

Written Evidence from Burma Campaign UK (BUR0022)

1. Burma Campaign UK works for human rights, democracy and development in Burma and has been advocating for the rights of the Rohingya since 1992.
2. We were grateful for the opportunity to provide oral evidence to the Committee. We would like to submit supplementary evidence which we think will be useful for the committee in its deliberations.

3. Executive Summary

- This is a deliberate and pre-planned attempt to drive Rohingya out of Burma. As the United Nations has reported, the current violence did not begin in August 25th, but started weeks beforehand, including a military build-up in Rakhine State of soldiers notorious for use of rape and killing of civilians in ethnic states.
- A consistent failure by the international community to defend the human rights of the Rohingya since repression increased from 2012 played a key role in allowing the situation to escalate to the current ethnic cleansing campaign.
- Given that the attacks by ARSA and subsequent military campaign had been expected since the previous ARSA attacks and military campaign began in October 2016, why was so little action taken to prevent this and why were no apparent humanitarian plans made for the expected Rohingya exodus in response?
- Aung San Suu Kyi has been praised for committing to repatriation but has not made any commitments on rights and security of the Rohingya that would make it safe for them to return, should they want to.
- The British government needs to lead the world on action, not just words.

4. PRE-PLANNED OFFENSIVE

The military offensive which began on August 25th was pre-planned with an intentional goal of driving Rohingya out of Burma. The horrific human rights violations documented by the United Nations, media and human rights organisations are a deliberate part of this strategy to traumatise and drive Rohingya out.

5. During 2017, a series of murders took place in Rakhine State. Victims included ethnic Rakhine, Rohingya and other ethnicities. The government blamed ARSA, and ARSA is likely to have been responsible for some of these killings, allegedly including killing Rohingya people informing to the government.
6. Rather than providing effective security, conducting investigations, and trying to calm the situation, the government began publishing inflammatory features in state media and government social media. These posts blamed ARSA extremists and reported alleged ARSA terrorist camps being found. Posts included graphic close up

pictures of dead bodies with severe injuries. These reports and posts contributed significantly to raising tensions and fears.

7. On 31st July WFP energy biscuits were found in an alleged ARSA camp. The government published pictures of the biscuits in state or social media almost every day for the following month, implying that the UN was helping terrorists. In a context of the local population already perceiving UN bias in favour of the Rohingya and previous attacks on aid agencies, it is hard to see this as anything other than incitement for attacks or using this to justify restricting the operations of aid agencies. These are measures which have resulted in the deaths of Rohingya.
8. On 9th August army head Min Aung Hlaing visited Rakhine State and met with local politicians. They had been requesting additional soldiers and weapons from the military. Min Aung Hlaing reportedly requested local Rakhine youth co-operate with security forces. After the military offensive began on August 25th Rakhine mobs and security forces were seen side by side attacking Rohingya villages.
9. On 11th August, less than 48 hours after the visit to Rakhine State, new military forces began to be deployed in Rakhine State. The speed of this deployment indicates that the military had already planned the deployment and the request from local Rakhine politicians enabled them to be seen to be responding to local requests.
10. The deployment included soldiers from the Light Infantry Division 33 (LID 33). This is a notorious Division which is deployed to combat zones. In a report earlier this year, Amnesty International documented how LID 33 had committed human rights violations in northern Shan State which met the legal criteria of war crimes.
11. Exact dates are unknown but Light Infantry Division 99 (LID 99) was also deployed to Rakhine State in August. LID 99 is a Division also well known for perpetrating human rights violations. Since its creation in the 1960s it has been deployed to combat zones all over the country, and most recently has been documented targeting civilians in Shan and Kachin States. It was used in the crushing of the Monk led uprising in 2007.
12. LID 99 and LID 33 are Divisions well known for targeting ethnic civilians, burning villages, using rape, executing civilians and using torture. These are combat hardened and brutal soldiers. Their deployment is an important indicator of the intentions of the military.
13. The Office of the United Nations High Commissioner for Human Rights published a Mission report on 24th September which stated 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.”

14. Many of the Rohingya arriving in Bangladesh in October had fled because of starvation. For many of these people, restrictions on aid, and on movement preventing them from farming or buying food were introduced before August 25th.
15. While the ARSA attacks in October 2016 appear to have surprised the military, the ARSA attacks on August 25th 2017 were long anticipated. Min Aung Hlaing was ready with troops in place, ready to use any ARSA attacks as a pretext for a large-scale pre-planned operation to drive hundreds of thousands of Rohingya out of Burma.
16. Min Aung Hlaing clearly learnt from the events of 2016 when the last offensive against the Rohingya took place. He saw public support for the offensive. He saw how Aung San Suu Kyi defended the military operation and received most of the criticism internationally. He also saw how the international community took no significant action. European countries were even continuing to invite him on international trips and still selling him equipment. He appears to have calculated that a much larger operation to rid the country of the Rohingya was possible and that there would be positive benefits for the military domestically, and few if any negative consequences internationally. He appears to have calculated correctly.

17. CONSISTENT FAILURE TO DEFEND THE HUMAN RIGHTS OF THE ROHINGYA

The current crisis is a result of a deliberate and systematic effort by governments and the military to drive the Rohingya out of Burma that dates back decades but which has escalated dramatically since 2012. Since 2012 those countries and bodies which could reasonably have been expected to defend the rights of the Rohingya consistently failed to do so, thereby effectively encouraging and enabling further repression and the current ethnic cleansing campaign.

18. Every time new abuses were perpetrated against the Rohingya, the British government, along with the rest of the international community, failed to act. Not only did they fail to act, they relaxed pressure, and gave more support to military and government even as they perpetrated these abuses.
19. Each time they did so, they sent a message that they were prepared to tolerate increased repression of the Rohingya as long as, as one diplomat described it, ‘the general direction of travel was good.’

20. As each new step was taken against the Rohingya, and each time the British government and others did nothing, warnings grew of ethnic cleansing and possible genocide of the Rohingya. No government can claim they didn't know what was going to happen. They knew. They let it happen.
21. The long list of missed opportunities to act began in early 2012 with the suspension of EU sanctions. This move was premature for many reasons, the treatment of the Rohingya being just one of them.
22. A condition of EU sanctions being permanently lifted was an improvement of the situation of the Rohingya. In 2012 there were two waves of violence against the Rohingya displacing 140,000 people. Human Rights Watch concluded human rights violations at this time constituted crimes against humanity and ethnic cleansing. This was obviously a serious deterioration of the situation of the Rohingya, yet the EU went ahead and lifted sanctions in early 2013.
23. In 2012 President Thein Sein requested UN assistance in removing all Rohingya from Burma. He was asking for UN assistance for ethnic cleansing the Rohingya from Burma. Despite this, he continued to be treated as a reformer and continued to receive strong international support.
24. The government of Burma demanded that diplomats stop using the word Rohingya. Despite the denial of Rohingya ethnic identity being a key part of the justification for repression against them, UN agencies in Burma and the European Union backed down and complied.
25. The government of Burma said it would not repeal the 1982 Citizenship Law, but would consider alternative pathways to possible citizenship, even though the proposal would mean Rohingya accepting identity cards which are given to foreigners. The British government and others welcomed this as a 'pathway to citizenship', which it was not, and stopped actively demanding that the 1982 Citizenship Law be changed.
26. The United Nations worked with the government on a national census, for which the British government provided funding of around £10 million. Inclusion of the Rohingya was not made a condition of support. The government of Burma refused to include the Rohingya in the census allowing them to identify as Rohingya. They were excluded but the British government and UN continued to support the census.
27. Severe restrictions were imposed on the delivery of aid to Rohingya in camps for the internally displaced during the attacks in 2012. They became effective prison camps, described by senior United Nations officials as the worst or most squalid they had ever seen. Co-operation, aid and support to the military-backed government was not stopped or threatened to be stopped if these restrictions were not lifted. The restrictions were, in effect, accepted. Raising the issue became a tick box exercise.

28. Conditions were imposed to block Rohingya political parties taking part in the 2015 election, and then most individual Rohingya candidates were blocked from standing. Almost all Rohingya were disenfranchised from being able to vote. The British government and the rest of the international community still gave support to the elections and declared them largely free and fair.
29. When the military launched its offensive against Rohingya in October 2016, forcing more than 100,000 Rohingya to flee, employing mass use of rape and killing civilians, there was no change in the approach by the British government or the European Union. Min Aung Hlaing was invited to speak at a prestigious meeting of EU military heads in Brussels even as his soldiers were raping and killing Rohingya in Rakhine State. Italy, Germany and Austria all subsequently gave him red carpet tours of their countries, including visiting military suppliers. The UK kept providing training.
30. On each occasion a decision appears to have been made to set aside or overlook what was happening to the Rohingya in the context of positive reforms taking place and the 'greater good'. For example, a census could provide significant benefits in terms of allocating government resources and international aid effectively. While the exclusion of the Rohingya was unfortunate, the census served the 'greater good'. The problem is that this was a constant pattern which was interpreted by successive Burmese governments and the military as weakness. Each time they took another step against the Rohingya and the international community backed down, they became emboldened to go further, and then further.
31. This 'greater good' mindset continues even during the current crisis, with demands for action against the Burmese military and pressure on the Burmese government to stop the ethnic cleansing campaign and repression of the Rohingya being met with warnings about the fragile process of transition in Burma and the false bogeyman of a military coup. This is in effect an argument that acting against ethnic cleansing of the Rohingya might put at risk reforms in the country. Taken to its logical conclusion, it is an argument that the Rohingya are expendable for the greater good. It's a continuation of the 'greater good' approach that has brought us to the current crisis.

32. PREVENTION AND PREPARATION

Since the ARSA attacks in October 2016, and the military response to them, it has just been a matter of time before further ARSA attacks prompted a similar military response. It had been widely discussed within the diplomatic and humanitarian aid community in Burma. No-one expected a military response as systematic and on the scale that has happened, but we all knew it was coming.

33. On 21st August 2017, four days before the ethnic cleansing campaign began, Burma Campaign UK published a statement calling on the British government to bring the situation to the UN Security Council calling for urgent action and pressure on the Burmese government and military to halt rising tensions and likely violence.

Hundreds of our supporters emailed the Foreign Secretary calling for him to take this action. He did not.

34. Questions have to be asked as to why so little was done to try to prevent the current violence given that it was so widely predicted and tensions were growing in the previous weeks and months. This also relates to the humanitarian situation as well. It was always likely that tens of thousands of Rohingya would flee to Bangladesh, but there appears to have been little preparation. This failure to prepare for conflict and subsequent displacement and humanitarian crisis in Burma or its neighbours is a consistent problem we have witnessed over the past 25 years.

35. REPATRIATION

Aung San Suu Kyi has been praised for her commitment to repatriation of Rohingya refugees but this praise is premature in the view of Burma Campaign UK.

36. Our main concern lies in the security and human rights of those who return. Rohingya will be returning to a country where they have no rights.
37. The government still does not accept them as belonging in Burma. Even if returned, they are likely to face the verification system under the 1982 Citizenship Law, which has effectively deprived them of citizenship and rendered them stateless. First they are required to accept national registration cards only given to foreigners, before they are then required to go through a process of proving their ancestors were in Burma before 1824. For many, this will be impossible.
38. They are unlikely to be able to return to their own villages, farms and homes, most of which have been destroyed and for many their land is already being allocated to ethnic Rakhine or claimed by the government. Instead they will most likely end up in prison camps branded as 'model villages'. Movement to and from these camps will be severely limited. Farmland and opportunities to trade will be so severely limited as to make it almost impossible to earn a livelihood, and the people within will be impoverished and dependent on aid.
39. Aid to these camps will be severely restricted, as it has been for those in camps since 2012. These restrictions cause loss of life and immense suffering. Health services and education opportunities are severely limited. Those who return will not have the right to vote.
40. Even if the intentions of Aung San Suu Kyi's government were good, for which there is no practical evidence to date, her government is unable to guarantee the safety of those who return. They cannot control police or security forces, who may stand by or even take part in attacks on camps where Rohingya are held. Nor can the government prevent further military attacks aimed at driving the Rohingya in the camps out of Burma again.

41. At the rate of return proposed by the Burmese government of 100-150 refugees returning per day, for the 603,000 refugees arrived since August 25th as of 23 October, if they accepted 100 refugees a day, every day, it would take 16.52 years for them all to return. At 150 a day, it would take 11.01 years. If all 815,000 Rohingya refugees in Bangladesh were included, if they accepted 100 refugees every day, it would take 22.33 years. At 150 a day, it would take 14.88 years.

42. The recommendations of the Kofi Annan chaired Rakhine Advisory Commission are not just a tick box exercise. They require a sea change in attitude which simply does not exist from Aung San Suu Kyi or her government. The Minister in charge of overseeing its implementation has claimed that Rohingya deliberately fled to Bangladesh to make it look like ethnic cleansing was happening.

43. BRITISH GOVERNMENT MUST LEAD IN ACTION, NOT JUST WORDS

The British government has stated that it is leading the world response to the Rohingya crisis. It is true that it has been at the forefront of meetings at the UN Security Council and UN General Assembly. The problem is, it is leading in words but not in action. For example, it is not attempting to build consensus for practical action, such as a UN mandated global arms embargo, which would have a short term political impact and longer term practical impact.

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