into houses on Rohingya farms, dispossessing them of both home and income. Sometimes the Rohingya were even forced to build the model villages that displaced them. In one case, Burmese authorities conscripted more than 1 thousand Rohingya from 17 nearby villages, including hundreds of minors, to work until 11 at night, beating anyone who worked too slowly. Model villagers regularly set up checkpoints to extort money from their Rohingya neighbors, stole crops and animals with impunity, and formed paramilitary units that assaulted them."[139]

In three village tracts, the Rohingya lost 320 kani of land,[140] and 140-150 kani of land.[141] In 22

133. KGP09.
134. KGP05.
135. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, TGN, MN, MGT, GP, CP, IDP, KTK, CK. See also U.S. House of Congress Resolution 418 (stating "the Burmese Government has forced people into relief camps so that it could confiscate their land, homes, and property for redistribution to the Buddhist Rakhine").
136. PD, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, ATK, MH, KPD, TC, TM, TGN, MN, MGT, IDP.
137. PD, TT, KYP, USK, DGZ, KGP, NYT, GK, MH, KPD, ID, TM, TGN, MN, GP, CP, IDP, KTK, CK.
138. USK12.
139. "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
140. YMKT.
141. NKY, KGP.

villages, they lost over 10 kani of land.[142] And in 14 villages, they lost five to ten kani.[143] One kani of land is equivalent to 1.32 acres.

> "The government took away 55 kani of ploughable land, 32 kani of unploughable land, and 55 kani of land that could be used for pisciculture. They took a total 142 kani of land from me. The government allocated 5 or 7.5 kani of land to each Rakhine family. They systematically persecuted us."[144]

This forced the Rohingya to rent back what had been their own land.[145]

> "Earlier the land was ours, but the government took it away. Then we had to pay rent for our own land. We had to pay 50% of the crops we gained from the land."[146]

> "The rent we had to pay was unreasonable. We had to work so hard to gain crops from the land, but we had to pay most of those crops as rent."[147]

> "The government confiscated land in my grandpa's time. That was why we didn't have land and took out from people to cultivate. Actually the government confiscated that land and gave it to local Buddhists that they relocated to the Muslim area. Meanwhile, again they sell that same land to Muslims again."[148]

> "The government took away two kani of land. The land was occupied by the Thanakyut regiment, they controlled it. Every year, they rented it to Muslims, and Muslims had to pay rent as security forces wished to take the land."[149]

In two villages, Rohingya people were forcibly driven from their home village tracts in 2012 and lived in internally-displaced person camps until the 2016 and 2017 attacks.[150] Both expulsions featured Rakhine people shooting gunfire and burning homes, as well as knowledge if not outright complicity from Myanmar security forces.[151] Further, residents of an IDP camp had to pay rent for IDP camp property.[152]

The U.S. House of Congress noted:

> "[T]he Burmese Government has forced people into relief camps so that it could confiscate their land, homes, and property for redistribution to the Buddhist Rakhine."[153]

142. TT (35 kani), LD (30 kani, NSK (12 and 50 kani), KYP (20, 12, and 10 kani), USK (17, 13, and 10 kani), PPC (10 kani), DGZ (16 kani), KGP (30, 20, and 12 kani), NYT (50 and 18 kani), GK (21 kani), MH (30, 18, and 14 kani), KPD (45, 22, and 16 kani), ID (50 and 48 kani), TC (20 kani), TM (16 kani), TGN (80, 32, 22, and 20 kani), MN (40 and 18 kani), MGT (16 kani), GP (16, 12, and 10 kani), IDP (42, 16, and 12 kani), KTK (41 and 32 kani), CK (25 kani).
143. PD, DP, LD, NSK, KYP, NKY, PPC, YKS, ATK, TM, YMKT, TGN, MGT, IDP.
144. KGP09.
145. PD, DP, USK, PPC, YKS, KGP, NYT, GK, MH, KPD, YMKT, TGN, GP.
146. KGP13.
147. KGP11.
148. PD15.
149. PD09.
150. IDP, KTK.
151. IDP, KTK.
152. IDP13, IDP25.
153. See also U.S. House of Congress Resolution 418.

Even if the land theft was in "lesser" amounts, these "smaller" thefts are no trifle. With denial of access to education and denial of access to jobs, farming lands that they owned was the main viable way to work and support their families. Without land ownership, the Rohingya were forced to pay rent for farmland, thereby reducing their income even further.

> "The government stole 8 kanis of land from me and used my land to build Nemmray (administrative unit in a state) on it. After that, I owned no more land and had to rent 10 kanis of land from others, paying 25 aris paddy per kani per year."[154]

F. Compulsory Forced Labor

The 30 individual village genocide reports detail the regular conscription of Rohingya men into forced labor. The military never paid them any wages for their work. Yet failure to provide the forced labor resulted in forced fines, beatings, and arrest.

> "The Myanmar military beat my husband while he was providing forced labor. One military soldier commanded him to boil water. And another military soldier commanded him to prepare chicken curry at the same time. He was unable to complete the two activities at once. So, he was preparing chicken curry, when another military soldier came and kicked him many times. My husband lost consciousness. A Rohingya person brought him home, but I did not have enough money for his treatment. I went begging home to home. Rohingya forced laborers cannot sleep at night or in the daytime. They have to work the whole day and the whole night. They are not paid for the forced laboring."[155]

> "We must go to provide forced labor, but we cannot go to see a dead relative."[156]

The most common tasks assigned were building camps, roads, and fences,[157] and portering,[158] typically at camps.[159] Yet distastefully, security forces also demanded that the Rohingya massage bodies.[160]

> "Thrice in a month as night watch and during the day, any time they needed forced labor to build their houses or their headquarters or constabularies or to dig ponds in headquarters premises. In Arakan state, all the headquarters, constabularies, ponds, and fences were built by Rohingya forced labor."[161]

Beyond the monetary and physical punishments, security forces intentionally degraded the Rohingya by assigning purposeless yet arduous tasks that served only to satisfy perverse whims and punitive desires. At times, when security forces did not have actual work for the Rohingya to do, keeping them from farming or working seemed to be the true purpose of the forced labor.

154. DP04.
155. ID14.
156. TC26.
157. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
158. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
159. PD, TT, LD, NSK, PPC, KGP, ZPN, NYT, GK, TC, YMKT, TGN, MN, MGT, GP, IDP.
160. ZPN, NYT, KPD.
161. ZPN11.

> "We had to carry their heavy loads and we had to do construction work without payment. We had to clean grass and we had to wash their cooking dishes. We had to pick up the leaves one by one. When there was not any work to do, on those days, the military made us pick up dry leaves from under trees. They forbade me from sweeping with a broom."[162]

> "We had to do different kinds of work. If they did not have work for us to do, then they forced us to clean their compound or pick up leaves from the ground."[163]

> "When Kala Futu (55) could not provide forced labor, they shaved his head and took 70,000 kyat. They pushed him down a hill. Bebu (50) and Kasim (40) could not pay any money. So they made the men get water from far away with a small spoon and pour it into a container. They needed 30 days to fill the container."[164]

To add insult to injury, Rohingya men were made to provide forced labor on lands that had previously been their own.[165] And in one village, survivors stated that the Rohingya themselves built the camps that security forces used.[166]

> "The lands the security forces had used to be Rohingya's land that was taken away from Rohingya people. Security forces also made the forced laborers clean their latrines and bathrooms, pour water, and bring water. No matter how educated the forced laborer was, security forces had 0% respect and favor for Rohingya people."[167]

> "Once the military illegally occupied some land owned by Rohingya people. They took for forced labor about 20 people from each Rohingya village, to dig a lake on that land. Rohingya people were forced to provide forced labor when the government fenced the border with tether between Bangladesh and Myanmar."[168]

To be absolutely clear, Rohingya villagers were not paid any wages for their labor.[169] In fact, although they were taken far away from their homes,[170] and for up to a month at a time,[171] they were not provided food and starved.[172]

> "I was taken to Boli Bazar and Nga Khu Ya. Security forces made me cut soil, dig trenches, carry trees, and catch fish. They did not pay any wages to us. They beat us instead of paying wages. We had to work there for 15-20 days. We had to bring food from our houses."[173]

> "They took me wherever they wanted and made me carry their backpacks. I was starved for

162. GP23.
163. GP05.
164. CK10.
165. YKS, TC.
166. MGT.
167. TC11.
168. YKS16.
169. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, GK, TC, TM, YMKT, TGN, MGT, IDP, CK.
170. PD, NSK, KYP, YKS, DGZ, ATK, GK, KPD, TC, YMKT, MGT, GP.
171. PD, DP, LD, NSK, USK, YKS, DGZ, ZPN, ATK, GK, MH, ID, TM, YMKT, TGN, MN, MGT, GP, CP.
172. PD, DP, LD, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, KTK, CK.
173. USK09.

12 days without food. If I said that I could not bear the starving, I was beaten."[174]

"The military forced me to provide forced labor. We had to carry their big and heavy backpacks. We dug holes. We were starved without food or drink. We stayed at least three or four months with them in the forest. Our parents got no messages if we were alive or not. They thought that we were dead."[175]

"The security forces took us to their post and made us do everything they wanted, such as cleaning, cutting grass, and digging. Then, being starved, we had to sleep in a wet place or in water."[176]

"I was forced to provide forced labor since my childhood. I was hungry but was not given anything to eat for two days. They forced us to walk for a long time. If we were unable to walk, they beat us. We were not allowed to perform our prayers there."[177]

"Forced labor was very regular. We suffered it much. We had to provide it even if we did not have rice to eat."[178]

They worked until their replacements came.[179]

"We had to go for slave laboring without eating anything. We had to work the whole day and in the evening maybe we would be provided a little boiled spinach and rice. We could not take a bath after working. We had to sleep like a dog in a dirty place.
"We had to provide forced labor for up to ten days at a time outside the village or in the forest. When another group of forced laborers came, we could be released. We had to dig land, construct their camps, and carry bags of soil."[180]

The Rohingya provided forced labor up to seven times per month,[181] and as often as one to three times per week.[182] Survivors stated that they worked at forced labor from boyhood.[183] In some cases, Rohingya women were also made to provide forced labor.[184]

Moreover, the unpaid forced labor compounded the hardship the Rohingya experienced,[185] by taking them far from their homes and starving them, as well as by obstructing the Rohingya from working at

174. KYP18.
175. GK20.
176. PPC19.
177. PD16.
178. NSK24.
179. PD, ZPN, TM, MGT.
180. MGT11.
181. PD, DP, LD, KYP, NKY, USK, PPC, YKS, ZPN, NYT, ATK, GK, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
182. NSK, DGZ, KGP, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MGT, CP, KTK.
183. DGZ, KGP, NYT, MH, KPD, TC, MN, KTK.
184. PD, NSK, KPD.
185. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E (discussing forced labor demanded of other ethnic groups).
"For example, civilians have reported to the Fact-Finding Mission how they were forced to work for the Myanmar military. Many stated that they had been used as porters, carrying heavy material for days by foot, or as guides in the jungle and as human shields for the military on patrol. Many reported that they were severely beaten, had their identity cards confiscated, were insulted with derogatory racist language or were sexually assaulted."

their own livelihoods and feeding their families.

> "They made us do construction work, cut poles from the forest, build trenches, and many other things. Many people had to starve, because they could not earn, since they had to provide forced labor every day."[186]

G. Denial of Access to Healthcare

The 30 individual village genocide reports detail the denial of healthcare services, including refusal of admission for medical treatment and demands for forced bribes.

> "They rejected my daughter, aged 3 years, when I took her to the government clinic in Buthidaung. She had burn wounds from when the military burned down my house."[187]

> "We were not able to get treatment from the government clinic, even if we stood in line for the whole day. Rakhine people got treatment but we did not. I was rejected four times when I suffered from malaria.
> "I went on foot to see the doctor. I also took food to eat on the way to the hospital. They saw the next Rakhine patient who was behind me in line but they did not see me. I had to get Tawkenza after paying 1,000 kyat to go to the doctor in Buthidaung. After I spent 1,000 kyat for the Tawkenza, I still did not get treatment because the doctor did not see me."[188]

The Rohingya were told that they could not use the government clinic by medical staff:

> "When we went there, the doctor rejected Muslims, saying, 'It is not for you, even if you paid you will not get treatment here. It is for Rakhine citizens of this country.'"[189]

> "I myself faced inhumane discrimination in the government clinic. The doctors told me that there was no treatment or medicine for Rohingya and blamed me as a Bengali."[190]

The travel restrictions blocked the Rohingya from accessing healthcare,[191] for they needed to first obtain travel permission.[192]

> "We had to go to the village administrator to get Tawkenza and needed to explain. It was very tough."[193]

> "We were unable to see a doctor at the government clinic because we were neither allowed to travel nor given permission to get treatment at the clinic."[194]

186. GK02.
187. GP15.
188. GP18.
189. NKY22.
190. NSK11.
191. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, ZPN, NYT, GK, TC, TM, YMKT, TGN, MN, CP, IDP, CK.
192. PD, TT, LD, NSK, KYP, NKY, USK, PPC, YKS, ZPN, NYT, ATK, GK, KPD, TC, TM, YMKT, TGN, MN, IDP, CK.
193. PD13.
194. TC21.

> "The government clinics were in Boli Bazar and Maungdaw, but we were neither permitted to go there nor allowed to get treatment. We passed our lives like prisoners."[195]

This at times had fatal consequences.[196]

> "From 2012, we couldn't travel far away, or from one village to another village. If there was a patient, we couldn't take them to the clinic. They would die at home."[197]

> "We had to the administrator to get permission. Then we had to go to the Na Sa Ka camp with it. They issue us another permission. Like this, it takes a long time. So the patient dies in the end."[198]

> "Suppose a patient needs to be taken to Maungdaw hospital. If you cannot get the permission in time, the patient dies. They said, 'You will flee to Bangladesh. You will not come back.' With those accusations, they did not give emergency permission."[199]

> "If we had to go to Buthidaung to see the doctor, the patient would die before arriving because Buthidaung is so far from our village and we had to satisfy so many requirements."[200]

> "And people died because they were not able to travel to another village to get treatment from doctors."[201]

> "For example, if a man gets sick, he needs permission from the administrator. If the administrator is not present, then he does not get permission. Then he cannot go to the hospital in Buthidaung. In the end, he dies."[202]

> "We had to wait a long time for Form No. 4 if we wanted to take the patient to Maungdaw for better treatment. My first wife died when I took her to Maungdaw. I had to wait one week for Form No. 4. So I could not get her better treatment in Maungdaw."[203]

H. Suppression of Voting Rights

The 30 individual village genocide reports set forth how the Rohingya were blocked from voting in 2015,[204] with the last votes in 2012 or 2010.

> "I was allowed to vote in every election before 2015. Before that, our Rohingya people were

195. KYP22.
196. ZPN, CK.
197. ZPN10.
198. IDP01.
199. TC26.
200. TM15.
201. TM14.
202. TM03.
203. CK07.
204. See also "The Rohingya lists: refugees compile their own record of those killed in Myanmar," Reuters, 17 August 2018, available at https://www.reuters.com/article/us-myanmar-rohingya-lists-insight/the-rohingya-lists-refugees-compile-their-own-record-of-those-killed-in-myanmar-idUSKBN1L20EY.

able to be Members of Parliament. The government snatched away our rights, step by step."[205]

"The government made an announcement pretending that Rohingya people could vote. But later we were not allowed to vote."[206]

"I was driven away from the voting center. I had wished for Aung San Suu Kyi to come into power. But during the election, I was not allowed to vote."[207]

"I was allowed to vote only once. During the election of Aung San Suu Kyi, we were blocked from voting even though we were ready to vote for her."[208]

"I voted five times. I do not remember when. But we were not allowed to vote in 2015. We intended to vote for Suu Kyi but we were not allowed."[209]

Notably, the Rohingya also suffered from voter intimidation.[210] They were not allowed to vote as they pleased but instead had their votes cast at the behest of government authorities:

"I was allowed to vote, but it was like, where they asked us to vote, we voted there. Because they were standing up with knives and gun."[211]

"I wanted to cast my vote for the book and pen mark candidate (MDPD). They wanted me to cast my vote for the lion mark candidate (USDP). They ran at me with guns. So I could not cast my vote."[212]

"I was allowed to vote, but I was not able to vote for my chosen emblem. I was forced to vote according to their selection."[213]

"I wanted to vote for the book and pen mark candidate, but they forcibly took my vote for the lion mark candidate. I was not allowed to vote further."[214]

"In the 2010 election, there were two groups, marked Book & Pen and Lion. During the election publication, the government declared that we were allowed to vote according to our choice. But soon after, two days after finishing the election, they caught me at night from my house. They accused me of voting for the Book & Pen Party and fined me 220,000 kyat. Overall, we were treated like animals."[215]

205. TGN16.
206. KYP07.
207. KGP12.
208. KPD02.
209. PPC02.
210. KGP, NYT, YMKT.
211. NYT23.
212. KGP07.
213. KGP14.
214. PPC26.
215. USK12.

I. Revocation of Citizenship

The 30 individual village genocide reports detail how no Rohingya held Myanmar citizenship. Indeed, the authorities tried to force them to accept NVC, a card which would register them as foreigners.

> "They discriminated against us in all ways. They did not allow us to build houses or move anywhere. We were not allowed to do anything freely. We had no human rights there. The government violated our human rights."[216]

> "My parent had ID cards that considered them a citizen. But I did not have such an ID card like my parent. I was not accepted as a citizen, so that was why I became a refugee in Bangladesh three times in my life."[217]

> "Because we were not recognized as citizens, we were always like immigrants. We were always in fear. If we sent our children to the madrasa, we had to guard whether the police were coming and oppressing our children. We had to always think how we can lead our life."[218]

> "Our parents had AK cards, nationality cards of that country. The government allowed voting for our grandparents, parents, and us. But after that, they slowly rejected us and acted like we are foreigners with Bengali ethnicity."[219]

> "In the white cards, we were incorrectly stated to be Bengali and Muslim. The card was known as Yiayi. Yiayi means 'temporary.'"[220]

> "We had AK cards which said we had Myanmar nationality. Later the government took those away and provided us with Yiayi Caffra (TRC) to live there for six months. But we had to live in Myanmar with that card for many years even though it was only for six months. Recently the government took TRC and gave us 'receipt cards.'"[221]

> "I had a temporary identification card, but it was taken back in 2008. From that time, their ill intentions began. They they began genocide against us. They issued us a 'receipt' card."[222]

The Rohingya were called "kalar,"[223] which is an ethnic slur.

> "I did not receive NVC because it is not a citizenship card. We are Rohingya. They don't call us Rohingya. They called us 'kalar Bengali.'"[224]

216. NSK25.
217. IDP11.
218. NSK13.
219. KYP19.
220. DGZ14.
221. ATK23.
222. GK24.
223. PD, LD, NSK, KYP, NKY, USK, ZPN, GK, KPD, TM, YMKT, TGN, MN, GP, IDP.
224. PD23.

> "The Myanmar government did not accept us as citizens. They said, 'There are no Rohingya people in Myanmar.'"[225]

> "They called us 'Bengali.' That is why they started genocide and made us displaced. We are not Bengali. We are Rohingya."[226]

In a number of villages, the Rohingya saw their citizenship documents confiscated.[227]

> "We heard our forefathers had AK photo [cards]. Then in our parents' time, they gave Yiayi Caffra. And finally they issued us receipt cards. Strategically the government had taken all the documents we had….
> "They made us homeless, stateless, and also did with us whatever they wished."[228]

One survivor managed to preserve an NRC, stating:

> "Seeing the houses were burning, I kept Yiayi Caffra, family card, and some important documents with my body…. We did not have any scope to bring anything. After all there is only one reason behind to bring this document. That is to show to people as evidence. I kept it as my heart. I was prepared with these documents when they killed Amir Shahab, and our grandfather said that one day they will not let you stay as citizens of the country."[229]

As noted in the individual village genocide reports, survivors overwhelmingly refused to register with NVC, because it was for foreigners and not a citizenship card.[230]

> "I did not accept NVC because it was not a citizenship card. It was a Bengali card and a genocide card."[231]

> "The NVC means the holder is a foreigner. NVC means temporary settlers. Besides, in 2012, they conducted violence against us to make us homeless so they can put us in camps. The NVC card means ethnic cleansing."[232]

> "We are not foreigners. We were born to our parents in Burma. We are real citizens but the government tells lies. They are ignoring us."[233]

> "The government first said it would accept us as citizens but later the government broke its

225. YKS14.
226. YKS13.
227. NSK, NKY, PPC, ATK, GK, MH, KPD, YMKT, TGN, MN, GP. See also "The Rohingya lists: refugees compile their own record of those killed in Myanmar," Reuters, 17 August 2018, available at https://www.reuters.com/article/us-myanmar-rohingya-lists-insight/the-rohingya-lists-refugees-compile-their-own-record-of-those-killed-in-myanmar-idUSKBN1L20EY.
228. PD15.
229. PD18.
230. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
231. ATK01.
232. MN05.
233. NSK24.

promise. They told us to take NVC."[234]

"I did not accept NVC because the Myanmar government was again providing a document where we were called 'Bengali' for a lifetime and we could never protest for our identity as Rohingya or for our citizenship that the Myanmar government took away from our forefathers."[235]

They refused NVC despite strong pressure:

"Even when forced, we didn't accept it because the government told us first that we would be provided red cards but those were not given. They cheated Muslims."[236]

"They told me to accept NVC many times but I refused. It is a card of death. We will be beaten by them if we carry it."[237]

Many survivors feared that accepting NVC would result in greater persecution,[238] a concern that was echoed in a UN human rights report.

"I didn't accept NVC because the situation will be worse than before. It will be exacerbated if I accept it."[239]

"I did not register with NVC because the government would not accept us as citizens of Myanmar. Even before registering with NVC, we had been oppressed for so long. If we did take NVC, we would be oppressed more than before."[240]

"If we accept NVC, it means we cut our throats. Although we are citizens of that country, they say that we are not people of that country. Nothing is mentioned in NVC about citizenship, so I did not receive it."[241]

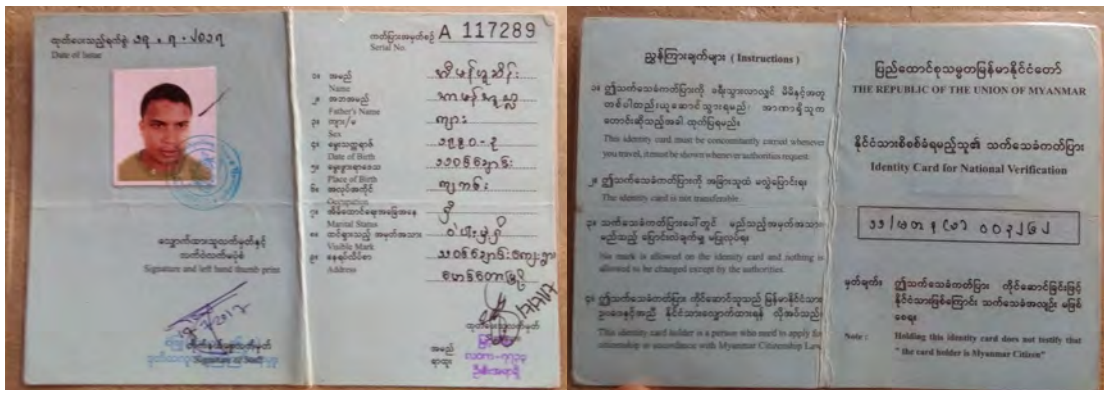
"The discriminatory laws, including the 1982 Citizenship Law, remain in effect. The Government's insistence on a citizenship process based on the national verification cards is disingenuous. They continue to be used as a tool of persecution, rather than leading to inclusion through citizenship, they further exclude the Rohingya, many of whom historically were accepted as citizens of Myanmar and should again be recognized as such."[242]

Of the 845 survivors interviewed by Asian Dignity Iniative, only a small handful registered with NVC. And of these tiny few, one survivor did so because it was required to visit her husband in jail

234. GK04.
235. ATK11.
236. NKY20.
237. TC26.
238. LD, KYP, USK, PPC, DGZ, ZPN, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, IDP, KTK, CK.
239. PD08.
240. YMKT23.
241. YMKT04.
242. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.

in Buthidaung,[243] and four others were forced to take NVC as a condition of release from jail.[244]

> "After October 8, 2016, my husband was arrested and taken to Buthidaung jail. I tried to visit there to see my husband in prison but I was not allowed. At last, I was forced to accept NVC so I could travel to see my husband."[245]



Security forces made one survivor register with the "Identity Card for National Verification" when they unlawfully imprisoned him. Note two statements of importance on the card:
"Holding this identity card does not testify that 'the card holder is Myanmar Citizen.'"
"This identity card holder is a person who need [sic] to apply for citizenship in accordance with Myanmar Citizenship Law."

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243. NKY.
244. USK, KGP, TC, CK.
245. NKY17.

IV. Patterns of Attack from Collective Testimony

A. Timing of Attacks

In many villages, survivors reported hearing, from the camp,[246] gunfire the night before the attack, typically between 12:00-5:00 a.m.,[247] awaking them from sleep.[248] In two villages, this gunfire sounded for both the 2016 and the 2017 attacks.[249] Given the rural isolation of most Rohingya villages in Rakhine State, Asian Dignity Initiative posits that the late night gunfire was intentional, to terrorize and intimidate the Rohingya.

> "We were afraid and could not walk for the fear. We heard the gunfire sounds coming from BGP headquarters. They were very terrible."[250]

> "I was at home when security forces invaded the village and fired their guns in the early morning. After I heard the gun sounds, my family and I were scared and frozen in our house. Even when I realized the village was attacked, still then I was praying and begging Allah to protect us. It was at last when security forces were killing whoever they saw and found and firing in all directions that I fled away to another place with my children."[251]

Other testimony reveals the use of firearms as an intimidation tactic.

> "Then we suddenly heard the sound of gunfire. We prayed to Allah to save us. War had begun."[252]

246. KYP, NKY, PPC, GK, TC, YMKT, TGN, CK.
247. PD, LD, NKY, PPC, NYT, GK, ID, TC, YMKT, TGN, GP, KTK, CK. See also "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.
248. LD, PPC, ATK, GK, ID, YMKT, CK.
249. LD, CK.
250. PPC04.
251. ATK12.
252. NSK23.

> "We could not move for fear of being killed. The gun sounds made us nervous."[253]

For the majority of villages, security forces attacked in the morning, between 7:00-9:00 a.m.[254] In one village, the very first attack in 2016 began at 6:00-7:00 a.m.,[255] and in another village, all four attacks in 2016 started at 6:00-9:00 a.m.[256] These facts indicate that Myanmar security forces sought to surprise and catch Rohingya villagers off-guard.

The military offensive lasted for many hours, from morning until afternoon.[257] In a number of villages, the attacks continued for days or even weeks.[258]

B. Maneuvers of Attack

Typically, security forces surrounded the village tract.[259] They held their guns on the road.[260] They then entered the village with gunfire,[261] and attacked in groups.[262]

In a number of village tracts, security forces claimed to be looking for militants/"terrorists,"[263] or claimed that ARSA/militants/"terrorists" were in the village.[264]

> "Two days before the actual attack, the military called me [the village administrator] and the village chair to the police camp. They abused us with bad language. They were up to 350 soldiers from different camps there. They asked us if there are any 'terrorists' in our village. I said that there is no one like that.
> "Then they said, 'We will stay in your village.' They wanted food. We collected chickens, rice, solar panel, and solar battery for light, and things like that. I arranged for them whatever they needed to stay in our village. Some of the military stationed and stayed there, and some went back.
> "They told us to give them another solar panel. I was going to buy one, when I heard about them shooting guns. I went back to the place where they had stationed but they were not there. They had gone to attack on Borgozi Bil. I communicated with them because of my position."[265]

They investigated Rohingya people,[266] with the family registers,[267] one by one.[268] They called

253. NSK24.
254. PD, TT, DP, KYP, NKY, YKS (first attack in 2016), DGZ (2017 and all four attacks in 2016), KGP, ZPN, NYT, ATK, MH, ID, TC, MN, KTK, CK.
255. YKS.
256. DGZ.
257. PD, KYP, PPC, ZPN, NYT, YMKT, MGT, CK.
258. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, NYT, KPD, TC, YKMT, MGT. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ (reporting on the "a four-month assault on the Rohingya population as a whole").
259. LD, TT, NSK, KYP, USK, PPC, KGP, NYT, ATK, MH, MN, MGT, GP, IDP, KTK. See also "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/.
260. ZPN, ID, YKMT.
261. KYP, DGZ, NYT, ATK, GK, MH, ID, TC, YMKT, TGN, KTK, CK.
262. TT, YKS, DGZ, KGP, NYT, GK, TC, TM, TGN, MGT, GP.
263. NKY, PPC, YKS, DGZ, IDP, KTK.
264. NKY, PPC, YKS, DGZ, KGP, GK, TC, TM, KTK, CK.
265. DGZ14.
266. TT, NKY, NYT, TC, TM, YMKT, TGN, MGT, KTK, CK.
267. TT, NKY, NYT, KTK.
268. TT, NKY, CP.

meetings,[269] at the school,[270] of community leaders,[271] or of all villagers.[272]

> "At around 3:00 a.m. the military opened gunfire from the camp and shot indiscriminately at our village. Houses were burning. And at about dawn, the military seized two men and were interrogating them for being terrorists. They cut the men's hands, legs, and ears while demanding to know about terrorists. I saw with my own eyes that the military cut a hand down, and then cut the ear. The men were sons of Hamid and Aurin Halu from Bogari Choung.
> "The military shot to death the people who went to see. We took injured people to the doctor, but he did not treat them because he feared the military. We had to leave them there. The next day, villagers tried to collect the dead bodies but they could not because the military shot at them."[273]

After rounding up Rohingya villagers, security forces separated men and women.[274] They tied the men up,[275] stripped the women,[276] often subjecting the women to invasive body searches.[277]

> "After surrounding villagers, the military separated men and women. The military firmly tied up the men and loaded them in cars like goats."[278]

> "A 40-year-old woman from Nga Khu Ya, said: 'I was in the kitchen cooking, some of our children were in the courtyard and the others were in the house, when the army arrived. I was body searched for hidden cash or gold and was asked to untie the knot of my sarong, but they found nothing in the sarong. The army then searched the suitcase, and took some cash and gold away. I have heard that searches like this were carried in other houses as well, and where the military did not find anything, they beat the occupants of the house.'"[279]

> Security forces shot indiscriminate gunfire.[280] They fired into crowds of Rohingya villagers.[281] They chased down the Rohingya,[282] and fired at them,[283] while aiming at people.[284] In two villages, they threw bombs/mortar bombs into a mass gathering of civilians.[285]

269. TT, KYP, NKY, PPC, DGZ, ZPN, TC, IDP.
270. TT, KYP, NKY, PPC, ZPN.
271. DGZ, ZPN, IDP.
272. TT, KYP, PPC.
273. TGN07.
274. TT, LD, NKY, PPC, DGZ, ATK, TM, MN, CP.
275. LD, DGZ, MN. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
276. LD, MN. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
277. LD, NSK, KYP, NKY, USK, MN, MGT. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children; "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/; "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
278. PPC18.
279. OHCHR report.
280. PD, TT, LD, NSK, KYP, NKY, USK, YKS, DGZ, KGP, ZPN, NYT, GK, KPD, TM, YMKT, TGN, MN, MGT, GP, CP, KTK, CK.
281. TT, TM, YMKT, TGN, MN.
282. PD, NSK, KYP, USK, NYT, ATK, GK, TC, YMKT, TGN, GP.
283. PD, TT, LD, ATK, GK, ID, TC, TM, YMKT, TGN, GP, CP, CK.
284. KYP, NKY, DGZ, KGP, MGT.
285. PD, GP.

> "People fled when the military opened indiscriminate gunfire in the village. Bullets were falling like rain drops. Security forces aimed and shot at the backs of people."[286]

> "I saw two soldiers on a mobile tower, shooting at people from there as the people fled. The people came back to the village when the military opened gunfire at them from the mobile tower. I had been taught that the government made a plan to empty out the village ten years before. So they did that to us."[287]

> "They beat us, running and running. And they drove us into the seashore, saying, 'You come from Bangladesh' and 'Go there.'"[288]

They broke doors,[289] and scattered or destroyed food stocks,[290] as confirmed by National Geographic, which reported that soldiers "set fire to the harvest-ready rice fields, looted houses, and shot or stole all of the cattle and goats."[291]

> "After October 9, 2016, the military oppressed us many times. They threatened people and beat anyone they found. They made us uproot our homestead fences. They looted fowl and cattle, whatever they found. They scattered rice and looted green coconuts….
> "It was harvesting time. People were collecting the paddies from the ground. The military burned the paddies to the ground."[292]

They blocked the Rohingya from returning home.[293]

> "We fled to the forest to save our lives. They stayed in our village for five days, so we could not go back for five days. We got wet in the rain in the forest with no food to eat. Children were crying."[294]

During the attacks, security forces also used telephones,[295] whether for planning or to receive orders.

C. October-November 2016 Attacks

Numerous villages were heavily brutalized in October-November 2016.[296] The UN also published a detailed report on the October-November 2016 attacks and verified that "clearance operations" were executed in Sutogozi Bil, Borgozi Bil, Nga Khu Ya, Kiari Prang, Laung Don, Zammunia, and

286. YMKT09.
287. ATK08.
288. GK13.
289. LD, NSK, NKY, ZPN, ATK, IDP.
290. NKY, USK, PPC, DGZ, ZPN, NYT.
291. "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
292. PPC05.
293. PPC, DGZ, GK, ID, TC, YMKT.
294. PPC04.
295. KGP, NYT, MN.
296. See, e.g. "Myanmar: proposed Rakhine 'civilian police force' a recipe for disaster," International Commission of Jurists, 4 Nov. 2016, available at https://www.icj.org/myanmar-proposed-rakhine-civilian-police-force-a-recipe-for-disaster/.

Bura Shikdar Para.[297] Reuters published an in-depth article reporting on the attack of Sutogozi Bil, neighboring Borgozi Bil, and Kiari Prang in November 2016.[298]

In certain village tracts, the military aggression was overpowering, resulting in wide-scale killings,[299] bodily injury,[300] rape,[301] unlawful arrests,[302] looting,[303] and arson.[304]

> "After the military burned down Kiari Prang's Bazar by firing launchers, we fled to Zammunia (Pwint Hpyu Chaung) and came back home after eight days. The military came to our village every day. They arrested and beat people. We stayed in the village for one month. One day, the military surrounded our village. About 20 soldiers came to my house and took all of my family from the house. My husband and sons fled away.
> "The soldiers tried to rape my daughters and daughters-in-law. They beat us when we tried to stop them. They beat us with gun butts and kicked us with boots. They stripped my daughter-in-law naked and raped her.
> "They harassed us sexually. They arrested my husband at night…. They killed my daughter-in-law by shooting her when she was giving birth. They slaughtered her father-in-law."[305]

As noted by the UN:

> "Similar 'clearance operations' – albeit on a smaller scale – occurred in and after October 2016, with complete impunity. The following months were marked by increased intimidation of the Rohingya, rising hate speech instilling fear into other ethnic communities, and the mobilisation of troops and other military assets into northern Rakhine State."[306]

297. "Interviews with Rohingyas fleeing from Myanmar since 9 October 2016," United Nations Human Rights, Office of the High Commissioner, 3 February 2017, available at https://www.ohchr.org/Documents/Countries/MM/FlashReport3Feb2017.pdf.
"The testimonies gathered by the team – the killing of babies, toddlers, children, women and elderly; opening fire at people fleeing; burning of entire villages; massive detention; massive and systematic rape and sexual violence; deliberate destruction of food and sources of food – speak volumes of the apparent disregard by Tatmadaw and BGP officers that operate in the lockdown zone for international human rights law, in particular the total disdain for the right to life of Rohingyas....
"The Myanmar security forces lost 10 officers in the 9 October and 12 November attacks. However, the testimonies as well as the satellite imagery analysis from three independent sources indicate clearly that the security forces have deliberately targeted the entire Rohingya population in the area, instead of investigating those who may have been linked to the 9 October attacks on the three BGP locations. The 'area clearance operations' have likely resulted in hundreds of deaths and have led to an estimated 66,000 people fleeing into Bangladesh and 22,000 being internally displaced."
298. "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
"The attack on Rahim's village, Dar Gyi Zar, on Nov. 12-13, claimed dozens of lives, Rohingya elders said. The killings marked the start of a two-week military onslaught across about 10 Rohingya villages in northwest Rakhine State, a Reuters reconstruction of events has found.
"Rohingya elders estimate some 600 people were killed. A United Nations report from February said the likely toll was hundreds. At least 1,500 homes were destroyed…. Countless women were raped, eyewitnesses and aid workers said. Doctors in Bangladesh told Reuters they treated women who had been raped….
"The village of Kyet Yoe Pyin, located on the main road north to Bangladesh in northwest Rakhine, was one of the first to draw the army's attention on Oct. 13, according to a military intelligence source. Insurgents had used logs to erect roadblocks near the settlement of 1,300 houses, blocking the way for military vehicles, residents and the military intelligence source said. In retaliation, about 400 soldiers burned down a part of Kyet Yoe Pyin and shot several people, according to four villagers."
299. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, GK.
300. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN.
301. LD, NSK, KYP, NKY, USK, DGZ, KGP, ZPN, TM, YMKT, CK.
302. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, MH, TM, MGT, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
303. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, GK, KPD, ID, TC, YMKT, TGN, MGT, GP, KTK, CK.
304. NSK, KYP, NKY, PPC, YKS, DGZ, KGP, MGT.
305. KYP11.
306. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S (emphasis added).

Regardless of whether a village experienced mass killings or injury,[307] a pattern emerges. For the majority of village tracts (76.7%), Rohingya villagers were forced to uproot the fences around their homesteads,[308] and beaten if they failed to do so.[309] In three village tracts, security forces themselves demolished the fences themselves.[310] The UN confirmed the destruction of fences in Nga Khu Ya:

> "The army also forced homeowners to destroy their own houses or, in the case of Nga Khu Ya, barriers, walls and fences erected between houses. Forcing owners to destroy their own property appears to have been aimed at inflicting suffering, instilling fear, and forcing villagers to leave. While explaining his ordeal, a 55-year-old victim stated, 'the local chairman convened a meeting with villagers, where he announced that the army had identified 150 houses for destruction by the owners. No explanation or reason was given for the order. The chairman warned us that non-compliance would be met with force by the army. The owners of the houses, including me, did not respect the order, because I had no other place to take my children. A week after the announcement, the army came to our village and forced the owners to destroy their houses. They severely beat us for not respecting the order. It was incomprehensible and heart-breaking to destroy my own house.'"[311]

Rohingya villagers saw knives and other cutting implements confiscated.[312] They were forbidden to use lamps or light at night.[313] Gatherings of five or more people were forbidden.[314]

> "The military came to our village after the incident occurred at BGP headquarters. They ordered us to give up our knives and daggers. They ordered us to uproot the fences around our homesteads. They said that we hid ARSA behind the fences."[315]

> "We were not allowed to use lights in our homes at night or in the daytime. If someone got sick, then we had to take care of the patient in the darkness without seeing a doctor because we were forbidden to leave our houses at night."[316]

Security forces committed gender-based violence against Rohingya women.[317] In addition to rape/sexual violence and gender-based looting through invasive bodily searches, which are discussed below, security forces made women sit in the hot sun.[318]

Security forces created a reign of terror by beating Rohingya villagers, and by unlawfully arresting villagers.

307. Certain village tracts reported mostly intimidatory acts of violence and aggression, as opposed to full attack(s). .
308. PD, LD, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, CP, KTK, CK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
309. PD, NSK, NKY, PPC, NYT, GK, MH, ID, YMKT.
310. KGP, ZPN, CP.
311. OHCHR report.
312. PPC, DGZ, NYT, ID, TC, YMKT, TGN, MGT, CK.
313. PPC, NYT, ATK, GK, KPD, TC, TM, YMKT, TGN, MN, MGT, CK.
314. DGZ, KGP, NYT, GP, CP, KTK.
315. PPC08.
316. ATK11.
317. PD, LD, NSK, NYT, GK.
318. PD, NSK.

> "In 2016 before August 2017, our village condition was very bad. The government harassed us enormously. On December 5, 2016, security forces called a meeting and arrested those who attended. I did not go because I suspected that they would arrest us. The military and BGP did arrest the others. That night, security forces surrounded my house at 2:00 a.m. The military arrested me on December 6, 2016, and took me to the post in Aung Dang. When I got there, I saw villagers tied up firmly….
> "We were all taken together to Maungdaw and kept in custody. We were beaten and persecuted in different ways. Later, we were sentenced to jail for three years. During that time, we were inhumanely and brutally violated. We cried the whole day and night in jail. Three of us were released on May 10, 2019. But Mv. Kasim Ali is still detained in jail."[319]

In village tracts where Myanmar security forces only swept through, as opposed to committing full-scale military attacks, they ruthlessly beat Rohingya civilians.[320] They claimed the Rohingya had provided food or had communicated with militants/"terrorists,"[321] that they had provided shelter to militants/"terrorists,"[322] or that they "had links" with militants/"terrorists:"

> "They showed us many unreasonable and illogical grounds that we were linked with militants and were 'bad people.'"[323]

> "The military and police said that we Muslims attacked the military camp. They also said that there were two militants in the village. They told us to indicate the militants and not to provide any shelter to militants."[324]

Of the survivors interviewed by Asian Dignity Initiative, villagers from only one village reported that their village was bulldozed in 2016: the village of Wa Baik within the village tract of Kawar Bil.[325] UNOSAT reported that a resettlement camp was built on the ashes of the burned village tract of Nwar Yon Taung.[326]

After these crackdowns, Rohingya villagers were forbidden to leave their homes at all,[327] especially between 6:00 p.m. and 6:00 a.m.,[328] otherwise known as Curfew Order Section No. 144.[329]

> "As you know, in prison, people can move from one cell to another cell. But we could not even move from one house to another house. One day at 10:00 a.m., we had a restriction imposed on us that we couldn't go out of the house."[330]

> "The government used a secret law that is called local law for Muslims. They imposed a

319. TC21.
320. PD, DP, LD, NYT, GK, KPD, ID, YMKT, TGN, MGT.
321. PD, MGT.
322. PPC, YMKT, MGT, CP, IDP.
323. TC26.
324. KTK10.
325. KGP.
326. NKY; UNOSAT report.
327. PD, DP, PPC, YKS, DGZ, KGP, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, GP, CP, KTK, CK.
328. YKS, DGZ, KGP, ATK, MH, KPD, TC, TM, YMKT, TGN, MN, GP, CK.
329. NYT, TC.
330. NYT16.

> restriction after Asr time, from 6:00 p.m. to 6:00 a.m. We could neither go out of the house nor crowd in a group of more than five people due to the restrictions, and all the mosques and madrasas were locked down. If people crowded more than five people even in the village or market, security forces drove people off while aiming their guns, and then people had to run away fearing being killed.
> "It happened just because we are Muslim."[331]

> "After the sun had set or after praying Maghrib prayer, we were not allowed to travel to come out of the house, because they used Curfew Order Section No. 144. We were forbidden to leave the house from 6:00 p.m. to 7:00-8:00 a.m. The government commanded, 'If anyone travels during the restricted time, they will be shot.' People were unable to go to other villages for jobs, to visit, or for medical treatment. People had to stay in their own village."[332]

> "In 2016, the government prohibited leaving the house after 6:00 p.m. and before 6:00 a.m. When the military found Rohingya traveling anywhere, they beat, kicked, and punched villagers, and also made them provide forced labor by taking them to the battalion or to other highways with the military's heavy things. We were not able to leave the village during the day or night. We could not breed poultry at home. The military took all the fowl away. We were not allowed to fish, go to the forest, or go to the market. We had to stay at home the whole night and day."[333]

The curfew blocked Rohingya villagers from working and therefore suffered from increased food scarcity.[334] Violation of the movement restrictions after 2016 meant forced fines.[335]

> "During the time of October 2016 to July 2017, we suffered doleful lives. Many people died from shortages in food and medical supplies in the village."[336]

> "One time, I had to pee in a plastic bag inside the house, for fear of security forces, because we were not able to go outside the house….
> "We were not allowed to move from the village. We lived in hunger, eating cooked banana leaves. We were unable to have sanitation. Our bathroom and latrines were outside the house, in the homestead. Security forces stopped us from using them even in our own homestead."[337]

> "We were unable to move from one village to another village or from one house to another house. We faced much difficulty with food, and they forbade us to practice religion. They persecuted us as they wished."[338]

Specific details regarding these heinous acts of violence are discussed in their own sections below.

331. ZPN09.
332. TC22.
333. TGN22.
334. TT, NYT, KPD, TM.
335. TT, ID, MGT.
336. KPD18.
337. GK14.
338. NYT17.

In those sections, this consolidated report does not differentiate between the 2016 and 2017 attacks. Whether killings, grievous bodily injury, rape, unlawful arrests, looting, and arson occurred in 2016 or in 2017 is immaterial, as all of these bad acts are components of genocide.

D. Killings

Every single genocide report on each of the 30 village tracts reports killings of Rohingya civilians.[339] Security forces committed the killings with gunfire,[340] including indiscriminate gunfire,[341] as the Rohingya fled.[342]

> "The shooters were very close to my daughter, about two yards away from her."[343]

> "There was barely any space between the shooter and the victims. They fired from very close."[344]

> "Almost all testimonies indicated that people were shot at close range and in the back while they tried to flee in panic."[345]

They also slaughtered,[346] stabbed,[347] and hacked/chopped civilians.[348] They beat the villagers to death,[349] and threw people into bodies of water.[350] They burned civilians alive,[351] burned them to death,[352] and buried them alive.[353] Six villages reported killings by landmine/bomb/mortar bomb.[354]

339. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
340. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MGT, GP, CP, IDP, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
341. PD, TT, DP, LD, NSK, KYP, USK, PPC, YKS, ZPN, GK, TC, YMKT, TGN, MN, IDP.
342. LD, NSK, KYP, NKY, USK, PPC, KGP, ZPN, NYT, ATK, GK, MH, TC, TM, YMKT, TGN, KGP, IDP, CK. See also Reuters Two Week Crackdown article ("The other helicopter fired indiscriminately on those fleeing").
343. CK11.
344. CK12.
345. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
346. TT, LD, KYP, DGZ, KGP, ZPN, ATK, TC, TM, TGN, MN, MGT, GP.
347. TT, DP, GK, MH, TC, TM, MN, MGT.
348. KYP, USK, YKS, DGZ, MH, ID, TGN, MGT, GP, IDP, CK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children:
"Then a pair of soldiers — one was Baju — descended on Jamila's husband. With two-foot-long machetes, they hacked into his neck from both sides. He crumpled in the dirt, gagging on blood."
349. LD, NSK, NKY, USK, YKS, KGP, ZPN, MN, GP, CP, IDP.
350. TT, NKY.
351. CP. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("Nur Ayesha, 40, pulls back her headscarf to reveal bleached-white burn scars across her forehead; soldiers set fire to her house while she was still inside"); "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf; "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
"One survivor described watching an attack on the town's elderly religious leader as he was being carried from the flaming village on his son's back. Soldiers knocked the son down, and then four of them grabbed the imam by his limb. They rocked back and forth to start the old man swinging and then hurled him into the inferno."
352. TT, DP, NSK, KYP, PPC, YKS, DGZ, ZPN, NYT, ATK, GK, MH, TC, TGN, MGT, CK. See also "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
353. NSK, USK.
354. KGP, NSK, NYT, TM, TGN, MGT. See also "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.

The United Nations confirmed that in August 2017, the Myanmar military buried landmines in Saw Prang.[355] A number of villages have places of mass killing.[356]

> "I witnessed a man being hit with a spade. He had been hiding in the bushes but security forces caught him and took him to the riverbank. When they hit him with the spade, his scalp and brains separated and flew off in pieces. After confirming his death, security forces dragged him to the seashore and buried him.
> "He was caught from about 12 feet away from me. I was watching from where I was hiding. I was so lucky that security forces did not see me or catch me."[357]

> "I did not go with my family because I had an old uncle who could not walk. Thinking that the IDP camp would not be burned down because UNHCR provided it, we took my uncle there. We kept him in a room with IDP refugees. By that time two-thirds of the village was burned down. When they came up to Uttor Para after burning down the whole village, we went to the forest. But before we reached the forest, they started burning the IDP camp. My uncle was burned alive. We were watching from the top of a hill. We could see everything."[358]

In many villages, the times of death coincide with the times of attack,[359] which serves as corroboration. The UN has also corroborated the killings:

> "'The military had locked us down for almost 10 days. I ran out of food and my three children were starving to death. The situation became desperate and unbearable, so I went to the nearby canal to fish. When I reached the canal, I found two other villagers fishing. Suddenly, two police officers approached us and pointed their guns at us. We were asked to kneel down and were then hit with rifle butts. After a few minutes of beatings, the police shot the two other villagers from close range. Both died on the spot. They continued kicking and punching me and yelling 'call your Allah to come and save you'. After about 10 minutes of beatings, they aimed at me. I was hit by a bullet in my back and fell into the water. They continued shooting at me. I received a second bullet in my shoulder. I pretended to be dead and the police left.' (OHCHR pictures of bullets wounds on file.)"[360]

It is truly tragic that survivors reported killings of their family members,[361] children,[362] the elderly,[363]

355. "Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar," United Nations Human Rights Council, 17 September 2017 available at https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/A_HRC_39_CRP.2.pdf.
356. PD, TT, LD, NSK, USK, PPC, DGZ, NYT, TGN, CP, CK.
357. ATK15.
358. CK03.
359. PD, LD, NSK, KYP, PPZ, DGZ, ZPN, NYT, ATK, GK, TC, TM, YMKT, TGN, MGT, IDP, CK.
360. OHCHR report.
361. TT, DP, LD, NSK, KYP, NKY, USK, PPZ, YKS, NYT, GK, ID, KTK, CK.
362. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPZ, YKS, NYT, GK, ID, KTK, CK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children; "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("Yasmin says she went out to look for her eight-year-old son, who had fled when the soldiers came into the village. She found him lying in a rice paddy, a bullet hole in his back"); "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.
363. TT, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, GK, CK. See also "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide; "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.

and the disabled.[364] A number of reports note that security forces threw children into fires.[365]

> "My grandfather was a sick and elderly man, and my father was paralyzed. They could not flee. We thought that the military would not kill them, so we kept them there. There were other villagers too, like children, women, and men who could not run away. When the military saw them, they drove the women and children away and then burned the old men in the house."[366]

> "Thinking the security forces had left, my sister Fatema, Masheda, Juleka, other people, and I came out from the house where we had been hiding. But we faced the military and stopped. They said, 'Laa (come here).' And then Masheda and Juleka tried to walk back with their kids. The military fired at Masheda, Juleka, and their kids, until they ran out of bullet rounds…. One child was still alive after being shot and a soldier slaughtered the baby to ensure his death. I stood there like stone holding my baby girl in my arms. The soldiers again went to my sister Fatema and fired couple rounds at her….
> "Masheda (25); Masheda's mother, Juleka (40+); Faisal; Rasel; and a baby boy of approximately 6 months were killed with guns and knives. One soldier slaughtered the baby boy with a knife and firing one round at him….
> "The two children's heads were hacked off and thrown after they were killed. Their heads burned when the houses burned down."[367]

Similarly, security forces did not even spare even vulnerable pregnant women and new mothers from the slaughter,[368] as corroborated by the OHCHR report,[369] and news media:

> "Residents of Kyet Yoe Pyin say the Burmese soldiers who firebombed their houses also gunned down six women and a man who had stayed behind to attend the birth of a baby—the mother included."[370]

> "A woman gave birth to a baby on that day. Although the military entered the village and fired guns, the family members could not leave the woman who had just given birth. Everyone was looking after the woman. The military entered the house and killed six people from that family, including the new mother and newborn infant."[371]

364. PPC, YKS, CK.
365. PD, TT, USK, PPC, ATK, CK. See also "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/; "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
366. PPC21.
367. CK12.
368. KGP, TM, CK.
369. OHCHR report.
370. "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
371. KYP12.
372. ZPN.
373. TT, NKY, PPC, YKS, DGZ, KGP, ATK, MH, KPD, TC, GP, CP, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("Amateur video appeared to show charred bodies of adults and children lying on the ground in the torched villages").
374. GP. See also "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/.

Security forces made efforts to conceal the identities of the deceased,[372] by burning the corpses,[373] by pouring acid on their faces,[374] and by disposing of corpses in bodies of water.[375]

> "Some people were burned in their houses, with the military locking the door from the outside, and some were shot…. First they were killed by weapons to death. Then security forces threw them in a house and set fire to erase the signs of the murders. We were escaping through that way and while they were being killed and thrown, we stopped and looked on sadly, because there was no option to do anything. We couldn't even snatch them from the monstrous military."[376]

> "Some people were killed by gunshot. Some people were killed by beating when they went to the village to get rice and other materials. Security forces killed three men at the school. An estimated 20 people were killed in 2016, some in the village, in the paddy field at the west, and some outside the village. Most people were killed at the lake when they were fleeing. Security forces took away the bodies. I suspect they hid the bodies by burying them at our homesteads that were leveled by bulldozer."[377]

> "In the videos of the graves obtained by the AP, dating to 13 days after the killing began, blue-green puddles of acid sludge surround corpses without heads and torsos that jut into the air. Skeletal hands seem to claw at the ground.
> "Survivors said that the soldiers carefully planned the Aug. 27 attack, and then deliberately tried to hide what they had done. They came to the slaughter armed not only with rifles, knives, rocket launchers and grenades, but also with shovels to dig pits and acid to burn away faces and hands so that the bodies could not be identified. Two days before the attack, villagers say, soldiers were seen buying 12 large containers of acid at a nearby village's market."[378]

Security forces blocked the Rohingya from collecting their dead.[379] They burned the dead bodies,[380] buried others,[381] in holes/pits,[382] and took corpses away from some villages.[383] Several villages reported that security forces covered the dead bodies in plastic.[384] A number of villages had mass graves,[385] and the Associated Press reported extensively on mass graves in Gudam Para.[386]

375. KYP, PPC, ATK, ID, MN.
376. ZPN14.
377. KGP07.
378. "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/.
379. LD, KGP, ATK, TM, TGN.
380. TT, NKY, PPC, YKS, DGZ, KGP, ATK, MH, KPD, TC, GP, CP, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
381. LD, KYP, USK, GK, TGN, MN.
382. TT, KYP, USK, YKS, GK, MN, GP, CP. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children ("Several witnesses reported seeing soldiers digging pits and dumping bodies into them").
383. PD, LD, NSK, KYP, NKY, PPC, KGP, ATK, GK, MH, TC, YMKT, TGN, MN, CK.
384. KYP, NKY, ATK, MN. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children ("Other troops wrapped corpses in orange and green tarps and transported them downhill in three-wheeled push-carts to a pair of army trucks parked on the road").
385. PD, LD, NSK, KYP, PPC, KGP, GK. See also "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.
386. "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/ (reporting that "the AP's reporting shows a systematic slaughter of Rohingya Muslim civilians by the military, with help from Buddhist neighbors - and suggests many more graves hold many more people").

"On November 15, 2016, we gathered the bodies but we could not bury the bodies.… When we were gathering the bodies, the military started shooting, so we left the bodies. Then the military burned the bodies with paddy and hay."[387]

"I witnessed many bodies of small children in a paddy field when I was fleeing to Kiari Prang. I also saw dead bodies without heads in Kiari Prang. The bodies were thrown in a ring well."[388]

"The military killed six people by indiscriminate gunfire as they were fleeing and buried the bodies. The military stationed there for three days and then left the village…. Later the Kofi Annan commission took them out from the hole. They were buried again after the investigation."[389]

"'There were so many bodies in so many different places,' said Mohammad Lalmia, 20, a farmer whose family owned a pond that became the largest of the mass graves. 'They couldn't hide all the death.'
"...Lalmia estimates that soldiers dumped about 80 bodies into his family's pond and about 20 in each of the other four major graves. He said about 150 other bodies were left where they fell….
"Many other smaller graves with three, five, seven, 10 bodies in them were scattered across Gu Dar Pyin. "[390]

E. Injury

Every single genocide report on each of the 30 village tracts reports injury to Rohingya civilians.[391] Security forces wounded villagers with gunfire,[392] including indiscriminate gunfire,[393] as they fled.[394] They also caused bodily harm with knives/stabbings,[395] beatings,[396] and bombs/landmines.[397]

"Security forces threw bombs from the helicopter. A bomb blast injured my face. After that I could not see anything. My whole body was burned by the bomb blast. I got treatment from MSF clinic."[398]

"In Myanmar, we were 10 family members, including my brothers, nieces, and nephews.

387. DGZ32.
388. PPC08.
389. KYP09. See also "Burmese military killed seven of my children, says Rohingya refugee," The Guardian, 10 December 2016, available at https://www.theguardian.com/world/2016/dec/10/burmese-military-killed-seven-of-my-children-says-rohingya-refugee.
390. "AP finds mass graves, latest evidence of Rohingya genocide in Myanmar," CBS News, 1 February 2018, available at https://www.cbsnews.com/news/myanmar-mass-graves-latest-rohingya-slaughter-genocide-ap/.
391. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
392. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MGT, GP, CP, IDP, CK.
393. PD, LD, NSK, KYP, ZPN, NYT, GK, TC, TGN, CP, CK.
394. PD, LD, KYP, USK, PPC, ZPN, NYT, ATK, GK, MH, TC, TM, YMKT, TGN, MGT, CP, CK. See also Reuters Two Week Crackdown article ("The other helicopter fired indiscriminately on those fleeing").
395. LD, NSK, TM.
396. DP, LD, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, GK, KPD, ID, TM, YMKT, MN, MGT, GP, IDP, KTK, CK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
397. KGP, NYT, TGN, MGT. See also "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
398. KGP07.

> Now we are only three members. My father died from his injuries three months after we arrived in Bangladesh. The Myanmar military beat him severely. We could not save him.
> "My parents were at home. They could not flee because my father was sick. I was with my brothers and sisters-in-law in the forest for three days. When we looked for my parents three days later, we found my father beaten to injury. The military broke his teeth and shocked him with electricity. They slapped my mother to deafness. We could not see a doctor at the free hospital, so she has become deaf."[399]

Again, the times of injury correspond to the times of attack,[400] as collaboration. Medical documents confirm that survivors sustained gunshot wounds,[401] as well as the date of injury.[402]

Survivors reported wounds to their family members,[403] children,[404] and the elderly.[405]

> "Yasmin (23, daughter of Abul Kalam) was injured. She was breastfeeding her baby, when the military shot their guns at her. She was wounded on the hip."[406]

Security forces brutally beat women,[407] children,[408] and the elderly,[409] as well as village leaders.[410] They kicked,[411] and stomped the civilians.[412]

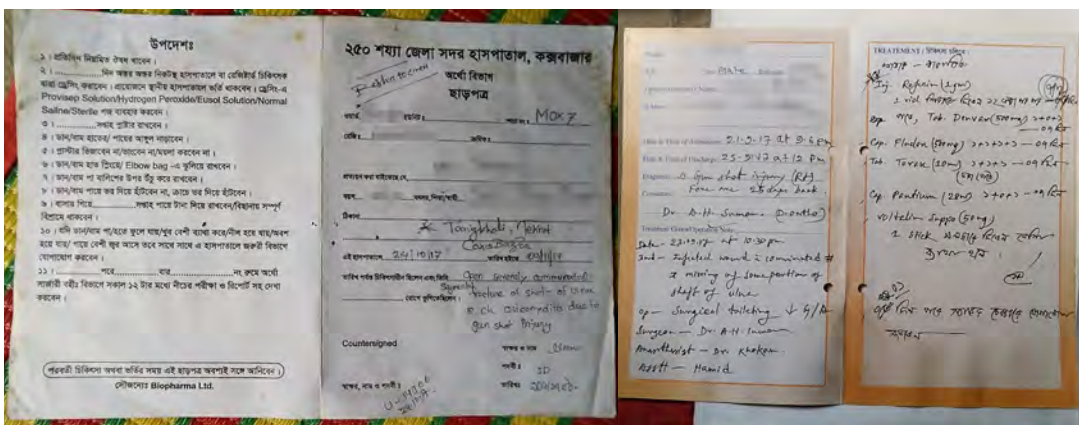
> "Elderly people, persons with physical disabilities and pregnant women were also victims of beatings. An 80-year old woman from Nga Khu Ya was thrown onto the ground, while leaving her house. She said that the army kicked and stamped on her with boots. She was so severely beaten that she could barely move after the attack. She mentioned that while beating her, the military shouted 'you don't belong to this country, you are Bangladeshis, and you should go back'. The victim still suffers from pain and injury. Her daughter-in-law (interviewed separately), who was pregnant at the time of the attack, was in the kitchen cooking when the army arrived in the village and entered the house. She was held by her hair and thrown on the ground and kicked by the army. She mentioned that due to severe beatings, she lost consciousness for some time, and when she recovered, she fled."[413]

> "The military beat Moulana Shokkot Ali (30, son of Nur Mohammed) at 10:00 p.m. because he is a religious leader…. The military beat Moulana Nur Islam (80, son of Nojumoddin) at 9:30 p.m. when they were checking him at home."[414]

399. YKS17.
400. PD, LD, NSK, KYP, PPC, DGZ, ZPN, NYT, ATK, GK, TC, TM, YMKT, TGN, MGT, IDP, CK.
401. PD, KGP, GK, MH, KPD.
402. PD, MH.
403. KYP, USK, PPC, NYT, GK, CK.
404. PD, LD, NSK, KYP, USK, PPC, ZPN, NYT, GK, ID, CK.
405. PD, NSK, KYP, USK, PPC, ZPN, NYT, GK, ID.
406. KGP22.
407. TT, LD, NSK, KYP, NKY, USK, PPC, ZPN, NYT, ATK, GK, TM, CP, IDP, CK.
408. LD, NSK, NKY, USK, PPC, NYT, GK, CP, CK.
409. LD, NKY, USK, NYT.
410. NKY, NYT.
411. NSK, KYP, NKY, USK, PPC, KGP, ZPN, TM, IDP, CK.
412. NSK, NKY, USK, PPC, ZPN, GK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
413. OHCHR report.
414. NYT18.

In several villages, security forces targeted the wounded to kill them.[415]

The top photo shows the wound from the bullet's exit trajectory. Note that the medical document states "perforating wound in back of R thigh" and "infected wound (GSW)."



These medical documents confirm gunshot injury. The first document states, "Open severely comminuted segmented fracture of shaft of ulna. Osteomyelitis (infection of bone) due to gunshot injury."
The second document states, "Infected wound & comminuted # & missing some portion of shelf of ulna."

Gunshot wounds punched holes in this survivor's leg, as evidenced by X-rays. Another medical document, dated September 1, 2017, states that the bullet injuries are "8 days old," which corroborates the date of attack as August 25, 2017.

415. PPC, DGZ, GK, MH, MGT.

F. Rape and Gender-Based Violence

A significant portion of the genocide reports from the 30 village tracts (73.3%) reports rape of Rohingya women.[416] Victims included children,[417] underage girls,[418] and teenagers,[419] as well as survivors' own family members.[420]

> "We [villagers from Zammunia (Pwint Hpyu Chaung)] fled to Burashikdar Para (U Shey Kya) and took shelter in a house. The military raped us in that house. They punched and beat us with gun butts when we tried to protect ourselves from them….
> "The military raped my eldest daughter (15), my sister-in-law (40), daughter-in-law (20), niece (15), and me (36), one by one. They tied us with rope in back. They threatened us with daggers, saying they would slaughter us with daggers. At the time I was pregnant. The military put gun pipes in our mouths when we screamed.
> "There were 12 soldiers. Three of them raped me. They left after raping us when their officer called."[421]

> "The military made the women naked. The military sexually assaulted a teenaged girl in front of me. First the soldier told the girl to take off her clothes. When she did not, the soldier forcibly took off her clothes and pushed his finger into her vagina. The girl screamed because she was teenaged and unmarried. Luckily someone called the soldier's phone and he moved away."[422]

> "Information was collected related to girls as young as five to seven years of age who had been raped, often in front of their relatives, and sometimes by three to five men taking turns, all dressed in army uniforms."[423]

The FFM reported on the gender-based sexual violence in multiple reports and statements:

> "All the information collected by the Fact-Finding Mission so far further points to violence of an extremely cruel nature, including against women. We have collected credible information on brutal rapes, including gang rapes, and other forms of sexual violence, often targeting girls and young women. These rapes were often accompanied with severe physical injuries, including the mutilation of parts of the victims' bodies. The Fact-Finding Mission has strong indications that many women and girls who were raped died from the injuries they sustained or were killed. Information also indicates that some women and girls were

416. TT, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, ATK, GK, ID, TC, TM, TGN, MN, MGT, GP, CP, IDP. See also Reuters article (rapes in Bura Shikdar Para occurred in mid-October 2016); Myanmar Times article (rapes in Bura Shikdar Para occurred on October 19, 2016); "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ (noting "the systematic rape of Rohingya women"); "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.
417. LD, KYP, USK, PPC.
418. KYP, USK, PPC.
419. LD, PPC, ZPN, MN.
420. KYP, USK, PPC.
421. PPC13.
422. MN22.
423. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.

> abducted, detained and raped in the security forces' camps. The Fact-Finding Mission has met with women who showed fresh and deep bite marks on their faces and bodies sustained during acts of sexual violence. Information received from medical experts and counsellors overwhelmingly corroborates the accounts of rape survivors. We are convinced that what these women tell us is true."[424]

> "Another woman, who also saw girls and young women being taken away, saw some return. They were in tears, with torn clothing, and they told her that the security forces had 'done something bad' to them, but had been told not to talk about it. Based on established patterns of behaviour of the Tatmadaw, it is likely that some or all of these women and girls were subjected to rape, gang rape, or other forms of sexual violence, and some may have been killed."[425]

The rapes and gender-based violence against women has also been reported by news outlets. A Reuters article quoted rape survivors from Bura Shikdar Para,[426] and The Myanmar Times reported on the rapes as well.[427] The OHCHR also corroborated the rapes in Bura Shikdar Para, Sutogorzi Bil, Borgozi Bil, Nga Khu Ya, Kiari Prang, and Naasha Puru.[428]

> "Doctors in Bangladesh said the Rohingya women they treated had torn vaginal tissue and scars inside their mouths from having guns inserted. In some cases, the women couldn't walk and had to be carried by relatives to the clinics. Many were covered in bruises and bite marks."[429]

Security forces typically took women away to houses,[430] among other locations. In several villages, men were forced to watch women being raped,[431] or women were raped in front of their family members.[432] A number of villages reported gang rapes.[433]

424. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
425. UN FFM September 2018 Report (discussing sexual violence in the IDP camp of Pan Khaine).
426. "Exclusive: Rohingya women say Myanmar soldiers raped them amid crackdown on militants," Reuters, 28 October 2016, available at https://www.reuters.com/article/us-myanmar-rohingya-exclusive/exclusive-rohingya-women-say-myanmar-soldiers-raped-them-amid-crackdown-on-militants-idUSKCN12S0AP.
427. "Dozens of rapes reported in northern Rakhine State," The Myanmar Times, 27 October 2016, available at https://www.mmtimes.com/national-news/23326-dozens-of-rapes-reported-in-northern-rakhine-state.html. See also "Rohingya Women 'Raped at Gunpoint' in Burma Army Sweep for Suspected Jihadists, Report Says," Time, 28 October 2016, available at https://time.com/4548834/rohingya-burma-myanmar-suu-kyi-maungdaw-rape/.
428. OHCHR report.
429. See, e.g., "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
"Three doctors from small clinics near refugee camps in Bangladesh have described treating some three dozen cases of Rohingya women whom they say were raped.
"'I treated one woman. She was so badly raped she had lost sensation in her lower limbs,'" said John Sarkar, 40, a Bangladeshi doctor who has worked with Rohingya refugees for eight years."
430. TT, LD, KYP, USK, PPC, YKS.
431. LD, USK.
432. MN. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("Yasmin, 27, recounts how soldiers burst into her home in Ngan Chaung village and took turns raping her at knifepoint in front of her five-year-old daughter. 'When my daughter screamed, they pointed guns at her and told her they'd kill her if she made any more noise,' she says"); "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf; "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
433. TT, KYP, USK, YKS, ATK, GK, MN, MGT, CP, KTK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.

> "I saw four women raped to death inside Bodhu's house compound. The military raped many women in front of their fathers and husbands, including Ayesha (45, mother-in-law) and me. They raped and committed sexual violence on up to 100 women."[434]

> "In Kyet Yoe Pyin, I heard women screaming inside a house. Four security forces selected women from the crowd and took four women into the house one by one. I was in the crowd outside the house."[435]

> "Many women were raped. A girl was taken from the crowd of women and taken inside a house. I was peeking from a hole of another house and saw a military soldier raping her. The girl was crying for help but no one had the capacity to help her. They raped her for an hour. I saw five soldiers rape her inside that house. The girl was bleeding and convulsing."[436]

> "Four soldiers raped me. But there were up to 20 soldiers around me. I do not remember how many times they raped me because I lost consciousness. I regained consciousness about four hours later. By that time, the perpetrators had left the area."[437]

In addition to rape, security forces used sexual and gender-based violence as a weapon of war. They stripped women naked,[438] pressed their nipples,[439] and performed invasive body searches.[440] They forced women to sit in the hot sun,[441] or forced them to look at the sun.[442]

> "After the military entered our home, all our clothes were taken and they pressed our whole body severely. We women were scared of the military. That was why we could not do anything to them. They took whatever they liked from our box….
> "All women were forced to gather in the field under the sun. They raped. They put their hands inside our breasts and took everything…. They forced us to open our dress….
> "They were two or three soldiers who entered one house…. After they finished… the raped women became so weak."[443]

G. Unlawful Arrests

Security forces unlawfully arrested many Rohingya people,[444] including from mosques,[445] at Fajr prayer,[446] as well as from meetings called by security forces themselves.[447] The arrest and murder

434. MN20.
435. PPC15.
436. YKS14.
437. MN19.
438. LD, KYP, NKY, NSK, USK, YKS, DGZ, MN, CP, USK.
439. LD, KYP, NKY.
440. LD, NSK, KYP, NKY, USK, MN, MGT. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children; "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/; "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
441. USK, ZPN.
442. NSK, MN.
443. NSK15.
444. NSK, USK, PPC, KYP, NKY, YKS.
445. NSK, USK, PPC.
446. NSK, PPC.
447. KYP, NKY, PPC, YKS.

of 10 Rohingya men in Inn Din has been reported on by Reuters.[448] The UN confirmed the arrest of large groups of Rohingya people in the IDP camp of Pan Khaine.[449]

> "When arresting the military informed that they were being taken for a meeting. While this was happening, we were surrounded by the military and forced to go into the water. They fired rounds of bullets over our heads. They told us to put our hands up and we did as we were told. Some of us were afraid and crying. From our group, they picked 10 men and arrested them. We begged them not to arrest our husbands. The military said they wouldn't hurt our men but after one day they slaughtered our men."[450]

In several villages, Rohingya people were arrested as they sought shelter in different villages.[451]

> "We hid in Raimmaguna in a house. The military went to that village again at 3:00 p.m., took us out from the houses, and transported us to Roingyadaung. They began beating us severely. They kept us 125 people in a school for five days. After five days, the military released 45 people and two dead bodies of people the military had beaten to death, Abdu Munaf (60) and Mv Sedik (65)."[452]

> "The military had driven us away from the village. We took shelter wherever we could. My relatives went to my aunt's house in Kawar Bil. Suddenly once day, the military came to the village and arrested all the men from my aunt's house. They falsely accused the men of being criminals. The security forces annouced that the people of Wa Baik are terrorists.
> "They are still in Buthidaung jail. We just got information that my detained uncle is currently admitted to the hospital in jail."[453]

Security forces targeted community leaders,[454] and the elderly.[455] Survivors reported the improper arrest of their family members,[456] and of children.[457]

> "The military arrested and took away mostly people who were educated and had wisdom and experience. They killed some of the people they arrested. The military in that country persecuted us in classical ways."[458]

> "They arrested the men on October 16. They arrested them because they were educated persons."[459]

448. "Massacre in Myanmar," Reuters, 8 February 2018, available at https://www.reuters.com/investigates/special-report/myanmar-rakhine-events/.
449. UN FFM September 2018 Report.
450. ID06.
451. KYP, KGP, PPC.
452. PPC17.
453. KGP12.
454. NKY, USK, YKS, TGN, GP.
455. NSK, KYP, NKY, USK, PPC, ATK.
456. LD, KYP, USK, PPC, ZPN.
457. DP, KYP, USK, PPC, KGP, KPD.
458. KPD17.
459. NKY09.

> "Security forces arrested the leaders of the village from Doen Para."[460]

> "In Uttar Para lived most of the village community leaders, who were highly educated business men and who had good communication with the government. The government gloated and changed their hearts and listed those people from our village….
> "After they finished checking us, the military took at least 11 people including my husband from our village…. My husband was also an educated person who had passed Class 10; his name was Anuwar (40). The military kept them at the precinct. They were beaten severely the whole night in the precinct. Mohammed Jinna and Seraj Uddin were killed… and other people were sent to Maungdaw court."[461]

Security forces stated no charges or grounds for arrest,[462] beyond spuriously claiming the villagers had "links" with militants/ARSA/"terrorists,"[463] or that the villagers had helped them attack.[464] They tied up arrestees,[465] and transported them away in stages.[466] The most common journey was from village tract to camp/precinct/constabulary to BGP headquarters to Maungdaw and ultimately to prison in Buthidaung.[467]

Either during the arrest or following detention, the arrestees were beaten,[468] kicked,[469] and tortured.[470] Security forces burned them,[471] with common areas of the body being beards,[472] and penises,[473] and broke or pulled out teeth.[474] They used hate speech:

> "They did not say or ask anything when they arrested us. But after taking us to the constabulary, they started denouncing us. We were brutally physically tortured and forced to call ourselves 'Bengali' and warned against calling ourselves 'Rohingya.'"[475]

> "They kept us in the bazar, tying us tightly with nylon ropes after arresting us. In the evening, they loaded us like animals and goods and took us to Sector 6… It was a vokin (a type of small house) and we couldn't even sit properly. Our hands were tightly tied and we had to put down our heads. The urine-closet had to be done there. It was a tiny dirty place….
> "We were brutally beaten…. We were the same victims but the perpetrators and butchers changed group by group only to torture us."[476]

460. NKY06.
461. NKT17.
462. DP, LD, NSK, KYP, NKY, USK, PPC, YKS, KGP, ZPN, ATK, MH, KPD, IS, MN, MGT, IDP.
463. DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, IDP, CK.
464. LD, KYP, NKY, USK, PPC, ZPN.
465. KYP, USK, PPC, ZPN, CP.
466. LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, TM, TGN, MGT, IDP, CK.
467. NSK, NKY, USK.
468. LD, NSK, KYP, USK, PPC, DGZ, KGP, MH, MGT, IDP.
469. KYP, PPC.
470. DP, NSK, KYP, NKY, USK, ZPN, MH, IDP.
471. LD, NSK, KYP, PPC, KGP, ZPN, IDP.
472. LD, NSK, PPC. See also "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
473. KYP, PPC, ZPN.
474. NSK, NKY, PPC, IDP.
475. ZPN14.
476. ZPN14.

> "They beat us [arrestees] with sticks, bamboo, rifle butts, knives, punches, and slaps. They burned our bodies with lighters, cigarettes, and candle drops on different parts of our bodies. One guy's penis and testicles were badly burned and the testicles came out, breaking the skin. And another old man's beard was burned badly too.
> "Different parts of my body are still injured, like inside my mouth, inner of chest, waist, and some joints. I'm still unable to have my meals properly."[477]

The arrestees were later sentenced to imprisonment for 15-35 years.[478] A number of survivors interviewed traveled to Buthidaung to visit their family members in jail,[479] and reported that they saw signs of torture.[480]

> "I saw many signs of torture on my brother's body, on his abdomen and hands. I also saw signs of torture on my father's hands. They were cut. I asked them, and they told me they were severely tortured."[481]

> "I visited my husband for 10 minutes. I did not have enough time to tell him that the military burned our daughter. I saw many signs of torture on his body, in white spots."[482]

Security forces took photographs of the arrestees,[483] with knives,[484] and uploaded the pictures to the internet.[485]

H. Looting

Almost every genocide report on each of the 30 village tracts (93.3%) reports looting of Rohingya property,[486] by the military,[487] BGP,[488] police,[489] and civilians.[490]

Plundered property included cattle,[491] goats,[492] buffaloes,[493] fowl birds,[494] rice,[495] household materials,[496] luxury items,[497] solar panels/batteries,[498] shops,[499] cars,[500] motorbikes,[501] bicycles,[502]

477. ZPN14.
478. NKY, PPC, YKS, ZPN (54 years).
479. LD, KYP, NKY, USK, PPC, DGZ.
480. KYP, NKY, USK, PPC.
481. PPC07.
482. PPC09.
483. USK, YKS, DGZ.
484. YKS, DGZ.
485. LD, NKY.
486. PD, TT, DP, LD, NSK, KYP, NKY, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
487. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
488. PD, YKS, DGZ, KGP, ZPN, NYT, ATK, TC, TM, MGT, IDP.
489. NKY, GK, KPD, IDP.
490. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MGT, GP, IDP, CK.
491. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
492. PD, DP, LD, NSK, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, KPD, TC, TM, YMKT, TGN, MGT, GP, IDP, CK.
493. PD, TC, TM, IDP, CK.
494. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, TGN, MGT, GP, IDP, CK.
495. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TM, TGN, MGT, GP, IDP, CK.
496. PD, TT, LD, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, ATK, GK, KPD, TC, YMKT, TGN, MGT, GP, IDP, CK.
497. PD, TT, NSK, NKY, ZPN, TM, TGN.
498. PD, TT, LD, NSK, KYP, NKY, USK, PPC, YKS, GK, MN, MGT.
499. PD, LD, NSK, NKY, USK, PPC, DGZ, ZPN, GK, MH, MN, MGT, CP, CK.
500. DP, USK, KGP, GK, MH, KPD, TC, MGT.
501. PD, DP, LD, NKY, USK, DGZ, ZPN, ATK, GK, TC, MN, GP, IDP, CK.
502. PD, DP, LD, KGP, ATK, KPD.

money,[503] gold,[504] and gold ornaments.[505]

As noted above, security forces committed gender-based violence upon women as they looted,[506] with invasive body searches.[507]

In a number of villages, the perpetrators carted the looted property away in vehicles,[508] and ransacked the property before committing arson.[509] Security forces also defaced property:

> "They divided into many groups. In one group were four soldiers and one civilian. They looted cattle, rice, shop goods, and household materials. They took the things away by truck."[510]

> "They raped and looted household things. They made our house dirty by defecating and urinating inside the house."[511]

To compound the violent damage to property, security forces destroyed food stocks.[512]

> "They looted whatever they found. If they find hens, and even ploughs and knives, they took them. Our dishes and all household materials were broken. If they get good curry, then they eat it. If they do not get that, then they pee in the pots."[513]

> "They thoroughly demolished any leftover goods after they looted too. If there was boiled rice, curry, or other meal items, they threw all those away so we could not have meals. They even threw away children's meals."[514]

As noted above, the UN Human Rights, Office of the High Commissioner, the looting intensified food scarcity and created threats to Rohingya survival:

> "A 40-year-old man from Laung Don expressed worry about those who are still left in his village: 'When the military came to my village, they entered houses, they destroyed many useful things, rice, oil… They threw it together and mixed it so we cannot eat it. The army did this to us so as to make us hungry, they want us to starve and die, and to move away from our village. Some people are still there, in the village. I have spoken with them. They are saying that the trouble is continuing. The fishermen cannot go to the sea, the farmers cannot go to the paddy field, those with livestock cannot tend to them, people are struggling and

503. PD, TT, LD, NSK, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, GK, TC, YMKT, TGN, MN, MGT, GP, IDP.
504. PD, TT, LD, NSK, KYP, NKY, USK, PPC, YKS, ZPN, NYT, ATK, GK, TM, GP, IDP.
505. TT, DP, NSK, KYP, NKY, USK, PPC, DGZ, KGP, NYT, GK, MH, KPD, TC, YMKT, TGN, MN, MGT, IDP, CK.
506. LD, NSK, KYP, NKY, USK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
507. LD, NSK, KYP, NKY, USK, MN, MGT. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/.
508. LD, NSK, KYP, USK, PPC, KGP, ZPN, GK, MH, KPD, ID, TGN, CK.
509. TT, NSK, CPN, NYT GK, ID, TGN.
510. GK06.
511. USK02.
512. USK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/; OHCHR report.
513. USK13.
514. USK15.

starving, they are running out of food. People are coming to Bangladesh to get something to eat. Checkpoints prevent us from going anywhere else.'"[515]

I. Arson and Destruction of Rohingya Villages

The FFM summed up the arson and destruction of Rohingya villages as follows:

> "The mass displacement and the burning of villages were followed by the appropriation of vacated lands. Entire villages were flattened and erased, along with every trace of the Rohingya communities. New structures are built for other communities, while the root causes of the exodus, including the oppression and exclusionary rhetoric are denied and continue unabated."[516]

Reuters also commented that the arson targeted Rohingya homes:

> "The burning of Inn Din illustrates the Rohingya-Buddhist divide. Multiple witnesses said that the Rohingya areas are completely reduced to ashes, yet the Buddhist side of the village remains intact. Myanmar's army has said that security forces have discovered a mass grave on the edge of the village."[517]

Al Jazeera published an in-depth article reporting on the details of the "land grab" and destruction of life and property in Koe Tan Kauk, as revealed through interviews with Myanmar private authorities and Rakhine colonizers who are newly settling in the now-deserted village:

> "'The military has been engineering the social landscape of northern Rakhine State so as to dilute the Rohingya population since the early 1990s,' says Francis Wade, author of Myanmar's Enemy Within: Buddhist Violence and the Making of the Muslim 'Other'….
> "In a pattern with echoes of 'the Israeli settler project in the West Bank' Buddhist communities then move in, altering the 'facts on the ground' gradually rubbing out Muslim rights to the land, he added….
> "Two village tracts, Koe Tan Kuak near Rathedaung and Inn Din near Maungdaw, have been designated for the scheme so far.
> "The army concedes the second site was the scene of extrajudicial killings of Rohingya captives as violence engulfed the region last August….
> "The Rohingya lost their legal status in 1982, under a junta-era Citizenship Law. Now their ancestral lands are being stripped away."[518]

> "Credible information indicates that the Myanmar security forces purposely destroyed the property of the Rohingyas, scorched their dwellings and entire villages in northern Rakhine

515. OHCHR report.
516. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S.
517. "Burned to the ground," Reuters Graphics, 31 December 2017, available at http://fingfx.thomsonreuters.com/gfx/rngs/MYANMAR-ROHINGYA-RAKHINE/0100606Y0FE/index.html.
518. Myanmar's ethnic Rakhine seek Rohingya-free buffer zone," Al Jazeera, 16 March 2018, available at https://www.aljazeera.com/news/2018/03/myanmar-ethnic-rakhine-seek-rohingya-free-buffer-zone-180316072803598.html.

> State, not only to drive the population out in droves but also to prevent the fleeing Rohingya victims from returning to their homes. The destruction by the Tatmadaw of houses, fields, food-stocks, crops, livestock and even trees, render the possibility of the Rohingya returning to normal lives and livelihoods in the future in northern Rakhine almost impossible. It also indicates an effort to effectively erase all signs of memorable landmarks in the geography of the Rohingya landscape and memory in such a way that a return to their lands would yield nothing but a desolate and unrecognizable terrain."[519]

1. Arson

Every single genocide report except one of the 30 village tracts (96.7%) reports arson and the burning of Rohingya homes.[520] Security forces set the blazes by firing launchers,[521] and also with gasoline.[522] Houses burned numbered over 300,[523] and even up to 800.[524] In larger villages, 1,200-3,500 homes were burned down.[525] In two villages, survivors reported that security forces burned their important documents.[526]

> "They had gasoline and they tied hay around the bamboo tops. They poured gasoline to make fire and they set fire to the houses like that."[527]

> "[They burned] 906 houses. I know it because I had the list."[528]

> "Another woman who had been locked in her burning house with her small children looked at us with empty eyes as she said she would be forever haunted. The house was burning so furiously that, when she found a way to escape, she had to make a split-second decision about which of her children she would save."[529]

Myanmar authorities and security forces attempted to create an "alternative narrative" where the Rohingya burned their own homes.[530]

> "The military walked around the village, along with Chakma, Hindu, and Rakhine people. They wore white shirts and fezes. They torched houses that were not burned by launchers. The military took photos when the Chakma, Hindu, and Rakhine people torched the houses."[531]

519. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
520. 520 PD, TT, DP, LD, NSK, KYP, NKY, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/. ("Satellite imagery at the time showed Rohingya villages destroyed by fire").
521. 521 PD, TT, DP, LD, NSK, KYP, NKY, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
522. PD, TT, DP, LD, NSK, KYP, NKY, PPC, YKS, ZPN, NYT, ATK, GK, KPD, ID, TC, TGN, MGT, GP, CP, IDP, KTK, CK.
523. DP, LD, KYP, YKS, DGZ, KGP, NYT, GK, GP, CP, IDP, KTK.
524. PD, ZPN, ID, CK.
525. MH, KPD, TGN.
526. TT, PPC.
527. CK24.
528. CK07.
529. "Statement of Mr. Marzuki Darusman, Chairperson of the Independent International Fact-Finding Mission on Myanmar to the General Assembly, Third Committee," 23 Oct. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23800&LangID=E.
530. "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide ("The Rohingya, they said, were burning down their houses to win international sympathy").
531. GK06.

> "We crossed the river by swimming. When we got to shore, we saw that civilians were looting the houses that were not yet burned. The military was shooting at the people and the civilians were burning houses with gasoline. The civilians were from our two neighboring villages. They wore civilian clothes. A few of them wore Kurta (dress of imam) to make it look like Muslims were burning houses."[532]

> "[A]bout 400 soldiers burned down a part of Kyet Yoe Pyin and shot several people, according to four villagers. Officials have blamed insurgents and villagers themselves for the burning of homes."[533]

Satellite imagery from Google Earth corroborates the arson,[534] as do other human rights reports from the United Nations,[535] and media reports.[536] In January 2017, UN Special Rapporteur on Human Rights Yanghee Lee visited Kawar Bil and "met hundreds of people who are temporarily living in the village after their houses were burned during the army's clearance operation" in 2016.[537]

> "'I saw with my own eyes the structures that were burnt down in Wa Peik,' she said, and was told by Government officials that it was the villagers who had burnt down their own houses. 'As the authorities offered no evidence for this, I found this argument quite incredible.'"[538]

The UN Human Rights, Office of the High Commissioner also reported on the arson in Borgozi Bil; in Sutogozi Bil; of 284 structures in Wa Baik village of Kawar Bil in 2016; and in Zammunia:

> "A witness from Pwint Hpuy Chaung reported that hundreds of houses were burned there, with only a dozen spared by the security forces because they used them to stay in."[539]

Reuters also reported on burning of Rohingya homes and villages in Tha Win Chaung,[540] in the IDP camp of Pan Khaine,[541] in Chil Khali,[542] in Chut Pyin, and in Myin Hlut, and Koe Than Kauk:

> "Row after row of settlements in the coastal villages of Kyaung Taung and Myin Hlut have

532. GP40.
533. "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
534. PD, LD, KGP, ZPN, NYT, GK, TM, YMKT, TGN, MGT.
535. NSK, KYP, NKY, PPC, YKS, DGZ, KGP, ZPN, KPD, TC, DGZ, KGP, ZPN, KPD, TC, TM, YMKT, TGN. See also OHCHR report (stating "in Nga Khu Ya, reportedly hundreds of homes were either burned or destroyed").
536. KGP, ATK. MH, TC, IDP, CK. See also "Rohingya Muslim rescued at sea off Indonesia," Al Jazeera, 7 April 2018, available at https://www.aljazeera.com/news/2018/04/rohingya-muslim-rescued-sea-indonesia-180407134132075.html (displaying leveling of Merulla (Myin Hlut)); "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
537. "Myanmar Muslims hope UN envoy's visit will bring change," US News, January 15, 2017, available at https://www.usnews.com/news/world/articles/2017-01-15/myanmar-muslims-hope-un-envoys-visit-will-bring-change.
538. "UN human rights expert concerned about reprisals during recent visit to Myanmar," UN News, 24 January 2017, available at https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21109&LangID=E. Note that the variance in spelling is due to the differing romanization system used.
539. OHCHR report.
540. "The Rohingya crisis: Burned to the ground," Reuters, 31 December 2017, available at http://fingfx.thomsonreuters.com/gfx/rngs/MYANMAR-ROHINGYA/010060630DW/index.html.
541. "New fires ravage Rohingya villages in northwest Myanmar: sources," Reuters, 9 September 2017, available at www.reuters.com/article/us-myanmar-rohingya-fire/new-fires-ravage-rohingya-villages-in-northwest-myanmar-sources-idUSKCN1BJ1Z8.
"[Sources] said that among the torched villages were the hamlets of Ah Htet Nan Yar and Auk Nan Yar, some 65 km (40 miles) north of Sittwe, capital of Rakhine state. One source said a camp for internally displaced people in the area also went up in flames.
"One of the sources said 300 to 400 Rohingya who had escaped other burnings had been sheltering at Ah Htet Nan Yar until the day before the fire broke out. They had escaped before it started, the source said, quoting an eyewitness."
See also "Fires destroy more villages in Myanmar's Rohingya region - sources," Reuters, 9 September 2017, available at https://www.reuters.com/article/myanmar-rohingya-fire/fires-destroy-more-villages-in-myanmars-rohingya-region-sources-idUSL4N1LQ09I.
542. "Burned to the ground," Reuters Graphics, 31 December 2017, available at http://fingfx.thomsonreuters.com/gfx/rngs/MYANMAR-ROHINGYA-RAKHINE/0100606Y0FE/index.html.

been devastated. Satellites detected intense burning around Sept. 15, three weeks after the violence erupted. On Sept. 4, the Myanmar government said Rohingya militants burned these villages."[543]

In a few villages, civilians from other ethnic groups set fires.[544] This is confirmed by BBC News reporting on the arson in Hainchurata, when the South East Asia correspondent visited Myanmar and saw it for himself:

"As we walked in, a group of young, muscular men carrying machetes, swords and sling-shots were walking out. We tried to ask them questions but they refused to be filmed.
"However, my Myanmar colleagues did speak to them away from the cameras and they said they were Rakhine Buddhists. One of them admitted he had lit the fires, and said he had help from the police.
"As we walked further in, we saw the Madrasa (Islamic religious school) with its roof only just on fire. Flames licked up the sides of another house opposite; within three minutes it was an inferno.
"There was was no one else in the village. These men we saw were the perpetrators. Household goods were strewn across the path; children's toys, women's clothing. We saw one empty jug reeking of petrol and another with a little fuel left in it in the middle of the path.
"By the time we walked out, all the burned houses were smouldering, blackened ruins."[545]

2 . Bulldozing of Rohingya Villages

Village reports also confirm the subsequent bulldozing of Rohingya village tracts,[546] as do other human rights reports.[547] The United Nations Institute for Training and Research reported on the arson, destruction, and bulldozing of homes and terrain in Zammunia, Tha Win Chaung, Yin Ma Kyaing Taung, and Fir Khali, as seen through satellite imagery:

"We have seen unsettling photographs and satellite images of Rohingya villages flattened to the ground by bulldozers, erasing all remaining traces of the life and community that once was - not to mention destroying possible crime scenes, evidence, and landmarks."[548]

"Resettlement camps were also observed in three main areas to the north of Maungdaw town: Aung Zay Ya (Nyein Chan Yay) in Aung Zay Ya (Nyein Chan Yay) village tract, Nga Ku Ya (Ku Lar) in Nga Khu Ya village tract and in Haw Ri Tu Lar and Thar Zay Kone (Thar Zi Kone) in Zin Paing Nyar village tract (see Figure 9)….
"Significantly, increased security built up is observed near the resettlement camp at Zin Paing Nyar, where a new security fence is being built around a security base located roughly 1 km

543. "Burned to the ground," Reuters Graphics, 31 December 2017, available at http://fingfx.thomsonreuters.com/gfx/rngs/MYANMAR-ROHINGYA-RAKHINE/0100606Y0FE/index.html.
544. DP, GK, GP, KPD, CK.
545. "BBC reporter in Rakhine: 'A Muslim village was burning,'" BBC News, 7 September 2017, available at https://www.bbc.com/news/world-asia-41189564.
546. KGP, GK.
547. KPD, TM, YMKT, TGN.
548. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.

east of the new camp, near Thea Chaung Ywar Thit Kay village, Kyauk Hlay Kar village tract in Maungdaw Township (see Figure 12)."[549]

"As in Min Gyi, all villages that were cleared this way have been completely destroyed. They were burned to the ground, then bulldozed and appropriated."[550]

Similarly, the UN detailed the arson and demolition of the village of Ah Htet Nan Yar.

"The village of Ah Thet Nan Yaar and the Pan Gain [sic] IDP Camp were subject to 'clearance operations' on 28 August 2017, during which both locations were destroyed by fire….
"These roads have been built over areas of at least eight villages across the three townships (five in Maungdaw, two in Rathedaung and one in Buthidaung). Two large roads are being constructed across the May Yu mountain range…. The second road connects Ah Htet Nan Yar in Rathedaung Township with Ho Kay Day Kone Nar in Maungdaw Township…. In some instances, these new roads are constructed across previously destroyed villages, like in Ah Htet Nan Yar in Rathedaung Township and Zay Di in Maungdaw Township."[551]

3. New Construction of Resettlement/Relocation Camps

Asian Dignity Initiative's village reports also confirm the new construction of resettlement camps,[552] or simply new buildings where the Rohingya village used to be.[553]

"Rohingya lands and villages have been destroyed, cleared, confiscated and built on, including new structures that resemble camps, with Rohingya forced labour."[554]

The United Nations Institute for Training and Research detailed the "recent[ly] constructed resettlement camp" in Nga Khu Ya.[555]

"After the October 2016 attack, security forces cut down all the trees and bamboo from around our homesteads. They also leveled our homesteads with bulldozers."[556]

And the former Rohingya village of Laung Don, renamed Kyein Chaung, is now a "relocation site," as reported by Australian Strategic Policy Institute (ASPI):

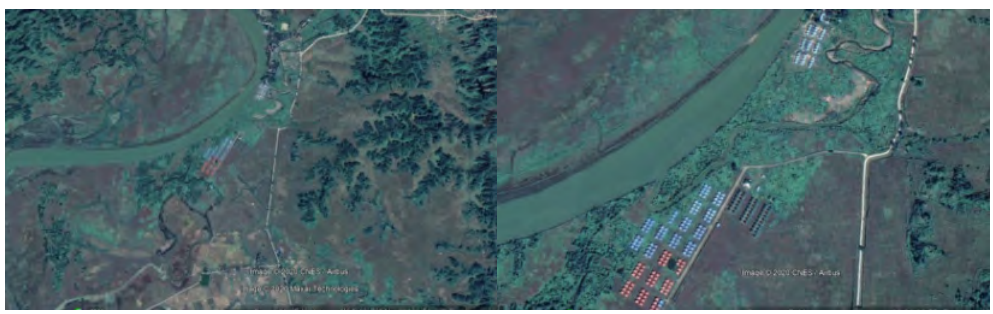
"Returning refugees are expected to stay at Hla Pho Kyaung Transit Centre for a maximum of 30 days. If they can't return to their original homes, as is likely to the the case for most, they may be sent to 'relocation sites' such as Kyein Chaung in Rakhine state.
"The Kyein Chaung relocation site is built on the site of a burned Rohingya village….

549. UNOSAT report.
550. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
551. UN FFM September 2018 report. See also UNOSAT report.
552. PD, LD, NKY, ZPN.
553. YMKT.
554. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.
555. UNOSAT report.
556. KGP07.

> "The new construction at the site strongly resembles a camp, rather than the villages that existed before the crackdown."[557]

The United Nations Institute for Training and Research report also notes the new construction in Toung Bazar, which is close to Yin Ma Kayung Taung.[558]

Satellite imagery also shows the construction of a new resettlement camp in Zammunia, on what was formerly Horoi Toli. The image on the left is from April 26, 2018. The image on the right, from April 8, 2019, shows additional buildings at the southern part.



Subsequent to the ASPI report, satellite imagery from November 25, 2019, displays sweeping overgrowth of much of the former Rohingya village of Laung Don and completion of internment buildings.

J. Refugee Escape to Bangladesh

The FFM plainly rejects any "alternative narrative" that the Rohingya journeyed en masse to Bangladesh of their own accord:

> "These horrific experiences have often been compounded by the arduous nature of peoples' journeys to Bangladesh. The Fact-Finding Mission has received harrowing accounts of families' long journeys across difficult terrain, without food, sometimes resulting in the death of injured, weakened or separated family members. Information we received also suggests that Myanmar security forces attacked groups of Rohingya during their journey. Numerous people drowned when crossing the dangerous Naf River between Myanmar and Bangladesh or in the Bay of Bengal.
> "Official attempts to attribute the flight of the Rohingya to unfounded mass hysteria or self-

557. "Mapping conditions in Rakhine state," Australian Strategic Policy Institute, 24 July 2019, available at https://pageflow.aspi.org.au/rakhine-state/#215034.
"We've found no evidence of widespread preparation for Rohingya refugees to return to safe and dignified conditions.
"Instead, we've found ongoing destruction of additional settlements and the construction of highly securitised camps and military bases that have been built, fortified or expanded on the sites of razed Rohingya settlements.
"The continued destruction of Rohingya settlements and the construction of military facilities on the sites of former settlements, such as the example shown here, cast doubt on the credibility of claims that refugees will be allowed to return to their homes."
558. UNOSAT report.

> inflicted destruction contradict the mounds of information, materials and credible accounts collected. We have no hesitation in rejecting those assertions."[559]

Repeated survivor testimony also refutes this purported claim, for, despite the horrific attacks and violence, the Rohingya waited in or near their home villages three to seven days or longer before taking flight.[560]

> "We hid in the forest for five days after the attack occurred. My newborn child died in the forest. We decided to cross the border into Bangladesh."[561]

> "Before being oppressed, we had never thought to flee to Bangladesh. We even refused my father, who was afraid after being tortured in 2012, when he asked us to flee to Bangladesh. He wanted to come here but we did not accept his opinion and suggested that he cross the border alone if he really wanted do. My father once told us, 'You will be killed one day by the Myanmar security forces or its people.'"[562]

> "After August 2017, all of us stayed in the village with the horror of death. We arranged watch guards from among us to surround the village by rotation. One bad time, in the deep night around 1:00 a.m., gunfire started and did not stop until 3:00 p.m. We did not leave the house for Jumma prayers even though it was Friday. After half a day, the military entered a village named Raimma Taung, not too far away from us….
> "We got a letter from the military saying that the next oppression will take place the next day in our village. Soon after, a few families discussed it and fled that same night to at least save our lives, because we have already lost our children, husbands, siblings, and fathers…. Later, we heard that they had not attacked on that fixed date but they did the next day."[563]

> "A woman was saying prayers at home. They kicked her and said, 'Tell your Allah to save you.' When we could not bear it anymore, we fled to Bangladesh after three months."[564]

Survivors stated that they ultimately sought refuge in Bangladesh because their houses were burned down,[565] because they could not return home,[566] and because of the killings,[567] beatings,[568] arrests,[569] rape,[570] and gunfire.[571]

> "At last, we had to cross the border after losing everything, such as our houses and the right

559. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
560. PD, NSK, KYP, NKY, ZPN, NYT, KPD, TC, YMKT, MGT, GP, KTK, CK.
561. MH08.
562. IDP12.
563. USK12.
564. USK03.
565. NSK, KYP, NKY, KGP, ZPN, TC, YMKT.
566. YMKT, MGT, GP.
567. NSK, KYP, ATK, MH, TC, IDP.
568. NSK, USK.
569. NSK, KYP, USK, IDP.
570. KYP, NKY, IDP. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/. ("One rape victim I spoke to recalled the chilling words of her army attacker: 'He kept saying, 'This kind of torture will continue until you leave the country'"").
571. NSK, KGP, PPC, GK, KPD, ID, IDP.

to live in our own village. Security forces held guns towards us when we tried to go back to our village. In such horrible circumstances, how could we go back to the village, where we could see our own deaths in front of us!"[572]

"Before the attack, I never wanted to flee to Bangladesh. Arakan is my motherland and my native land. The military burned down Borill village and they were coming to burn Kular Bil. We fled to the forest. When we looked back, we saw that the house we had been staying at was burning. Then I went to the border to survive. Otherwise we had no way to survive. I did not choose to flee but was forced to escape to Bangladesh."[573]

"All villagers were beaten. The military said to us, 'Flee to Bangladesh.'"[574]

"The people were taken and we did not know where they were kept. We stayed in the IDP camp. When Chut Pyin village was completely burned down, we did not wait. We set off for Bangladesh. We cross the mountains over to the Maungdaw side. There were about 5000 people."[575]

"We fled to Bangladesh after October 2016. After three months we returned to our village. And we fled to Bangladesh again after August 25, 2017, when security forces began burning houses with launchers and gasoline."[576]

Others were directed by their village administrator to go to Bangladesh:

"When security forces informed us, through the village administrator, to flee to Bangladesh, we started fleeing. They said, 'This is not your country. Bangladesh is your country. Go to Bangladesh or we will kill you all.' Then we fled here."[577]

"After seven days, our administrator phoned the security forces camps and asked if we could live if we paid a huge amount of money. He said, 'Nobody can live. Leave the village and go to Bangladesh immediately. I can't save your village.'
"By that time, our village was burned down completely. He told us to go anywhere we could see. On September 2, 2017, we started fleeing to Bangladesh."[578]

"I was not willing to come to Bangladesh at first. So my family and I went to the forest. From the forest, our community elders called the BGP Commander on the telephone and requested that he let us live. But the BGP Commander said, "Leave at once. Don't come back here. We will kill you." Then, Soe Moe, who is a wife of a Rakhine person, phoned us in secret from inside a toilet. She informed us that her husband and the military had discussed killing us in the forest. After hearing this information, we began walking to the

572. GK14.
573. KGP15.
574. NSK05.
575. IDP04.
576. LD10.
577. GK24.
578. GK26.

border on September 2, 2017."[579]

In some cases, they sought shelter in and were forced to escape from a succession of villages in Rakhine state.[580]

> "The military enclosed the entire village, then set fire to all the villages surrounding us, by serial, one by one. Up until they arrived in our village, we didn't move or think to escape at all. After they arrived and attacked our village, we suddenly decided to flee to Bangladesh because we did not have even a house to stay in. Until they came to our village we thought we could stay, but they didn't give even at least that last facility, for us to stay in our own houses."[581]

> "The military shot at us in Hainchurata when we crossed Sanbainna village. Two babies got bullets and died on the spot. They were Shabbir's brother-in-law's sons. One was five years old and the other was three years old."[582]

Further, even as civilians fled, the military fired fired at them.[583]

> "We saw dead bodies and naked women tied to trees and nailed to trees by their palms. We had to come back three times from the border, because fired people crossing. They shot many to death. I saw at least 40 dead bodies floating in the water. The military patrolled by speedboat all day."[584]

The journey itself caused great hardship, as they walked up to ten days or more,[585] with some survivors carried to Bangladesh.[586] Along the way, they saw burning houses,[587] burning villages,[588] and more dead bodies.[589]

> "After I was injured to blindness, I lost consciousness. I gained consciousness in Bangladesh. I still do not know who carried me here from Myanmar."[590]

> "I saw dead bodies floating on the water in the river. They had been tied firmly at both hands and legs and burned in their whole bodies."[591]

579. ID03.
580. DP, DGZ, ZPN, TGN, GP.
581. NSK16.
582. GK08.
583. PD, NKY, ZPN, NYT, GK, KPD, TC, YMKT, TGN, IDP, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("On their first attempt to cross the Naf River, which separates Myanmar and Bangladesh, a Burmese patrol boat opened fire, capsizing their boat and killing several refugees")..
584. YMKT02.
585. PD, LD, NSK, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, IDP, KTK.
586. PD, DP, LD, PPC, NYT, GK, MH, KPD, TC, TM, YMKT, MGT.
587. PD, DP, NSK, KYP, NKY, USK, ZPN, NYT, GK, TC, TM, YMKT, TGN, IDP.
588. PD, NSK, KYP, USK, PPC, ZPN, NYT, ATK, GK, YMKT, TGN, MGT, IDP, CK.
589. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPS, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
590. KGP12.
591. NYT22.

Survivors also witnessed the military burning houses.[592] For example, villagers of Chil Khali fled to Koe Than Kuak,[593] and then to Tha Win Chaung.[594] Survivors testified that, when they arrived in Tha Win Chaung, security forces set fire to Koe Than Kuak.[595]

> "We stayed in the forest at night and got wet in the rain. Children were crying. We stayed until 2:00 p.m. the next day. Then the villagers discussed and agreed to flee. We went to the sea beach and went to Koe Than Kauk. We stayed there one night. When we saw the situation was bad, we again fled to Tha Win Chaung village through fields. When we arrived in Tha Win Chaung, the military set fire to Koe Than Kauk village. After half an hour, they started burning homes from the south side of Kua Chaung and the north side of Tha Win Chaung. Then we went to the forest again near Tha Win Chaung. We stayed there, starving for 13 days. At night, we went to the beach and then to Nakkhon Dia island through the beach which is the border."[596]

Survivors testified that they had to hide from the military as they sought safety outside Rakhine state.[597]

> "The military stopped us at Ludaing village when they were burning down the village. They let us go when the finished burning Ludaing."[598]

To actually cross the border into Bangladesh, the impoverished villagers, who had already been looted of their property and valuables, commonly paid 10,000 kyat per person.[599]

592. LD, NYT, USK, PPC, NYT, KPD, TC, YMKT, MGT.
593. CK01-04, CK22-23, CK26.
594. CK01-02, CK15, CK18, CK22, CK26.
595. CK01-02, CK18, CK26.
596. CK01.
597. KYP, NSK, USK, DGZ.
598. NYT07.
599. PD, LD, NSK, USK, PPC, DGZ, KGP, NYT, ATK, GK, MH, KPD, IS, TM, YMKT, TGN, MN, MGT.

V. Perpetrators

A. Armed Forces of Myanmar

Survivors from every single village named the Myanmar military as perpetrators.[600] They wore green uniforms,[601] with red symbols.[602] These symbols included stars,[603] flowers,[604] badges,[605] lines,[606] bendulla (cross),[607] gun crosses,[608] flags,[609] suns,[610] and moons.[611]

Reuters reported on the command structure of the Myanmar army.[612] The FFM confirmed that the perpetrators were the Myanmar military:

> "At the core of every incident and every human rights violation we examined was the extreme brutality of the Myanmar military (known as the Tatmadaw). The facts indicate that its operations are consistently and grossly disproportionate to any discernible military objective.... We have verified the destruction resulting from Tatmadaw operations in numerous sites across the three States. From that, we reconstructed in detail the unfolding of events in nine specific incidents in Rakhine State in the weeks after 25 August last....
> "It is hard to fathom the level of brutality of Tatmadaw operations, its total disregard for civilian life....
> "[T]he Tatmadaw exercises effective control over its troops, as well as over other security forces deployed in military operations, such as the Myanmar Police Force and the Border Guard Police. In Rakhine, it also mobilised and armed 'civilian' militia that acted under its authority. In some places, the operations involved coordinated actions by the Army, Navy

600. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
601. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, KTK, CK.
602. PD, DP, LD, NSK, KYP, NKY, USK, PPC, ZPN, NYT, GK, ID, TC, TM, TGN, MGT, IDP, CK.
603. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, TGN, MGT, CP, IDP, CK.
604. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, ZPN, NYT, ID, TC, TM, TGN, MGT, IDP, CK.
605. PD, LD, NSK, KYP, NKY, ZPN, NYT, GK, TC.
606. DP, NKT, YKS, NYT, TM.
607. DP, NSK, NKY, USK, ATK, TGN, IDP.
608. NSK, NKY, NYT, GK, KPD.
609. YKS, TC.
610. LD, USK.
611. DP, NSK, KYP, USK, TM, MGT, CP.
612. "Command structure of the Myanmar army's operation in Rakhine," Reuters, 25 April 2017, available at https://www.reuters.com/article/us-myanmar-rohingya-crisis-army-idUSKBN17R18F.

and Air Force, which could not have been possible without the explicit orders from the highest level of Tatmadaw command."[613]

"Virtually all interviews conducted by the Fact-Finding Mission concerning Rakhine State point to the Myanmar military as having been in charge of the 'clearance operations' and as the main – although not always sole – alleged perpetrator of violations. We are satisfied that other state security forces and groups of non-Rohingya civilians were also involved in acts of violence. The Mission is in the process of analysing the respective roles and command structures of the security forces and the involvement of other actors. We will attribute responsibility where it is due.

"We are also attentive to the omissions, which will affect the attribution of responsibility. Most importantly, we have no indications of the security forces taking actions to halt the violence. We have no accounts of them trying to protect Rohingya villagers. We know of only a small number of soldiers, police and others reportedly investigated for improper conduct and crimes, primarily linked to one particular massacre at Inn Din. We know very little about any attempts to combat hate speech."[614]

Village reports also identified as assailants BGP,[615] in mixed-color uniforms,[616] as well as the police,[617] in blue uniforms.[618] BGP uniforms had symbols of flowers,[619] stars,[620] badges,[621] and gun or gun-crosses,[622] in white.[623]

The perpetrators wore green uniforms of the military and mixed-color uniforms of BGP.

613. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
614. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
615. PD, DP, LD, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, CK, IDP.
616. PD, DP, LD, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
617. YKS, DGZ, KGP, ATK, GK, MH, KPD, ID, MN, IDP, CK.
618. YKS, KGP, ATK, GK, KPD, TC.
619. PD, LD, KYP, NKY, USK, ZPN, NYT, TC, YMKT, TGN, IDP.
620. PD, KYP, NKY, GK, YMKT, TGN.
621. LD, NKY, ZPN.
622. DP, ZPN, NYT, TC, MGT, IDP.
623. PD, LD, ZPN.

Security forces wore red kerchiefs/scarves.[624] General symbols on the uniforms included stars,[625] flowers,[626] guns,[627] moons,[628] suns,[629] moon-stars.[630]

The attackers frequently numbered 100-300 forces.[631] Helicopters were reported in many villages,[632] with several reporting gunfire from choppers.[633]

> "From the beginning of the incident, the helicopter came to the village every day. Security forces shot launchers from the helicopters to set the fires that burned down our homes."[634]

> "They fired guns, saying ARSA attacked them on Friday. On Saturday, they began burning houses, until we crossed the border. Every day, a helicopter came since they attacked villages. And when the helicopters came, they set fire to villages."[635]

Another commonality was the deployment/arrival of security forces by truck,[636] or vehicle.[637]

> "At about 8:00 or 8:30 a.m., a military jeep came from Maungdaw and went to BGP headquarters in Kawar Bil. A little while later, three more jeeps came to the east side of our village, crossed the dell, and then they were randomly firing…. First three jeeps came from Maungdaw township. In each jeep, there were more than 20 forces with arms. They went directly to BGP headquarters and then attacked the village."[638]

They also had common locations at which to station: BGP camps,[639] military camps,[640] Rakhine villages,[641] schools,[642] temples,[643] and mosques.[644] For village tracts close to larger bases, they also

624. YKS, DGZ, KGP, ZPN, NYT, MH, MN, GP, CP, IDP, KTK, CK.
625. DGZ, KGP, MH, TC, YMKT, MN, MGT, GP, KTK.
626. DGZ, KGP, ATK, MH, ID, TC, YMKT, MN, MGT, GP, KTK.
627. DGZ, GP.
628. DGZ, YMKT, MN, GP, KTK.
629. KGP, MGT, GP, KTK.
630. TC, IDP.
631. PD, TT, DP, NSK, KYP, NKY, USK, PPC, YKS, KGP, ZPN, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, KTK, CK (200-350 forces).
632. PD, TT, LD, YKS, DGZ, KGP, NYT, ATK, GK, GK, KPD, TC, TGN, CK.ZPN, NYT, GK.
633. YKS, DGZ, ATK. See also "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
"A senior officer was killed and the army brought in two helicopters mounted with guns as back-up, according to official accounts, which described the incident as an ambush by the insurgents.
"The helicopters swooped in around 4 p.m., hovering low over the road connecting Dar Gyi Zar and Yae Khat Chaung Gwa Son, according to eyewitnesses. The villagers dispersed in panic as one of the helicopters sprayed the insurgents with bullets. The other helicopter fired indiscriminately on those fleeing, five eyewitnesses said. The military intelligence source confirmed that the helicopters dispersed the crowd but denied they shot at civilians."
634. ATK13.
635. GK16.
636. DP, LD, NSK, NKY, KGP, NYT, ATK, MH, KPD, TC, TGN, MN, MGT, KTK, CK. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
637. ZPN, NYT, GK.
638. NYT24.
639. LD, KYP, NKY, YKS, DGZ, NYT, ATK, GK, MH, KPD, ID, TC, TGN, MN, GP, IDP, CK.
640. KPD, YMKT, MN, KTK.
641. DP, LD, USK, DGZ, KGP, GK, KPD, ID, TM, CK.
642. DP, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, GK, MH, ID, TM, YMKT, MN, MGT, GP, IDP, KTK.
643. NKY, ID, TC, KTK, CK.
644. PPC, DGZ.

stationed at BGP headquarters,[645] and Thanakyut (law enforcement headquarters).[646]

The attackers carried the following weapons: machine guns,[647] launchers,[648] AK47s,[649] G3s,[650] G4s,[651] rifles,[652] pistols,[653] cannons,[654] mortar bombs,[655] bombs,[656] Bren guns,[657] and guns with stands.[658]

> "They were carrying big and long guns, mortar bombs, and launchers. The mortar bomb was the most explosive weapon that destroyed everything."[659]

1. Battalions

Survivors identified military units by number, typically those of Light Infantry Battalions (LIBs). Some saw the numbers, including on guns or gun butts.[660]

> "I saw red-colored symbols of bendulla helmets on the military uniforms. They were Battalion 236. The battalion number was written on gun butts."[661]

> "They were Battalions 551 and 552. I knew as I was a village administrator. I communicated with them before the incident occurred. I also saw the numbers when they arrested me. They took me with them for four days."[662]

> "They were Battalion 551. One battalion deployed for a month. The village administrator had to manage food for them when the military came to the village. We asked the village administrator, and he told us. Like that, the village administrator told us that the Battalion was 551."[663]

> "The 99 Taltma (Division) was the military who operated on August 30. They had symbols written in the Burmese language with No. 99 and a white star in red background. The military wore uniforms similar to the Bangladeshi Army uniform, which was green and mixed-color.... I was not able to see their names because they removed their name plates during the operation. However, I saw the symbol of No. 99th (Division)."[664]

> "The military had red colored badges on their uniforms. Some soldiers had flowers and

645. KDP.
646. KDP, NYT.
647. PD, TT, DP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, ATK, GK, MH, KPD, ID, TC, TM, TGN, MN, MGT, GP, CP, IDP, CK.
648. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
649. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.
650. PD, TT, NSK, NSK, NKY, USK, PPC, KGP, ZPN, ATK, MH, KKPD, ID, TC, TM, YMKT, TGN, IDP, KTK, CK.
651. TT, NSK, NKY, PPC, KGP, ZPN, CK.
652. PD, DP, NSK, KYP NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPS, TC, YMKT, TGN, MN, IDP, KTK, CK.
653. LD, NKY, USK, PPC, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, IDP, CK.
654. PD, YKS, DGZ, MH, TM, YMKT, TGN, MGT.
655. PD, NSK, KYP, KYP, NKY, USK, PPC, KGP, ATK, KPD, TC, TM, YMKT, MGT, IDP, KTK, CK.
656. PD, NKY, USK, PPC, YKS, DGZ, ZPN, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, IDP.
657. PD, NSK, KYP, NYT, CP, IDP, CK.
658. PD, KYP, NKY, PPC, ZPN, TC, MN, GP, IDP, CK.
659. KPD11.
660. LD, NSK, NKY, MN., YKS, KGP.
661. NSK09.
662. USK10.
663. LD10.
664. TT43.

some soldiers had stars on their uniforms. The military came from Battalion 537. I saw the number 537 on their uniforms."[665]

"I knew them because I am an educated man. I recognized the 537 that was written on their uniforms."[666]

In a number of villages, survivors knew the perpetrators from before, through their daily lives.[667]

"They came from 564 Battalion. I know this because they live near us and use our motorcycles."[668]

"The military came from the battalion in Buthidaung. I knew them because they arrested me to the battalion."[669]

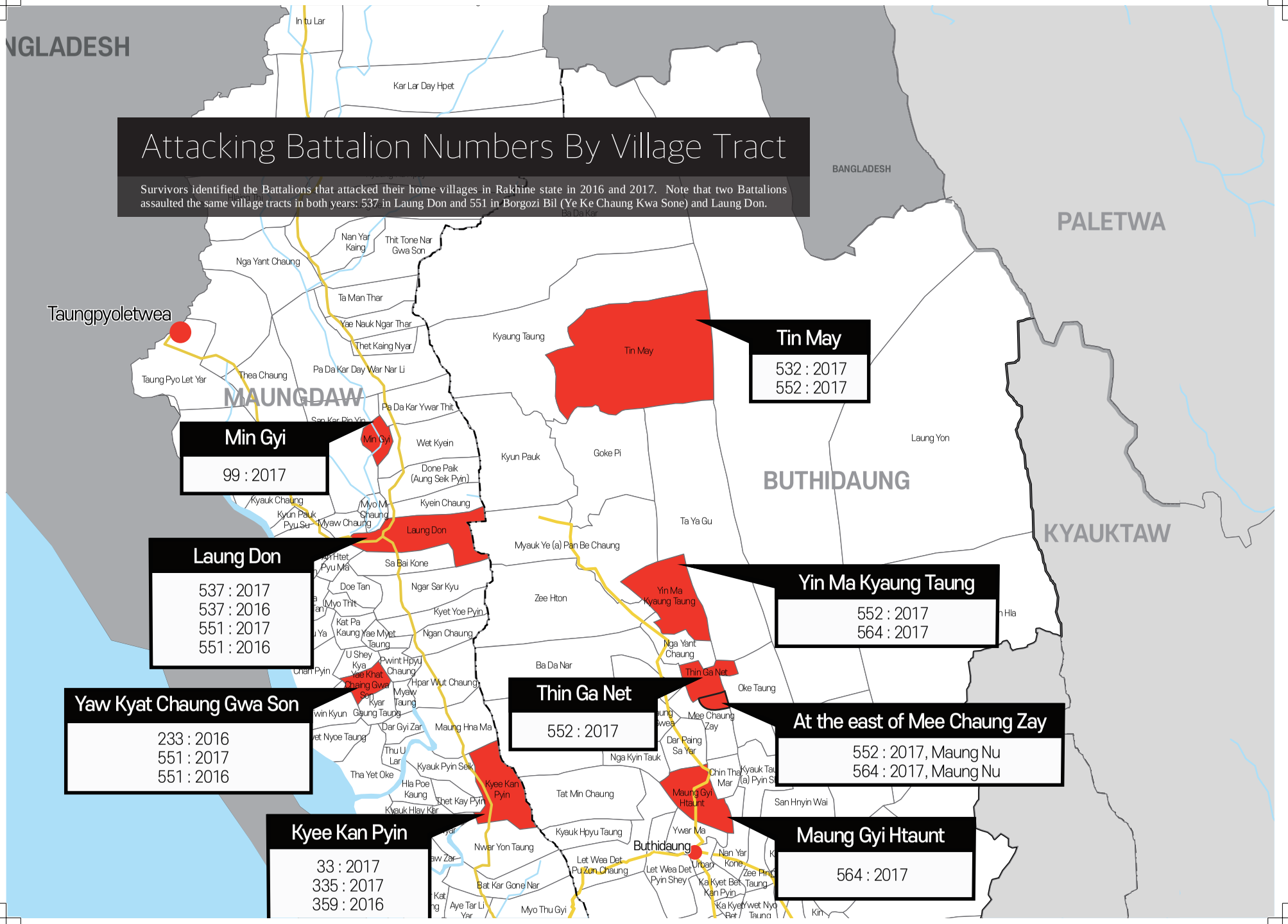
"The military wore green uniforms, with flowers on the shoulders, and carried AK37 guns, pistols, and other weapons. They came from Battalion No. 535 and from other battalions. I know them because they used to come to our market and buy things."[670]

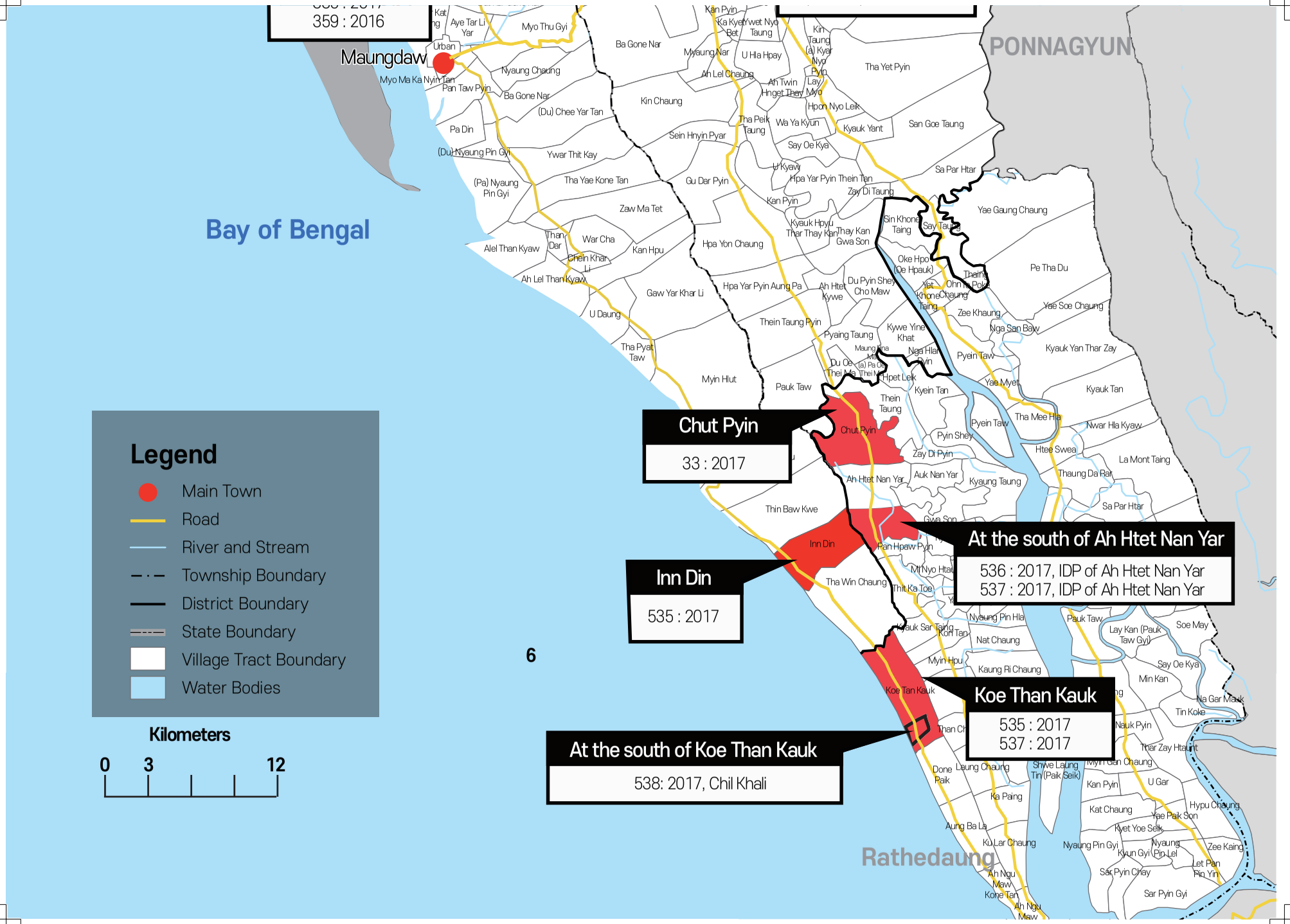
Further, Rohingya villagers saw the assailants coming.[671]

"The military were from Battalion 552. We saw them coming out from the military camp."[672]

A survivor captured video of the military deploying to the village by truck. It shows six trucks, full of military, speeding to the village.

665. LD16.
666. LD17.
667. NKY, USK, KGP, ID, TM, YMKT, TGN, MN, MGT, KTK, CK.
668. MN02.
669. KGP02.
670. ID03.
671. KGP, ZPN, ATK, GK, TC, YMKT, TGN, CK.
672. YMKT16.


Attacking Battalion Numbers By Village Tract
Survivors identified the Battalions that attacked their home villages in Rakhine state in 2016 and 2017. Note that two Battalions assaulted the same village tracts in both years: 537 in Laung Don and 551 in Borgozi Bil (Ye Ke Chaung Kwa Sone) and Laung Don.
BANGLADESH
PALETWA
KYAUKTAW
BUTHIDAUNG
MAUNGDAW
Taungpyoletwea
Tin May
532 : 2017
552 : 2017
Min Gyi
99 : 2017
Laung Don
537 : 2017
537 : 2016
551 : 2017
551 : 2016
Yin Ma Kyaung Taung
552 : 2017
564 : 2017
Yaw Kyat Chaung Gwa Son
233 : 2016
551 : 2017
551 : 2016
Thin Ga Net
552 : 2017
At the east of Mee Chaung Zay
552 : 2017, Maung Nu
564 : 2017, Maung Nu
Kyee Kan Pyin
33 : 2017
335 : 2017
359 : 2016
Maung Gyi Htaunt
564 : 2017
In tu Lar
Kar Lar Day Hpet
Nan Yar Kaing
Thit Tone Nar Gwa Son
Nga Yant Chaung
Ta Man Thar
Yae Nauk Ngar Thar
Thet Kaing Nyar
Taung Pyo Let Yar
Thea Chaung
Pa Da Kar Day War Nar Li
Pa Da Kar Ywar Thit
Kyaung Taung
Kyun Pauk
Goke Pi
Laung Yon
Wet Kyein
Done Paik (Aung Seik Pyin)
Kyein Chaung
Kyauk Chaung
Kyun Pauk Pyu Su
Myaw Chaung
Myo Min Chaung
Ta Ya Gu
Myauk Ye (a) Pan Be Chaung
Sa Bai Kone
Doe Tan
Myo Thit
Ngar Sar Kyu
Zee Hton
Kyet Yoe Pyin
Kat Pa Kaung
Yae Myet Taung
Ngan Chaung
Nga Yant Chaung
Ba Da Nar
U Shey Kya
Pwint Hpyu Chaung
Hpar Wut Chaung
Myaw Taung
Gaung Taung
Dar Gyi Zar
Maung Hna Ma
Oke Taung
Mee Chaung Zay
Dar Paing Sa Yar
Nga Kyin Tauk
Thu U Lar
Kyauk Pyin Seik
Tha Yet Oke
Hla Poe Kaung
Thet Kay Pyin
Kyauk Hlay Kar
Tat Min Chaung
Chin Tha Mar
San Hnyin Wai
Ywar Ma
Kyauk Hpyu Taung
Nwar Yon Taung
Buthidaung
Let Wea Det Pu Zun Chaung
Let Wea Det Pyin Shey
Nan Yar Kone Urban
Zee Pin
Ka Kyet Bet Taung
Kan Pyin
Bat Kar Gone Nar
Aye Tar Li Yar
Myo Thu Gyi


359 : 2016
Maungdaw
Bay of Bengal
PONNAGYUN
Rathedaung
Chut Pyin
33 : 2017
Inn Din
535 : 2017
At the south of Ah Htet Nan Yar
536 : 2017, IDP of Ah Htet Nan Yar
537 : 2017, IDP of Ah Htet Nan Yar
Koe Than Kauk
535 : 2017
537 : 2017
At the south of Koe Than Kauk
538: 2017, Chil Khali
Legend
Main Town
Road
River and Stream
Township Boundary
District Boundary
State Boundary
Village Tract Boundary
Water Bodies
Kilometers
0 3 12
6

2. Specific Battalions and Locations of Battalion Camps

In Nga Khu Ya, UN report confirmed the ramped-up numbers of security forces around the village after October 9, 2016.[673] According to Reuters, a military commander in Maungdaw confirmed "troops conducted a sweep of U Shey Kya village on Oct. 19[, 2016]."[674]

Survivors testified that Light Infantry Division 33 had stationed in the Rakhine village of Chut Pyin for two months prior to August 27, 2017,[675] and Reuters also confirmed this fact.[676] The UN identified the 33rd LID as arresting officers at the IDP camp near Ah Htet Nar Yar:

> "Between 23 and 24 August 2017, Tatmadaw soldiers, reportedly including the 33rd LID, and the BGP carried out mass arrests in the Rohingya village of Ah Thet Nan Yaar village tract, Rathedaung Township, and the Pan Kain IDP Camp."[677]

The FFM named LID 99 as attackers of Tula Toli.[678] Reuters also confirmed that LID 99 attacked Tula Toli through an interview with the village administrator, Aung Kyaw Sein.[679]

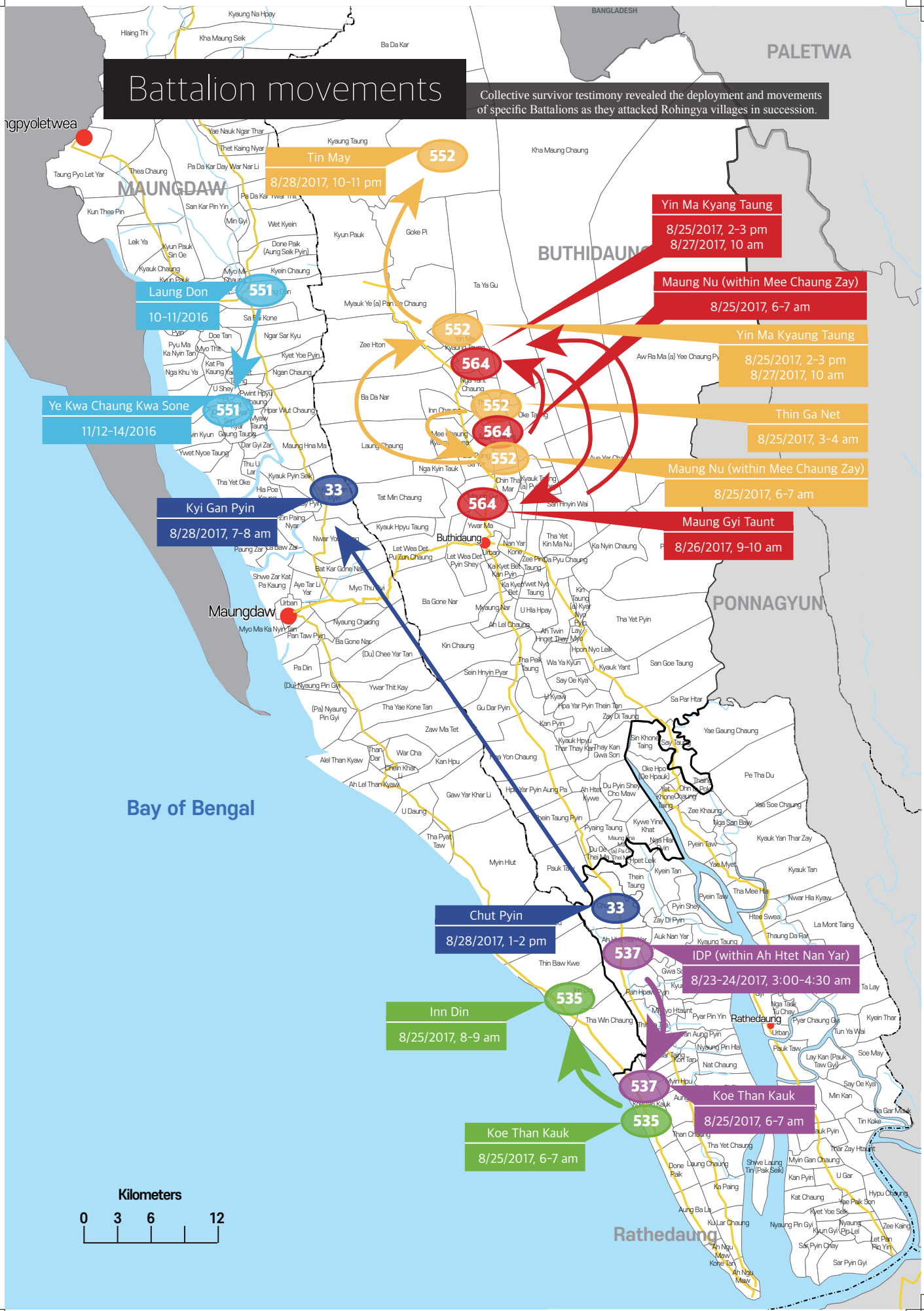
In a submission to the International Trade Union Confederation of the International Labor Conference 2012, a human rights report noted that Battalion 552 was stationed in Thin Ga Net and required forced labor of Rohingya villagers.[680] The same report stated that Battalion 564, which is based in Chin Tha Mar, also demanded forced labor.[681] The Pulitzer Center noted the proximity of Battalion 564 to Manu Para, as being "based just south of Maung Nu."[682]

And two former Myanmar army soldiers, from Battalions 353 and 565 have confessed to mass killings.[683] Private Zaw Naing Tun of LIB 353 said his battalion launched attacks on the village tracts of Kiari Prang, Zammunia (Zin Paing Nyar), and U Shey Kya.

3. Individual Perpetrators

Several village reports named individual perpetrators.[684] One was an officer named Ba Kyaw,[685] from Battalion 564.[686] In Manu Para, multiple witnesses identified Ba Kyaw as a perpetrator of

673. OHCHR report.
"The Myanmar security forces have been heavily present in this area ever since several hundred men reportedly attacked three border guard posts located in the area on 9 October 2016 - the Border Guard Police (BGP) headquarters in Kyee Kan Pyin close to Wa Peik, the BGP sector headquarters at Nga Khu Ya in Maungdaw and a BGP outpost in Koe Dan Kauk, in Rathedaung."
674. Reuters article.
675. CP.
676. "Tip of the Spear," Reuters Investigates, 26 June 2018, https://www.reuters.com/investigates/special-report/myanmar-rohingya-battalions/
677. UN report.
678. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
679. "Tip of the Spear," Reuters Investigates, 26 June 2018, https://www.reuters.com/investigates/special-report/myanmar-rohingya-battalions/
680. "Forced labour still prevails:
An overview of forced labour practices in North Arakan, Burma (November 2011 to May 2012)," The Arakan Project, 20 May 2012, available at https://www.burmalibrary.org/docs13/AP-Forced_Labour_prevails.pdf.
681. ("villagers are sandwiched between 2 Army camps and 1 NaSaKa camp: the Thin Ga Net Army camp #552 and the Taung Bazar NaSaKa Sector camp to the north and the Chin Tha Mar Army camp #564 to the south").
682. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children..
683. "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.
684. NSK, NKY, USK, KYP, MN, MGT, CP.
685. MN, MGT ("Ba Zaw").
686. MN15, MN16, MN19, MN30, MN32. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.


Battalion movements
Collective survivor testimony revealed the deployment and movements of specific Battalions as they attacked Rohingya villages in succession.
BANGLADESH
PALETWA
MAUNGDAW
BUTHIDAUNG
PONNAGYUN
Rathedaung
Maungdaw
Buthidaung
Bay of Bengal
Tin May
8/28/2017, 10-11 pm
552
Yin Ma Kyang Taung
8/25/2017, 2-3 pm
8/27/2017, 10 am
Maung Nu (within Mee Chaung Zay)
8/25/2017, 6-7 am
Yin Ma Kyaung Taung
8/25/2017, 2-3 pm
8/27/2017, 10 am
Laung Don
10-11/2016
551
564
Thin Ga Net
8/25/2017, 3-4 am
Ye Kwa Chaung Kwa Sone
11/12-14/2016
Maung Nu (within Mee Chaung Zay)
8/25/2017, 6-7 am
33
Kyi Gan Pyin
8/28/2017, 7-8 am
Maung Gyi Taunt
8/26/2017, 9-10 am
Chut Pyin
8/28/2017, 1-2 pm
537
IDP (within Ah Htet Nan Yar)
8/23-24/2017, 3:00-4:30 am
535
Inn Din
8/25/2017, 8-9 am
Koe Than Kauk
8/25/2017, 6-7 am
Kilometers
0 3 6 12

multiple murders and rapes.[687] An article by the Pulitzer Center also placed "a skinny army staff sergeant named Baju who was well-known in the village" at the scene and further explicated that a "member of the 564th Battalion, Baju had lived in the area for 15 years and spoke the Rohingya dialect, according to numerous villagers."[688]

> "Six soldiers raped me over the time period of two hours. I recognized the military soldier Ba Kyaw. He raped many women and tortured us the most. He also killed the most Rohingya people.
> "The military beat me while they raped me because I was screaming and trying to escape from them. At the time, I was eight months pregnant. I still have pain from their beatings."[689]

Another named individual perpetrator was Hanboittha (35).[690] In Bura Shikdar Para, two survivors recognized Hanboittha,[691] with one stating his father's name is Japanna,[692] and the other stating he lived in Raimma Taung.[693]

> "I knew one person, who was named Hanboittha, because he was in front of our house."[694]

Other sources have also named individual perpetrators:

> "We are confident that the materials we have shared, including a list of over one hundred and fifty people suspected of involvement in numerous international crimes, will serve as an important foundation upon which potential prosecution cases can be prepared."[695]

> "Other alleged perpetrators are named in a longer, non-exhaustive list that the Fact-Finding Mission will store in our archives. That list will be kept in the custody of the High Commissioner for Human Rights, to be shared with any competent and credible body pursuing accountability in line with international standards."[696]

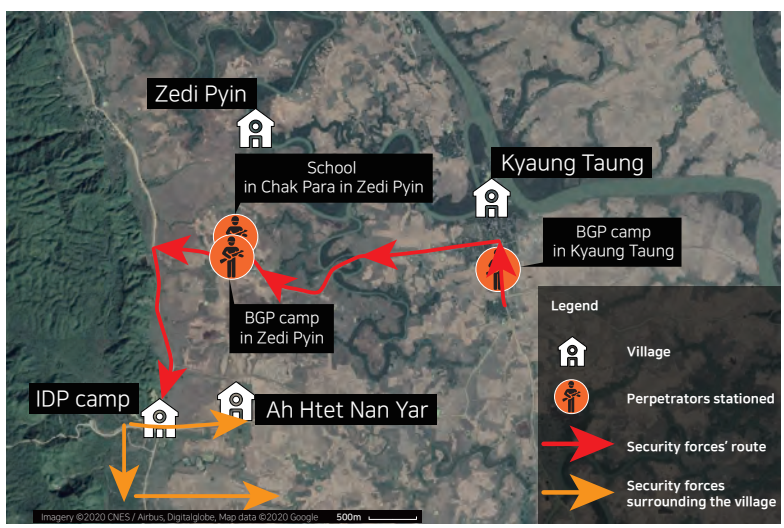
Specifically regarding hate speech, a legal filing noted that Facebook banned the accounts of the following military officers and individuals, as a "strong statement... to act against those seeking to use Facebook... [to] enable genocide":

687. MN03, MN04, MN15, MN16, MN19, MN30, MN32, MN34. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
688. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children (the differing spelling of his name is likely due to a different romanization system being used).
689. MN20.
690. NSK, NKY, USK, KYP.
691. USK17-18. See also Asian Dignity Initiative, Rohingya Genocide Report, "I want a safe zone in Myanmar," Kiari Prang (Kyet Yoe Pyin) Village, June 2020 (two Kiari Prang villagers recognized military commander Hanboittha as a perpetrator).
692. USK17.
693. USK18.
694. NSK13.
695. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.
696. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.

1. Myanmar General Min Aung Hlaing;
2. Myanmar Vice Senior General Soe Win;
3. Myanmar Brigadier General Khin Maung Soe;
4. Myanmar Brigadier General Aung Aung;
5. Myanmar Brigadier General Than Oo;
6. Myanmar General Than Oo;
7. Myanmar General Aung Kyaw Zaw;
8. Myanmar Major Generral Aung Myo Thu;
9. Myanmar Major General Maung Maung Soe;
10. Myanmar Brigadier General Thura San Lwin;
11. Myanmar Major Thant Zaw Win;
12. Myanmar Officer Tun Naing;
13. Myanmar Border Guard Police Corporal Kyaw Chay;
14. Myanmar Staff Sergeant Ba Kyaw;
15. Myanmar 99th Light Infanty Division Leader Khin Hlaing;
16. Thant Zin Oo;
17. Phay Sit Gyi;
18. Myanmar 33rd Light Infantry Division; and
19. Myanmar 99th Light Infantry Division.[697]

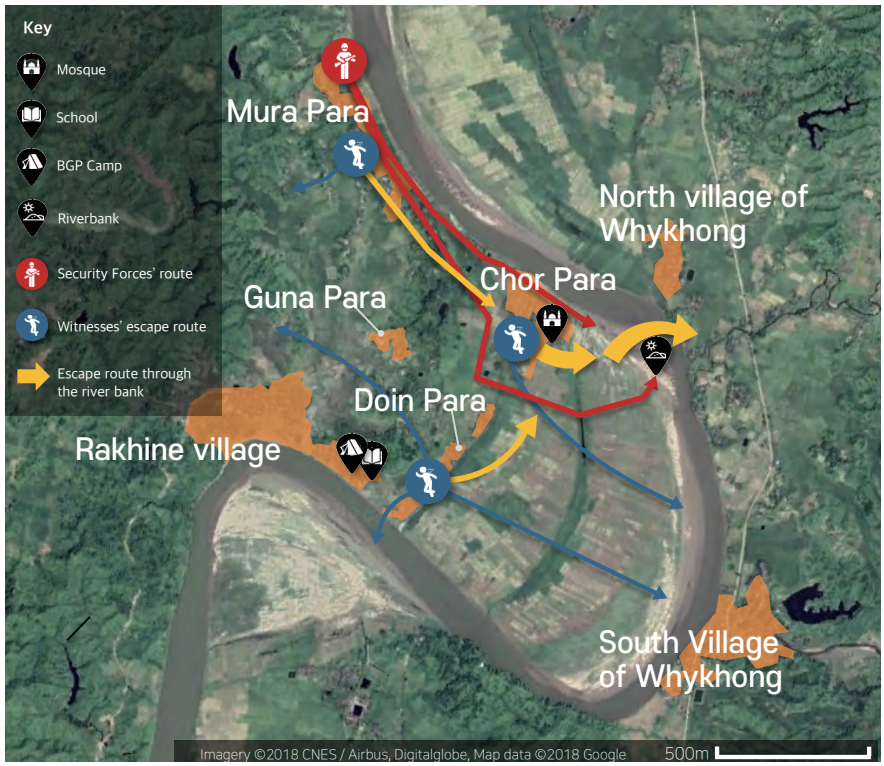
B. Advance Patterns of Myanmar Security Forces

As noted above, Myanmar security forces surrounded Rohingya villages,[698] so villagers could not escape. In a few village tracts, interviews with survivors painted pictures of how security forces advanced upon Rohingya villages.



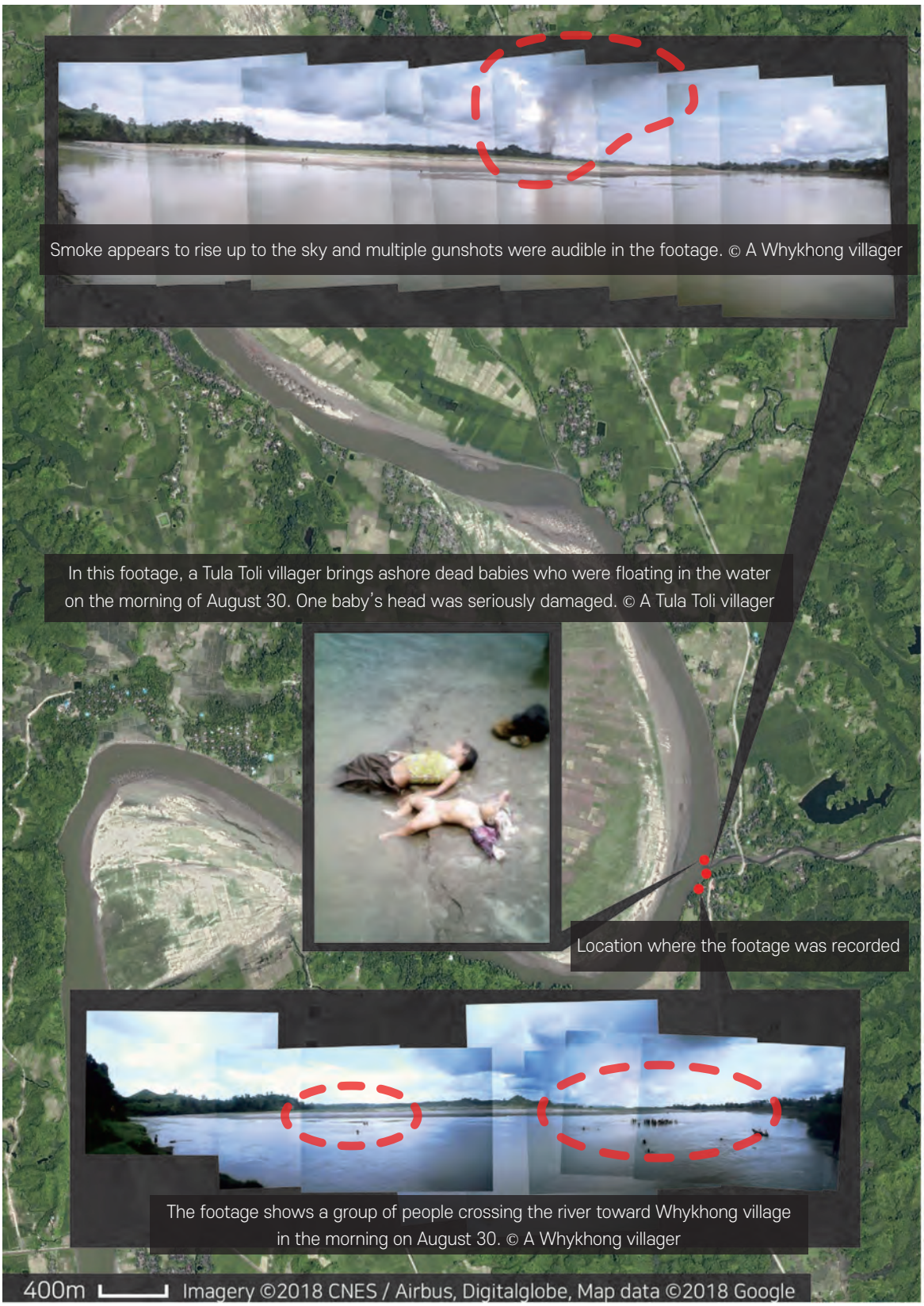
Security forces deployed from being stationed at the BGP camp in Kyaung Taung, a school in Chak Para in Zedi Pyin, and the BGP camp in Zedi Pyin to converge upon the IDP camp near Ah Htet Nan Yar. They surrounded the north, west, and south sides of the village.

697. The Gambia v. Facebook, Memorandum Of Law In Support of the Repulbic of Gambia's Application for Order to Take Discovery Pursuant to 28 U.S.C. §3782, available at https://storage.courtlistener.com/recap/gov.uscourts.dcd.218820/gov.uscourts.dcd.218820.1.1.pdf (internal citations omitted).
698. LD, TT, NSK, KYP, USK, PPC, KGP, NYT, ATK, MH, MN, GP, IDP, KTK.

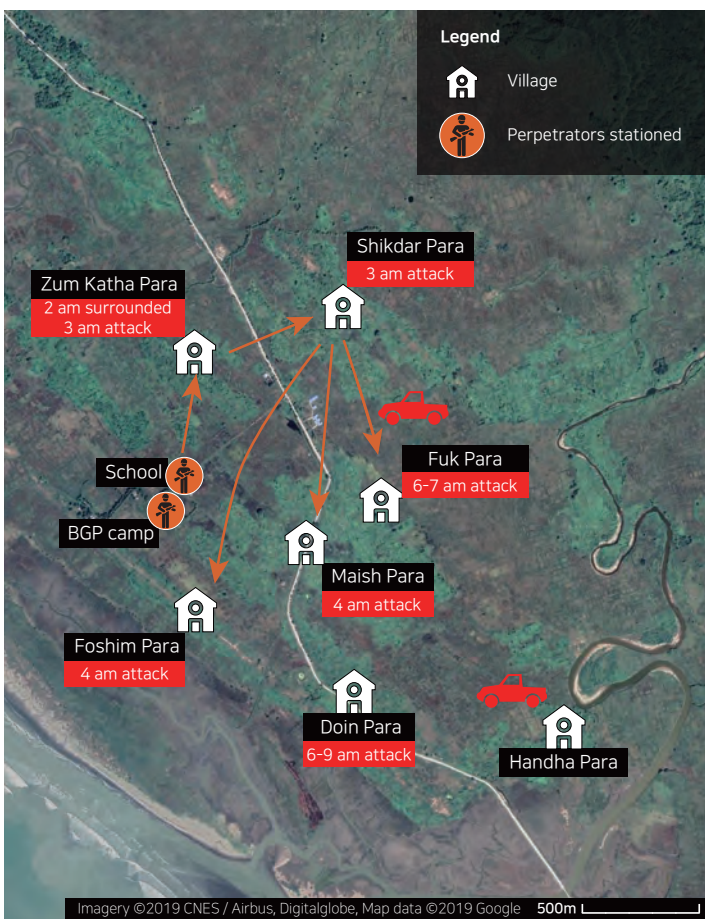


In Tula Toli, security forces advanced from the north and blockaded three sides of the village. Only the eastern part was not occupiped by attackers, but the river formed a natural barrier.

In Koe Than Kauk, security forces advanced from the police camp to the south and blockaded the village.


Smoke appears to rise up to the sky and multiple gunshots were audible in the footage. © A Whykhong villager
In this footage, a Tula Toli villager brings ashore dead babies who were floating in the water on the morning of August 30. One baby's head was seriously damaged. © A Tula Toli villager
Location where the footage was recorded
The footage shows a group of people crossing the river toward Whykhong village in the morning on August 30. © A Whykhong villager
400m
Imagery ©2018 CNES / Airbus, Digitalglobe, Map data ©2018 Google

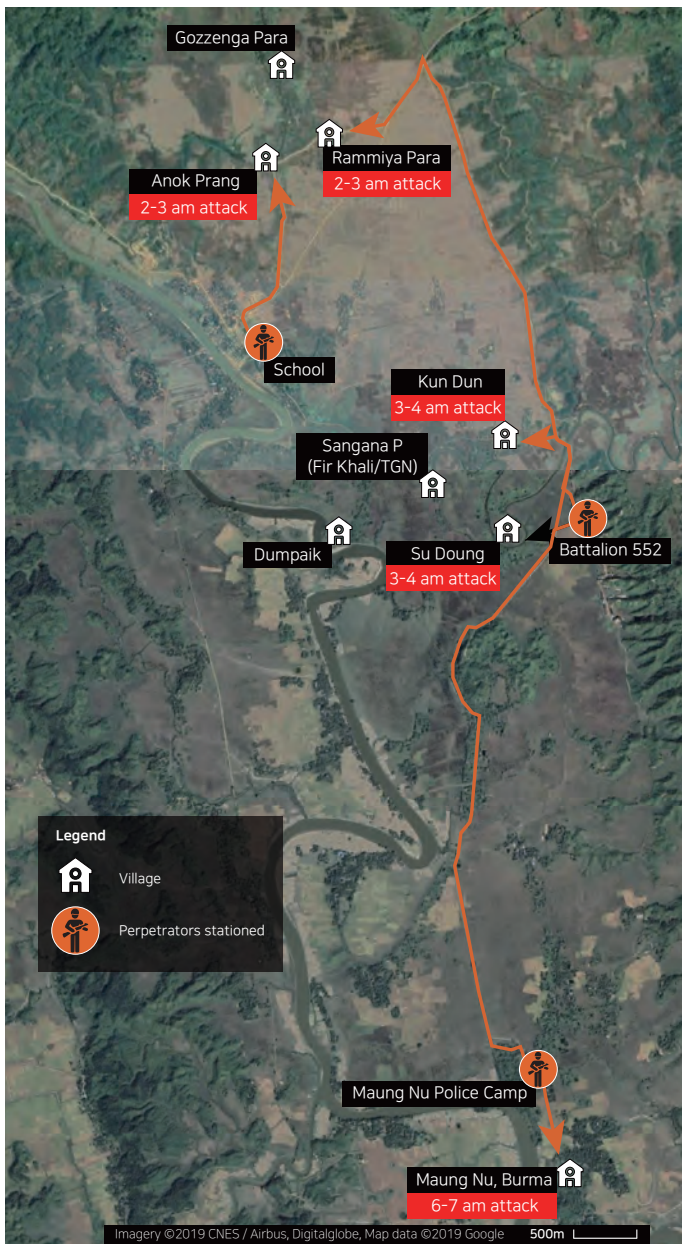
Security forces attacked the hamlets of Hainchurata (Al Le Than Kyaw) in stages, starting a few hours after midnight on August 25, 2017.



Security forces attacked the hamlets of Merulla (Myin Hlut) in stages, starting in the pre-dawn hours of August 25, 2017.

The Pulitzer Center corroborated that the military attacked Manu Para on August 27, 2017 at 9:00 a.m.,[699] as stated in testimony from survivors of Manu Para.[700]

In addition to the common timing and maneuvers of attack, as detailed above, a holistic analysis of survivor testimony also reveals how security forces attacked certain village tracts in succession.



Security forces attacked hamlets in Fir Khali (Thin Ga Net), Manu Para (Maung Nu) and Yin Ma Kyaung Taung in stages, starting in the pre-dawn hours of August 25, 2017 and continuing until the afternoon.

699. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
700. MN.

C. Mobilized Civilians from Other Ethnic Groups

Similarly, the majority of survivors testified that civilians participated in the violence.[701] Most commonly identified were Rakhine civilians,[702] but reports also pointed to the Chakma,[703] Hindu,[704] Kui,[705] Morong,[706] and Mro peoples.[707]

One human rights commission reported on the mobilization of armed civilians in November 2016:

> "'In a country where the regular police and military are notorious for grave human rights violations, it's difficult to extend the benefit of the doubt to poorly trained civilians,' said Sam Zarifi, ICJ's Asia Director.
> "'Establishing an armed, untrained, unaccountable force drawn from only one community in the midst of serious ethnic tensions and violence is a recipe for disaster,' he added….
> "The Rakhine State police are recruiting civilians for the force along ethnic and religious lines, officially excluding Rakhine state's Muslims, most of whom belong to the area's persecuted Rohingya community.
> "Recruits will reportedly be armed and paid by the border police after undergoing abbreviated training."[708]

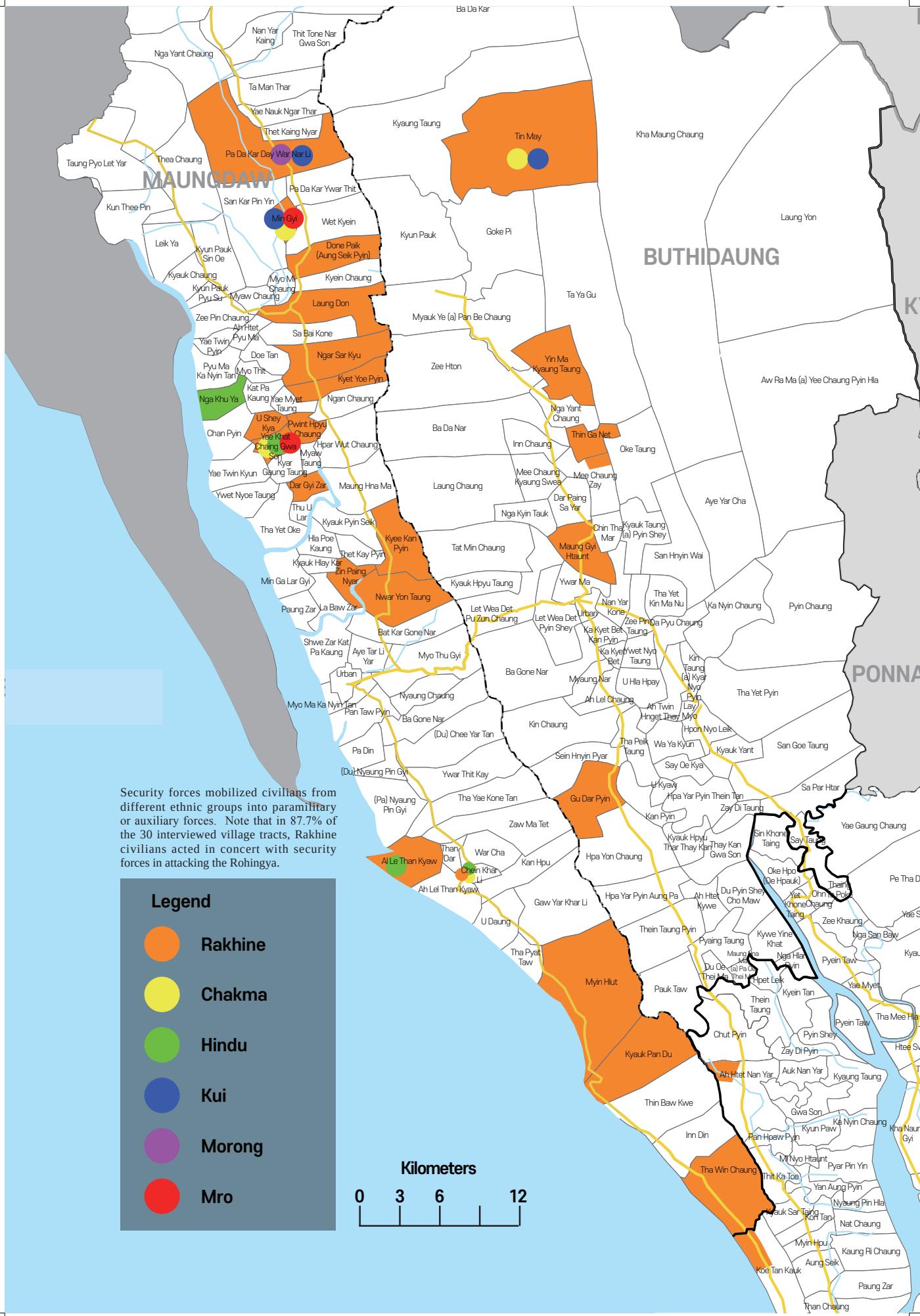
In a large number of villages, survivors reported that civilians wore uniforms,[709] of the military,[710] and BGP.[711] They most commonly carried swords/long knives as weapons,[712] and also wielded guns,[713] which security forces gave them.[714] Notably, civilians were seen carrying gasoline.[715]

> "In the 2012 incident, the government provided guns, 15 guns for each Rakhine village. I saw with my own eyes how the government gave those guns to them."[716]

Survivors named many civilians perpetrators.[717] It should be noted that Rohingya villagers found it easier to identify civilians, because they were known to them as neighbors.[718]

> "I recognized some of the civilians. Some were from our neighboring Rakhine village and

701. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
702. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
703. TT, YKS, GK, TM.
704. NKY, YKS, ATK, GK.
705. PD, TT, TM.
706. PD.
707. TT, YKS.
708. "Myanmar: proposed Rakhine 'civilian police force' a recipe for disaster," International Commission of Jurists, 4 Nov. 2016, available at https://www.icj.org/myanmar-proposed-rakhine-civilian-police-force-a-recipe-for-disaster/.
709. PD, DP, LD, KYP, NKY, USK, PPC, DGZ, KGP, ZPN, NYT, ATK, KPD, TC, YMKT, TGN, MGT, GP, IDP, CK.
710. KYP, NKY, USK, DGZ, KGP, ZPN, NYT, MGT, IDP, KTK.
711. NKY, ZPN, NYT, IDP.
712. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, CK.
713. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, NYT, GK, MH, KPD, TC, TM, YMKT, TGN, MGT, GP, KTK, CK.
714. GK, YMKT, GP, KTK.
715. TT, NKY, NYT, KTK.
716. IDP20.
717. PD, TT, DP, LD, KYP, NKY, USK, DGZ, KGP, NYT, ATK, GK, KPD, ID, TC, YMKT, TGN, GP, CP, IDP, CK.
718. DP, ID.



Security forces mobilized civilians from different ethnic groups into paramilitary or auxiliary forces. Note that in 87.7% of the 30 interviewed village tracts, Rakhine civilians acted in concert with security forces in attacking the Rohingya.

some were from other Rakhine villages. They wore public dress. They also carried long guns that the security forces had given to them. And some carried knives, choppers, and long kris swords. The civilians came by helicopter to attack the Rohingya. This is the helicopter that carried gasoline to the riverbank at Tulatoli."[719]

"The Rakhine wore civilian clothes and carried swords and long knives as weapons. I know some of the Rakhine because I used to go to school with them in the Rakhine village."[720]

719. DP10.
720. ID03.

VI. The Crime of Genocide

This consolidated report seeks to demonstrate how a multitude of restrictions and requirements were selectively imposed upon the Rohingya and also emphasize that their interrelatedness reveals the intent of genocide, as noted by the International Court of Justice:

> "The Court further notes that the Fact-Finding Mission, in its 2018 detailed findings, also asserted, based on its overall assessment of the situation in Myanmar since 2011, and particularly in Rakhine State, that the extreme levels of violence perpetrated against the Rohingya in 2016 and 2017 resulted from the systemic oppression and persecution of the Rohingya, including the denial of their legal status, identity and citizenship, and followed the instigation of hatred against the Rohingya on ethnic, racial or religious grounds."[721]

The FFM clearly stated:

> "In the case of the Rohingya, we have considered the facts as we have found them in the light of the definition of genocide in international law. We have concluded that the Rohingya constitute a protected group, that the acts of the Tatmadaw and other security forces fall within four of the five categories of genocidal acts and, finally, that all the circumstances are such as to warrant an inference of genocidal intent."[722]

A. Killing Members of the Group

As noted in previous sections, Myanmar security forces killed Rohingya people on multiple occasions in October-November 2016 and in August 2017. Two former soldiers of the Myanmar army have confessed to participating in mass killings of the Rohingya:

> "In his video testimony, Pvt. Myo Win Tun says the same colonel who gave his unit the original orders, Col. Than Htike, told the troops "to exterminate all" Rohingya."[723]

721. The Gambia v. Myanmar, ICJ Order (23 Jan. 2020), Request for the Indication of Provisional Measures, available at https://www.icj-cij.org/public/files/case-related/178/178-20200123-ORD-01-00-EN.pdf. See also "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
"[Two human rights] reports made their cases [for genocide] not just by documenting military attacks, but also by investigating the legal controls that Myanmar has built up over decades to impoverish, disenfranchise, and limit the population growth of the Rohingya, in accordance with the Rohingya Extermination Plan."
722. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
723. "Myanmar soldiers confess to Rohingya massacre: 'Shoot all that you see,'" NBC News, 9 Semptember 2020, available at https://www.nbcnews.com/news/world/myanmar-soldiers-confess-rohingya-massacre-shoot-all-you-see-n1239563.

In particular, the massacre in Tula Toli had a death toll of approximately 750 Rohingya villagers, as noted by the FFM:

> "On the morning of 30 August 2017, Tatmadaw soldiers, including the 99th Light Infantry Division, accompanied by armed ethnic Rakhine and other ethnic minorities, descended on this Rohingya village, which is bordered on three sides by a river. Without notice, Tatmadaw soldiers entered by land, opening fire and burning houses.
> "As villagers fled in the opposite direction, soldiers fired directly on people trapped between themselves and the riverbank. Many people were shot and killed then and there, including many who attempted to swim across the river. Those who could not escape were rounded up and separated by sex. The men were systematically killed. Children were shot, thrown into the river or onto a fire.
> "The women and girls were taken in groups of five to seven to the larger houses in the village, where their jewellery was taken from them, beaten, and viciously raped. Many were stabbed and killed, along with the small children who were with them. The houses were then locked and set on fire with petrol brought by Tatmadaw helicopters.
> "The destruction was complete. All the Rohingya houses and structures in Min Gyi were burned to ashes. All its inhabitants fled or were killed. Lists carefully compiled by Rohingya community volunteers in the refugee camps suggests that approximately 750 men, women and children died that day. This included people from our villages who had sought sanctuary in Min Gyi.
> "These facts were recounted to us by dozens of survivors, verified through satellite imagery and corroborated with experts and other investigators. They are supported by the scars, injuries and profound trauma of the victims. All the interviewees identified Tatmadaw soldiers as the main perpetrators."[724]

The Inn Din massacre, where on September 2, 2018, ten Rohingya men were arrested by Myanmar troops, massacred, and buried in a shallow grave dug by neighbouring Buddhist villagers has been well-documented by Reuters,[725] and other international media.[726] The ten men, comprised of shopkeepers, fishermen, an Islamic teacher, and two teengers, were randomly picked from hundreds of Rohingya men seeking refuge. For the first time ever, Reuters provided accounts from Buddhist villagers who confessed to killing Rohingya Muslims, burying them, and torching their homes. This was also the first time that soldiers and paramilitary police were implicated by testimony from security forces themselves.[727]

Reuters reported on the killings and mass rapes that occured in Tula Toli and in Chut Pyin.[728] The

724. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E; "The Rohingya lists: refugees compile their own record of those killed in Myanmar," Reuters, 17 August 2018, available at https://www.reuters.com/article/us-myanmar-rohingya-lists-insight/the-rohingya-lists-refugees-compile-their-own-record-of-those-killed-in-myanmar-idUSKBN1L20EY.
725. "Massacre in Myanmar," Reuters, 8 February 2018, available at https://www.reuters.com/investigates/special-report/myanmar-rakhine-events/.
726. "Rohingya crisis: Myanmar to try Reuters journalists who reported on massacre," BBC, July 2018, available at https://www.bbc.com/news/world-asia-44762425; "Myanmar authorities planned genocide against Rohingya, rights group claims," The Guardian, 19 July 2018, available at https://www.theguardian.com/global-development/2018/jul/19/myanmar-planned-genocide-against-rohingya-fortify-rights-claims-rakine-state.
727. "In a first, Burmese military admits that soldiers killed Rohingya found in mass grave," The Washington Post, 10 January 2018, available at https://www.washingtonpost.com/news/worldviews/wp/2018/01/10/in-a-first-burmese-military-admits-soldiers-killed-rohingya-found-in-mass-grave/?utm_term=.9b54b61ce0a0.
728. "Burned to the ground," Reuters Graphics, 31 December 2017, available at http://fingfx.thomsonreuters.com/gfx/rngs/MYANMAR-ROHINGYA-RAKHINE/0100606Y0FE/index.html. See also Oliver Holmes, "Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack," The Guardian, 7 September 2017, available at https://www.theguardian.com/world/2017/sep/07/massacre-at-tula-toli-rohingya-villagers-recall-horror-of-myanmar-army-attack.

Pulitzer Center published an in-depth article reporting on the attack of Manu Para, as reconstructed by survivor testimony and "exclusive video footage from the massacre site obtained by AP,"[729] as well as detailed reporting on the attack on Zammunia.[730]

> "What had started out as a quiet Sunday in northwestern Myanmar had spiraled into an incomprehensible hell — one of the bloodiest massacres reported in the Southeast Asian nation since government forces launched a vicious campaign to drive out the country's Rohingya minority in late August.
> "By the time it was over, there was so much blood on the ground, it had pooled into long rivulets across the uneven earth, among bits of human flesh and the fragments of shattered skulls."[731]

B. Causing Serious Bodily or Mental Harm to Members of the Group

As noted in previous sections, Myanmar security forces caused serious bodily harm to the Rohingya, through gunshot and stabbing wounds, beatings, and vicious rapes. The FFM noted the "detailed and painful picture of grave patterns of rapes, gang rapes and other gender-based violence."[732]

> "Another feature of Tatmadaw operations is sexual violence. Its scale, cruelty and systematic nature reveal beyond doubt that rape is used as a tactic of war. During the 2016 and 2017 clearance operations, 80% of rape survivors who were interviewed by the Fact-Finding Mission said they had been gang raped, and of those, over 40% were subjected to mass gang rape. Many women and girls were physically and mentally tortured while being raped - including being so severely bitten that it left permanent scars - it is difficult to believe that this was not an intentional act and akin to a form of branding. Women and girls were also systematically abducted, detained and raped in military compounds frequently amounting to sexual slavery. Many were killed after being raped."[733]

In addition to these physical injuries, the Rohingya suffered mental harm from watching their family members,[734] and children,[735] being killed.

> "The military surrounded us seven women when we were coming out of the houses. They shot the women to death…. They stabbed to death my seven-month-old nephew….
> "My sister fled to the forest when the military went to the west. On the way, they chopped to

729. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
730. "The Lost Genocide," Pulitzer Center, 16 November 2017, available at https://pulitzercenter.org/reporting/lost-genocide.
731. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
732. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.
733. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
734. TT, DP, LD, NSK, KYP, NKY, USK, PPZ, YKS, NYT, GK, ID, KTK, CK.
735. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPZ, YKS, NYT, GK, ID, KTK, CK. See also "Without a home, and without hope," National Geographic, 22 August 2017, available at https://www.nationalgeographic.com/photography/proof/2017/08/rohingya-refugees-myanmar-bangladesh/ ("Yasmin says she went out to look for her eight-year-old son, who had fled when the soldiers came into the village. She found him lying in a rice paddy, a bullet hole in his back").

death two children. I witnessed it with my own eyes."[736]

"Children were not spared in the 'clearance operations,' and were sometimes targeted. We have numerous accounts of children and babies who were killed, boys arrested, and girls raped. The Fact-Finding Mission has seen children with machete, burn and gunshot wounds, visibly traumatised."[737]

"After I was injured in the October 2016 attack, I had been living in panic."[738]

The FFM highlighted the terrible choice forced upon parents in the havoc, which also caused emotional distress:

"One mother described how she had to choose which children to save. The security forces had entered her house and grabbed her young daughter. Her son tried to save his sister and was attacked by the security forces. The mother watched from the other end of the house and made the split second decision that that these two children would not live, but that she could perhaps still save her two younger children. They fled. Her husband returned the next morning to the village and dug through pits of bodies until he found the corpse of their son. They never found the body of their daughter. The mother told the Fact-Finding Mission with haunted eyes: 'How can I continue with my life having made this choice?'"[739]

C. Deliberately Inflicting on the Group Conditions of Life Calculated to Bring About its Physical Destruction in Whole or in Part

The deliberate physical destruction of Rohingya people is undeniable. The foregoing sections, most particularly the killing and serious injury to Rohingya people, certainly form the foundation of genocide. Moreover, aggregated information from the 30 village genocide reports demonstrates that the calculated efforts to exterminate the Rohingya in fact preceded the 2016 and 2017 attacks and were part and parcel of governmental machinations that began in 2012 and continued to effect physical destruction through August 2017.

Every single one of the 30 Rohingya Genocide Reports published by Asian Dignity Initiative cover in great detail the "widespread and systematic pattern of human rights violations,"[740] in the following categories.[741]

736. CK05.
737. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
738. KGP15.
739. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
740. September 2018 UN HRC FFM.
741. PD, TT, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, CP, IDP, KTK, CK.

- Oppression of religious practice.
- Repression of marriage and control of population (child-bearing).
- Restriction of movement.
- Denial of education.
- Destruction of livelihood.
- Compulsory forced labor.
- Denial of access to healthcare.
- Suppression of voting rights.
- Revocation of citizenship.

As stated by the UN, these are "violation[s] of rights to life, to physical and mental integrity, and to property."[742] These state-imposed and state-sanctioned abuses were explored more thoroughly in the preceding sections.

> "This report also highlights that prior to the incidents and crackdown of 25 August, a strategy was pursued to: 1) Arrest and arbitrarily detain male Rohingyas between the ages of 15-40 years; 2) Arrest and arbitrarily detain Rohingya opinion-makers, leaders and cultural and religious personalities; 3) Initiate acts to deprive Rohingya villagers of access to food, livelihoods and other means of conducting daily activities and life; 4) Commit repeated acts of humiliation and violence prior to, during and after 25 August, to drive out Rohingya villagers en masse through incitement to hatred, violence and killings, including by declaring the Rohingyas as Bengalis and illegal settlers in Myanmar; 5) Instil deep and widespread fear and trauma – physical, emotional and psychological, in the Rohingya victims via acts of brutality, namely killings, disappearances, torture, and rape and other forms of sexual violence."[743]

> "Penny Green, a professor of law at Queen Mary University of London, led a 12-month investigation into the Burmese military's campaign against the Rohingya and concluded that the military was 'engaged in a genocidal process' against the minority group.
> "'It's important to understand genocide as a process which may evolve over many years, beginning with the stigmatisation of the target community and moving into physical violence, forced isolation, systematic weakening and finally mass annihilation,' she said.
> "'For four years now the Rohingya have suffered state-sponsored denial of access to healthcare, livelihood, food and civic life as well as debilitating restrictions on their freedom of movement.
> "'And now, since 9 October this year, the Rohingya in northern Rakhine state are facing a terrifying new phase in the genocide: mass killings, rapes, village clearings and the razing of whole communities, committed with impunity by the Myanmar military and security forces," she said."[744]

742. September 2018 UN HRC FFM.
743. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
744. "Burmese military killed seven of my children, says Rohingya refugee," The Guardian, 10 December 2016, available at https://www.theguardian.com/world/2016/dec/10/burmese-military-killed-seven-of-my-children-says-rohingya-refugee.

> "The government reminded us, 'You are not citizens of this country. You are people who temporarily located here. You can do nothing in this country without the government's permission.'"[745]

> "We were tortured and abused so much. Our Rohingya people were fined into poverty. We were not allowed to have freedom of movement. We could not even do our business freely without restriction and without bribes. Even if we had the wealth to do something good, we still could not. We were just alive, but there was no freedom, no opportunities, and no right to live as a human."[746]

D. Imposing Measures Intended to Prevent Births Within the Group

One hallmark display of the systematic destruction of the Rohingya people were the concerted efforts to control population growth, by constraining marriage and childbirth in a variety of ways.[747] Al Jazeera obtained copies of government documents that stipulate a policy scheme for population control, with the titles manifestly announcing the intent: "Regional Order and Processes for Controlling Bengali Population," "Population Control Activities," and "Requirements for Bengalis who apply [sic] for Permission to Marry."[748]

Myanmar authorities intentionally created processes and systems to prevent births of Rohingya children:

> "They prohibited us to bear more than two children and said that Rakhine people have one or two children. So we can't have more than one or two children. Otherwise we will be sentenced or fined.
> "The people who violated the restriction were beaten and sentenced if they were found. They asked us why we were increasing the population of Muslims and why did we get married before age 18."[749]

> "The Myanmar government wanted to block increase in the population of Muslims. That was why they prohibited us from having more than three children."[750]

745. ATK22.
746. GP19.
747. "Na Sa Ka training manual," available at https://www.aljazeera.com/indepth/features/2015/10/genocide-agenda-documents-presented-evidence-151025142655214.html and also at https://www.haikalmansor.com/wp-content/uploads/2017/05/Na-Sa-Ka-Training-Manual.pdf. (Hereinafter, "Na Sa Ka training manual.")
748. Na Sa Ka training manual. See also "H. RES. 418, Urging the Government of Burma to end the persecution of the Rohingya people and respect internationally recognized human rights for all ethnic and religious minority groups within Burma," U.S. House of Congress, 11 December 2013, available at https://www.govinfo.gov/content/pkg/CHRG-113hhrg86005/html/CHRG-113hhrg86005.htm. (Hereinafter, "U.S. House of Congress Resolution 418.")
749. ZPN12.
750. MN21.

E. The Mental Element: the 'Intent To Destroy, in Whole or in Part, a National, Ethnical, Racial or Religious Group, As Such"

As stated by the United Nations, "To constitute genocide, there must be a proven intent on the part of the perpetrators to physically destroy a national, ethnical, racial or religious group."[751] And here, the totality of the circumstances reveal genocidal intent:

> "The critical element of the crime is 'genocidal intent'. The mission assessed its body of information in the light of the jurisprudence of international tribunals regarding the reasonable inference of such intent. The crimes in Rakhine State, and the manner in which they were perpetrated, are similar in nature, gravity and scope to those that have allowed genocidal intent to be established in other contexts. Factors pointing to such intent include the broader oppressive context and hate rhetoric; specific utterances of commanders and direct perpetrators; exclusionary policies, including to alter the demographic composition of Rakhine State; the level of organization indicating a plan for destruction; and the extreme scale and brutality of the violence committed."[752]

The Chair of the Independent International Fact-Finding Mission unequivocally spoke to the genocide on separate occasions :

> "The Mission also found sufficient information to warrant the investigation and prosecution of senior officials in the Tatmadaw on charges of genocide. This means that we consider that genocidal intent, meaning the intent to destroy the Rohingya in whole or in part, can be reasonably inferred."[753]

> "War crimes and crimes against humanity have been committed in all three States. With respect to the Rohingya in Rakhine, the Mission also found sufficient information to warrant the investigation and prosecution of senior officials in the Tatmadaw on charges of genocide."[754]

> "With a heavy heart and deep sadness we have drawn conclusions, on the basis of the facts, that we never expected would be as grave as they are. What we have found are not only the most serious human rights violations, but crimes of the highest order under international law."[755]

751. "Genocide," United Nations, available at https://www.un.org/en/genocideprevention/genocide.shtml.
752. "Report of the independent international fact-finding mission on Myanmar," UN, Human Rights Council, 12 September 2018, available at https://undocs.org/A/HRC/39/64. Hereinafter, "September 2018 UN HRC FFM."
753. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S (emphasis added).
754. "Statement of Mr. Marzuki Darusman, Chairperson of the Independent International Fact-Finding Mission on Myanmar to the General Assembly, Third Committee," 23 Oct. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23800&LangID=E.
755. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.

> "[T]his Mission concluded that the Myanmar authorities, in particular the Tatmadaw, committed crimes against humanity and war crimes against ethnic communities in Myanmar. We found genocidal acts and the inference of genocidal intent, in the Tatmadaw's 2017 'clearance operations' against the Rohingya population. For decades, Myanmar's security forces have enjoyed impunity for their brutal crimes…. We recommended further investigation of these crimes to establish individual criminal responsibility as a basis for future prosecution….
> "We conclude that there is a strong inference of continued genocidal intent on the part of the State in relation to the Rohingya, that there is a serious risk of genocide recurring and that Myanmar is failing in its obligations under the Genocide Convention to prevent genocide, to investigate genocide and to enact effective legislation criminalizing and punishing genocide. Let me be clear. The policies, laws, individuals and institutions that laid the groundwork for the brutal "clearance operations" in 2016 and 2017 remain in place and strong. Impunity continues. Discrimination continues. Hate speech continues. Persecution continues."[756]

Indeed, the use of hate speech against the Rohingya, especially during attacks and severe violence, also points to intent:

> "A particular dimension of hate speech specific to the Rohingya is the emphasis on their not belonging in Myanmar. They are commonly denigrated as 'illegal immigrants.' 'Bengalis,' and 'kalar,' which means 'dark' or 'dark-skinned,' another term that denotes foreignness. Arbitrarily deprived of their citizenship, the Rohingya are now de facto stateless. Soon after the attacks of 2017, soldiers were boasting on Facebook of having finally had the chance to kill 'kalar.'"[757]

Security forces also revealed the "othering" of Rohingya as they committed acts of violence:

> "Women who were raped said the soldiers shouted 'go to Bangladesh.'"[758]

> "We were 22 people arrested on that day and taken to the school, tied firmly. The security forces interrogated us in the school and beat, kicked, and punched us. The military called, 'Would you like to get Rohingya? Then take Rohingya.'"[759]

> "A large number of the interviewees confirmed that they witnessed the burning of their homes and villages and some confirmed that the Myanmar army set their houses on fire. As the houses were set alight witness statements report the chanting of phrases such as 'You are Bengali! This is not your home, you do not belong here.'"[760]

756. Marzuki Darusman, Chair of the Independent International Fact-Finding Mission on Myanmar Back, "Statement to the 42nd session of the Human Rights Council," 17 September 2019, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25002&LangID=E.
757. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
758. "How a two-week long army crackdown reignited Myanmar's Rohingya crisis," Reuters, 25 April 2017, available at https://www.reuters.com/investigates/special-report/myanmar-rohingya-crisis2/.
759. USK21.
760. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.

> "Troops started to walk across the sea of people, grinding boots into their heads and beating them with rifle butts. Some of the soldiers cursed their prisoners, calling them dirty "kalar," a derogatory word for Muslims that is frequently used in Myanmar."[761]

Survivors themselves know very well why Myanmar security forces attacked them: because they are Muslim/Rohingya,[762] to commit ethnic cleansing,[763] in an effort to displace or drive them out from the country,[764] and steal their property.[765]

> "They have been persecuting us for a long time! Not only now. This time they did ethnic cleansing. Their intention was to uproot us from the ground and drive us out of the country."[766]

> "They did such things to do ethnic cleansing of the Rohingya ethnicity from Myanmar. They burned down all of our documents so that we cannot show our identity as Rohingya citizens of Myanmar. "[767]

> "The government discriminated against us and committed barbarities cruelly to our village and to us because we are Muslim."[768]

> "I think they did it to us to drive us from the country so that they can get our land property."[769]

> "They did it to drive us from the country. They called us 'Bengali.' They did it to take the country from us."[770]

> "They did it to send us here. If they persecute us, we will flee here. That's why they did such things to us. We don't have weapons and they have weapons."[771]

> "They did it because of race. They want to eliminate our ethnic group. They do not want us to live in Burma. They think they can take away our property if they can drive us from the country."[772]

Myanmar authorities have parroted that their attacks on the Rohingya were motivated by militant attacks on bases and camps. Yet the attack on the IDP camp near Ah Htet Nan Yar was notable for

761. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
762. PD, DP, LD, NSK, KYP, NKY, USK, YKS, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MGT, GP, IDP, KTK, CK.
763. NSK, USK, PPC, KPD, TC, TM, YMKT, MN, GP, IDP.
764. PD, DP, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, GP, IDP, KTK, CK.
765. NKY, PPC, ATK, GK, ID, YMKT, KTK.
766. NSK04.
767. IDP11.
768. YKS29.
769. PPC02.
770. PPC14.
771. ZPN12.
772. YMKT02.

its timing and occurrence, before any purported ARSA activity. In most other villages in Rakhine state, security forces began their "Clearance Operations" on August 25, 2017 and later. The Myanmar government subsequently used ARSA "insurgence," which took place on August 25, 2017, as a pretext to assail hundreds of Rohingya villages. Yet the brutal raid on the IDP camp on August 23-24, 2017 reveals that the ethnic cleansing was calculated and planned well in advance of any ARSA strikes.

1. Using Consistency in Pattern of Attacks to Infer Intent

The FFM summarized the similarities of the attacks in multiple statements :

> "Information collected from across Maungdaw, Buthidaung and Rathedaung Townships indicates that the 'clearance operations' of the Myanmar security forces in response to the ARSA attacks of 25 August 2017 followed similar patterns. They resulted in the emptying and destruction of entire villages. Analysis of satellite imagery so far reveals that at least 319 villages across the three townships were partially or totally destroyed by fire after 25 August. The destruction encompassed tens of thousands of structures, predominantly Rohingya homes and other buildings in those villages, including Mosques.
> "These operations further resulted in significant numbers of casualties among villagers. People died from gunshot wounds - often due to indiscriminate shooting at fleeing villagers, sometimes shot point blank. Some were burned alive in their homes, often the elderly, disabled or young children, unable to escape from attacks launched without warning. Many others were hacked to death by knives and swords. The Fact-Finding Mission has interviewed many people with wounds from gunfire, knives, and burning of a severe nature."[773]

> "The report describes in detail the Tatmadaw's 'clearance operations' in six villages, marked by large-scale massacres and other killings of civilians, including women, children and the elderly; mass gang-rape; burning and looting. The Mission verified similar operations in 54 separate locations across northern Rakhine State. Over 725,000 Rohingya fled. At least 392 villages were partially or totally destroyed. Estimates of 10,000 Rohingya deaths are conservative. These attacks were widespread and systematic, their modus operandi across northern Rakhine State strikingly similar. While the attacks of the Arakan Rohingya Salvation Army contributed to this escalation and must be condemned, the security forces' operations were brutal and utterly disproportionate. They were conducted in total disregard for human life and dignity, in violation of human rights and international humanitarian law....
> "The nature, scale and organization of these events demonstrate preparation and planning."[774]

Although Rohingya people certainly faced the harshest attacks, the Myanmar military has used the same brutal template on other ethnic groups:

773. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
774. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S (emphasis added).

> "[S]imilar patterns of serious human rights violations… are predominantly committed by the Myanmar military and are rooted in the same policies, tactics and conduct. Also in these conflict areas we found patterns of deliberate targeting of civilians, unlawful killings, torture, rape and sexual violence, arbitrary deprivation of liberty, forced labour and forced displacement."[775]

Thus, the FFM explicitly pinpointed the Myanmar military's historical use of these patterns of attack:

> "At the core of this situation sits the Myanmar military, which has pursued these strategies and tactics for decades. The Tatmadaw consistently and as a matter of policy and tactics targets civilians and rapes women and girls. It actively pursues an exclusionary and discriminatory vision for the country. It has a clear chain of command, with those in leadership positions in effective control of its operations. It acts with total impunity....
> "Were anyone to seek to deliberately foment conflict and extremism, the events in Myanmar could serve as a step-by-step manual. Dehumanize a population. Call them all terrorists. Deprive them of all rights. Segregate and attack them. Rape and kill them. Crowd them in IDP camps or drive them out. And protect the killers from justice."[776]

Indeed, when The Gambia "maintain[ed] that the evidence of the specific genocidal intent (dolus specialis) can be deduced from the pattern of conduct against the Rohingya in Myanmar and refer[red], in this regard, to the inference of such intent drawn by the Fact-Finding Mission in its reports,"[777] the International Court of Justice noted the "reasonable grounds to conclude that serious crimes under international law ha[d] been committed that warrant[ed] criminal investigation and prosecution, including the crime of genocide, against the Rohingya in Myanmar" from the FFM:[778]

> "The Court notes that, regarding the acts perpetrated against the Rohingya in Rakhine State, the Fact-Finding Mission, in its 2018 detailed findings, observed that the actions of those who orchestrated the attacks on the Rohingya read as a veritable check-list: the systematic stripping of human rights, the dehumanizing narratives and rhetoric, the methodical planning, mass killing, mass displacement, mass fear, overwhelming levels of brutality, combined with the physical destruction of the home of the targeted population, in every sense and on every level.
> "The Fact-Finding Mission concluded that on reasonable grounds the factors allowing the inference of genocidal intent were present. The Fact- Finding Mission reiterated its conclusions, based on further investigations, in its report of 8 August 2019."[779]

775. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S.
776. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S.
777. The Gambia v. Myanmar, ICJ Order (23 Jan. 2020), Request for the Indication of Provisional Measures, available at https://www.icj-cij.org/public/files/case-related/178/178-20200123-ORD-01-00-EN.pdf.
778. The Gambia v. Myanmar, ICJ Order (23 Jan. 2020), Request for the Indication of Provisional Measures, available at https://www.icj-cij.org/public/files/case-related/178/178-20200123-ORD-01-00-EN.pdf (internal citation and quotation omitted).
779. The Gambia v. Myanmar, ICJ Order (23 Jan. 2020), Request for the Indication of Provisional Measures, available at https://www.icj-cij.org/public/files/case-related/178/178-20200123-ORD-01-00-EN.pdf (internal citations and formatting omitted).

And the Pulitzer Center has also noted the high level of violence and the methodical nature of the attacks:

> "The massacres reported since August have stood out for their high casualty toll, their ferocity, and the methodical way in which they were carried out.
> "'You have to understand ... they hate us,' Arof said. 'This didn't only happen in our village, it happened everywhere.'"[780]

In addition to the attacks sharing commonalities in timing and maneuvers, as discussed above, in Sections A and B of Part IV, another key component was how security forces also targeted community leaders in the genocide. As such, how Myanmar security forces targeted the educated and community leaders for arrest in 2012-2016, as well as in the 2016 and 2017 attacks, is shown to be part and parcel of their military strategy:

> "The government and security forces targeted those people who were educated. Security forces killed, arrested, and beat educated people."[781]

> "[T]he Myanmar security forces targeted teachers, the cultural and religious leadership, and other people of influence in the Rohingya community in an effort to diminish Rohingya history, culture and knowledge."[782]

> "But more than a dozen Rohingya teachers, elders and religious leaders told The Associated Press that educated Rohingya — already subject to systematic and widespread harassment, arrests and torture — were singled out, part of Myanmar's operation to drive the Muslim Rohingya from majority Buddhist Myanmar.
> "Soldiers targeted the educated, they said, so there would be no community leaders left willing to speak up against the pervasive abuse.
> "It's an old tactic, according to those who study genocide — and often a precursor to killing….
> "Researchers see comparisons between what is happening in Myanmar and other genocides, including the Holocaust.
> "'Listening to these stories, it sounds so similar. First you take out the religious or the political leaders, and then you start going down to the civilian population and you start tightening things more and more," said Karen Jungblut, research director at the USC Shoah Foundation, who has conducted interviews in the Bangladesh camps. 'This was not just some random spurt of regional violence here and there because Myanmar felt it was being attacked by a 'terrorist group.' ... It felt way too organized.'"[783]

780. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
781. MH12.
782. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
783. "Rohingya say Myanmar targeted the educated in genocide," AP News, 6 June 2018, available at https://apnews.com/3a486e94ea7e48d1bfa5a5e0e1bf0518/Rohingya-say-Myanmar-targeted-the-educated-in-genocide.

2. Premeditation and Intent

OHCHR highlighted the " apparently well-organised, coordinated and systematic nature of the attacks" and pointed out how the "'clearance operations' started before 25 August 2017, and as early as the beginning of August."[784]

In a number of villages, survivors testified that the perpetrators came before the day of attack,[785] which indicates premeditation. Premeditation is also evident from how, in Fir Khali, the military took Rakhine people from Toung Bazar and protected them in the camp of Battalion 552.[786]

> "There were at least 300 military and 50 BGP. BGP had stationed first at the post in Toung Bazar. On Saturday, BGP camp to Battalion 552 at 10:30 a.m. They also brought all the Rakhine people from the Rakhine village in Toung Bazar and kept them in safety inside Battalion 552's camp. Then they came to attack our village at 10:30 a.m. with the military from Battalion 552."[787]

The deputy village administrator of Koe Tan Kauk reported that Battalion 535 and Battalion 537 deployed to the area before August 25, 2017.[788] He said in his role of deputy village administrator, he had to communicate and be in contact with the military.[789] In Kawar Bil, security forces mobilized and were transported to the village on October 9, 2016, the night before the attack, in four to eight truckloads of soldiers.[790]

> "That night, eight trucks stopped one by one in a place that was clearly visible from the house. Two trucks went back. Another one went through the Rakhine village. The remaining trucks stopped at the Rakhine village. Each truck had the capacity to carry 30 people but I did not see exactly how many soldiers were there because it was dark and we were forbidden to use torchlight."[791]

The FFM also firmly noted that the scope of the attacks by the Myanmar military and security forces required planning in advance:

> "Overall, the widespread and systematic nature of the violence in all three townships suggests considerable prior military planning and organisation, which the Fact-Finding Mission is examining in detail. The military took steps to build up its presence in Rakhine state in the weeks prior to the ARSA attacks, and there are strong indications that military activities increased across the three townships through August 2017. In multiple areas, the military launched its 'clearance operations' within hours of the first attacks on 25 August.

784. "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
785. LD, KGP, DGZ, KGP, GP, CP, IDP, KTK, CK.
786. TGN.
787. TGN18.
788. KTK10.
789. KTK10.
790. KGP.
791. KGP11.

> Furthermore, in relation to the threat faced, information collected to date suggests that the ARSA attacks were undertaken by poorly armed and largely untrained villagers."[792]

> "[The attack on Tula Toli] was not an incident of spontaneous inter-communal violence. The killing of civilians of all ages, including babies, cannot be argued to be a counter-terrorism measure. There can be no military imperative to rape women and girls or to burn people alive. It was a well planned, deliberate attack on a specific civilian population.
> "By examining such incidents in a number of villages, we traced remarkably consistent practices, to the point where we can confidently state that they are central to Tatmadaw operations. In every incident we examined, we observed a total disregard for civilian life and property or, even worse, the specific targeting of civilians."[793]

> "Our report characterizes the recent events in Rakhine State as a human rights catastrophe that was foreseeable and planned."[794]

As noted above, the attack on the IDP camp was notable for its timing and occurrence, before any purported ARSA activity. In most other villages in Rakhine state, security forces began their "Clearance Operations" on August 25, 2017 and later. The Myanmar government subsequently used ARSA "insurgence," which took place on August 25, 2017, as a pretext to assail hundreds of Rohingya villages. Yet the brutal raid on the IDP camp on August 23-24, 2017 reveals that the ethnic cleansing was calculated and planned well in advance of any ARSA strikes.

Similarly, security forces attacked multiple locations in Hainchurata starting at 2:30 a.m., with five of the seven hamlets attacked before dawn on August 25, 2017. This was only possible through premeditation and planning.

3. Using Orders and Contemporaneous Communication to Impute Intent

Further, security forces received mobile telephone calls while attacking Rohingya villages, and survivor testimony confirms this fact.[795]

> "Around noon, a senior officer called a commander on his phone. The officer said they had rounded up 87 men.
> "'What should we do with them?'
> "The call ended shortly afterward, and the officer barked an order to his troops.
> "'Let us begin.'
> "Duza watched through a slit in a closed window as a soldier plunged a long knife into his

792. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.
793. "Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council," 18 Sept. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23580&LangID=E.
794. "Statement by Mr. Marzuki Darusman, Chairperson of the United Nations Independent International Fact-Finding Mission on Myanmar, at the Security Council," 24 October 2018, available at https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23778&LangID=S.
795. KGP, NYT, MN.

brother's neck in front of their house. When two of Hossain's sons got up and tried to run, soldiers opened fire.'"[796]

"Zahid Hussain became weak and he could not stand properly. The military phoned someone. Then they stabbed his stomach. Zahid Hussain's guts came out from his stomach."[797]

"Security forces surrounded the village and my house as well. They shouted for my brother to open the door. But we did not open the door. Then they stormed into the house. My brother Shoaib and my cousin got on the ceiling. Zubair, Fayas, and I were arrested. They tied us up with rope and made us lie down in the yard. They they started beating and kicking us. From the yard, they took us a little bit forward and dropped us in the dirty drain.
"After that, they took us to the yard of Zahid's house compound and made us bend down. There were about 500 people tied down, including villagers taken there and forced to bend down. Then a soldier had a phone call. During the talk, I heard him say, 'Let's start.' Then they opened fire on our backs."[798]

Another notable point is how security forces used regular military signals to order subordinates into violence, as noted by the Pulitzer Center:

"Men and teenage boys were taken away in small groups and killed by firing squads near a forested area on the edge of the property. In some cases, a soldier blew a whistle beforehand, signaling for them to begin."[799]

796. See also "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.
797. MN24.
798. MN06.
799. "Rohingya: Myanmar's army slaughtered men, children," The Pulitzer Center, 22 December 2017, available at https://pulitzercenter.org/reporting/rohingya-survivors-myanmars-army-slaughtered-men-children.

VII. Heeding Victims' Voices

Through all of Asian Dignity Initiative's efforts to document the genocide of the Rohingya people, first and foremost in our minds is the desire to raise and boost the voices of the victims. Any steps toward transitional justice must take into account what the Rohingya survivors want themselves. They want justice,[800] from ICC,[801] and/or ICJ.[802] They want to return to Myanmar with full citizenship rights,[803] with their property returned,[804] and with peacekeeping forces as protection.[805]

> "I want justice. This did such things without any reason. They killed my husband. Now, I suffer with my son. He has a future. He wants to live with freedom. He has no one to take care of him. Now, I am sick after being raped. I will not return to Myanmar. I am scared of the military. I am giving these statements with fear. I still have fear of the Myanmar military. I want a place where I can live without fear."[806]

> "Why was I deported from my land where my forefathers' forefathers were born and died? Why was I deprived of rights and opportunities? Why did my children lack the opportunity for education, why were they deprived of education? Why did the government never let me practice my religion without restriction?
> "We could not practice religious events. Our children could not gain education or higher education. Why am I homeless and stateless even though I was born in Myanmar?
> "I want justice against those who committed these brutalities on us."[807]

> "Our justice should truly proceed in ICC to get our rights."[808]

800. PD, LD, NSK, KYP, NKY, USK, PPC, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, MH, KPD, ID, TC, TM, YMKT, TGN, MN, MGT, IDP, CK. See also "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
801. PD, NSK, NKY, PPC, DGZ, KGP, ZPN, NYT, ATK, GK, KPD, TC, TM, YMKT, MN, MGT, GP, IDP, CK.
802. PD, NSK, NKY, USK, ZPN, NYT.
803. LD, NSK, KYP, NKY, USK, YKS, DGZ, KGP, ZPN, NYT, ATK, GK, KPD, TC, TM, YMKT, MN, MGT, GP, IDP, CK.
804. PD, YKS, GK, KPD, TGN, MN.
805. GK, MH, TC, TM, MGT, GP, IDP. See also "Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh," UN OHCHR, 13-24 September 2017, available at https://www.ohchr.org/Documents/Countries/MM/CXBMissionSummaryFindingsOctober2017.pdf.
806. DGZ17.
807. TGN13.

"We are a Muslim minority. We helpless people became stateless. First they began persecuting us 70 years ago. You all know that the government imposed many restrictions on us, including for travel, marriage, education, religion, and jobs. Eventually they burned our houses and killed our innocent Rohingya people without reason and displaced us from the country. So I request that we get citizenship rights like the other 135 ethnic groups in Myanmar. I also want justice and prosecution of General Min Aung Hlaing, Zaw Htay, and Wirathu at ICC."[809]

"We lived there for centuries. We deserve our rights. We want to live as freely like other ethnic minorities. We want our properties back. I urge the ICC to prosecute the perpetrators for killing my wife and children. I cannot control my tears if I remember it. I do not think such thing could be done by any other people except Burmese people. I do not know how Allah bears it. I want as much justice as the court can provide."[810]

"I seek justice for my sisters and mother who were killed. We need to get back our mother land. Now, we are living outside our mother land in Bangladesh, and our children will get no rights here. They will miss everything. We will not stay here our whole lives; we fled to Bangladesh temporarily only to survive. Thanks a lot to the Bangladeshi government and local people as well as to the international community that we are given shelter and provided humanitarian aid. We did not hope that we would come here. Unfortunately, we had to come here forcibly. I request all medias, ICC, and the international community to get our justice."[811]

"Now we want justice from the international community. Because we can't say we are citizens of that country, even though it is our country…. As we came here and [the international community has] been coming to help us, we would like to request them to do justice. As [Myanmar] oppressed us and forced us to come here, ICJ does justice for the world. That's why we want justice from ICJ."[812]

"People were killed, our houses were burned, our property was looted, and we were oppressed like this. I want justice for this from ICC. I want to summon the Myanmar government to ICC. I want the solution from ICJ."[813]

"In our land of Arakan, we would like to return after getting our rights and confiscated land and homes. We want UN security forces in Arakan before returning to our village because we cannot believe the government."[814]

Myanmar's history of scapegoating and persecuting the Rohingya and other ethnic groups only underscores the need for peacekeeping forces during and following repatriation:

808. NYT19.
809. ATK17.
810. CK25.
811. CK22.
812. ZPN15.
813. NSK12.
814. TC15.

"I seek justice against the perpetrators. The Myanmar government and security forces destroyed all our property. We would be at peace if we got justice and the right to be citizens of Myanmar.
"We have suffered from our birth. I have been a refugee in Bangladesh three times. Once in 1978 when I was an infant, again in 1992, and the last in 2017. Our children are not able to be educated and those who were educated were unable to have a job or do anything good."[815]

"However, in light of the significant human rights issues that lie at the heart of this crisis, it is critically important for the displaced people not to be returned without adequate guarantees for human rights protection in place. Otherwise, we could be laying the groundwork, not for solutions, but for another repeat experience. This is amply shown in Myanmar's history. One Rohingya interviewee told us how three generations of his family had been victimized by violence, fled abroad, returned under pledges of safety, only to have to flee again. We call on Myanmar, Bangladesh and the international community to ensure that independent human rights monitors are involved in the process and are based on the ground in Rakhine state until proper mechanisms for protection are established and proved effective."[816]

815. TC11. See also "Statement of Mr. Marzuki Darusman, Chairperson of the Independent International Fact-Finding Mission on Myanmar to the General Assembly, Third Committee," 23 Oct. 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23800&LangID=E (noting that "several of our interviewees told us that they or their families had gone through similar cycles of oppression, violence and displacement since the 1970s").
816. Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 37th session of the Human Rights Council, 12 March 2018, available at https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22798&LangID=E.

VIII. Conclusion and Recommendations

In August 2017 and in October-November 2016, security forces attacked multiple villages and committed mass killings of and mass injuries to Rohingya civilians. The perpetrators were 100-300 Myanmar military, BGP, police, and mobilized Rakhine civilians. Security forces looted property from the Rohingya, burned down their homes, and unlawfully arrested them. They raped Rohingya women. Villagers fled in a desperate effort to save their lives. The total extent of suffering of these survivors is horrifying.

Premeditation and intent to commit genocide is apparent from security forces' advance planning and deployment. They commonly began intimidation tactics in the dark hours before dawn, by firing guns, and then attacked the villages in the early hours of the morning. Security forces consistently surrounded Rohingya villages, completely blocking escape or leaving only one of four sides open for egress. They shot indiscriminate gunfire to incite panic and fired at Rohingya people as the civilians fled.

However, the destruction of life of the Rohingya people began much earlier. The government stole land from the Rohingya. From 2012, Rohingya villagers village were deprived of their basic rights in almost every aspect of daily life, in an effort to systematically destroy them. First, religious activities were banned. This included making daily prayers prayers at the mosque, making calls to prayer, giving religious sermons, holding religious events, and performing Qurban. The Rohingya were forbidden to gather in groups of five people. Security forces beat, arrested, jailed, and forced fines from Rohingya people caught in religious practice.

Second, to even marry, villagers had to acquire a certificate of permission from the authorities after paying exorbitant forced bribes. When government officials issued a certificate of permission to marry, they warned Rohingya not to have more than two or three children. Failure to comply with

the reproductive controls resulted in forced fines.

Third, the boundary of movement for Rohingya was systematically controlled and restrained. In order to visit other places, the Rohingya were required to get a series of permissions from the level of village, township, and district – which essentially meant that they needed governmental permission. They were completely banned from traveling to Sittwe, the state capital. They needed Tawkenza to travel even to neighboring villages. In addition, to travel greater distances they were required to pay exorbitant amounts of money to obtain Form No. 4 and also pay forced bribes at checkpoints. Later, they were forbidden from even leaving their homes between 6:00 p.m. and 6:00 a.m. Fourthly, the Rohingya were discriminated against in educational opportunity and employment. They were not allowed to be public workers.

Fifth, the military regularly conscripted Rohingya villagers into forced labor. The Rohingya were never paid any wages for their work. Yet failure to provide the forced labor resulted in beatings and forced fines. Sixth, Rohingya were denied medical treatment and healthcare. Seventh, from 2015 and earlier, the Rohingya were deprived of voting rights. Lastly, no Rohingya was granted citizenship. The authorities in fact tried to force the Rohingya to register with NVC, which meant that they would be treated as foreigners.

In this report, Asian Dignity Initiative sought to explain how the Rohingya suffered from systematic destruction between 2012-2016, as well as to demonstrate that the massacres committed in August 2017 and in October-November 2016 in Rohingya villages followed the pattern of genocide and ethnic cleansing. Therefore, our view is that the international community needs to actively intervene and take steps to address the situation.

During the course of conducting interviews, the survivors consistently declared their desire for justice, and now it is our turn to respond. For these reasons, we recommend the following.

First, the government and military of Myanmar must permit a thorough, effective, and unbiased investigation within the country. For this, the international community must provide political, financial, and technological support. However, considering that the Myanmar government and the military have denied the existence of the Rohingya, have outright denied the genocide, and have failed to cooperate with the international community's efforts to ascertain the truth, the international community, including the United Nations, should refer the matter to the International Criminal Court or set up a special or ad-hoc court to investigate the case. To capture the many types and instances of genocide and ethnic cleansing, the truth-seeking inquiry must include the massacres in Rakhine state, atrocities in the many other Myanmar villages where the Myanmar military and security forces attacked, and the systematic destruction that occurred starting in 2012 across the fabric of Myanmar society and government.

Second, the truth-seeking investigation must proceed without grant of immunity to wrongdoers.

The focus of the investigation, the perpetrators, occupy the highest levels of the Myanmar military and BGP, yet also include ordinary people from other ethnic minorities in Myanmar. In addition, officials of the Myanmar government, including State Counsellor Aung San Suu Kyi and other Cabinet Members, be investigated for their roles in the atrocities. None of the actors should receive immunity or be exempt from from scrutiny.

Third, the Myanmar government must provide remedy and relief to the victims and survivors. The principle of restoration of previously-held rights is the basic foundation, with financial recompense to those for whom such restoration is insufficient, such as victims who have suffered psychological harm. In such situations, it is critical to respect and decide the specific substance and form of remedy and relief according to the wishes of the victims and the Rohingya community.

Fourth, the Myanmar government should introduce legislation and administrative measures to abolish systems and practices that discriminate against Rohingya. Social leaders and citizens who speak, advance, or promote hate speech and other forms of prejudiced information must be punished. Education should be provided to improve awareness in ordinary citizens of their deep-rooted hatred, bias, and discrimination.

Fifth, the Myanmar government must cease registering the Rohingya with NVC identification cards and must ensure restoration of their citizenship rights.

Sixth, the Myanmar government and the international community must actively guarantee and ensure participation of Rohingya people in the discussions about possible repatriation.

Rohingya Genocide Reports by Village Tract from Asian Dignity Initiative

Rohingya place name	Burmese place name	Title
Borgozi Bil	Ye Ke Chaung Kwa Sone	"I want my motherland."
Bura Shikdar Para	U Shey Kya	"We are Rohingya."
Chil Khali	Chein Kar Li	"We want safety where we do not fear being killed."
Chut Pyin	Chut Pyin	"Not a single person returned after that."
Done Paik	Done Paik	"We had nowhere to hide from the military."
Fir Khali	Thin Ga Net	"Allah save us."
Garator Bil	Pa Da Kar Day War Nar Li	"They made us homeless, stateless."
Gora Khali	Kyaung Taung	"They surrounded our village like a chain."
Gudam Para	Gudar Pyin	"I cry and beg the world for justice."
Hainchurata	Al Le Than Kyaw	"I want to return to our land with dignity and rights."
IDP of Pan Khaine	Within Ah Htet Nan Yar village tract	"We seek justice from the world."
Inn Din	Inn Din	"We begged them not to arrest our husbands."
Kawar Bil	Kyi Gan Pyin	"Why did they kill our people?"
Kiari Prang	Kyet Yoe Pyin	"I want a safe zone in Myanmar."
Koe Than Kuak	Koe Than Kuak	"Father, what can we do?"
Laung Don	Laung Don	"Bullets dropped like raindrops."
Manu Para	Maung Nu	"I heard gunfire and the chopping sounds of knives."
Merulla	Myin Hlut	"I do not know where my grandmother is."
Naasha Puru	Ngar Sar Kyu	"The government violated our human rights."
Nga Khu Ya	Nga Khu Ya	"Our children had to starve."
Nwar Yon Taung	Nwar Yon Taung	"Our children had to live in fear."
Saw Prang	Maung Gyi Htaunt	"Why did they kill our children?"
Shitapuru	Kyauk Pan Du	"We were always in panic."
Sutogorzi Bil	Dar Gyi Zar	"I want a place where I can live without fear."
Tha Mi	Tin May	"We were rendered stateless."
Tha Win Chaung	Tha Win Chaung	"We are Rohingya, and we need our rights."
Tula Toli	Min Gyi	"We want justice"
Yin Ma Kyaung Taung	Yin Ma Kyaung Taung	"I tried my best to survive."
Zammunia	Pwint Hpyu Chaung	"They burned small children alive."
Zammunia	Zin Paing Nyar	"They fired gunshots like a war in our village."

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