



**U.K. Parliament Foreign Affairs Committee Inquiry
Violence in Rakhine State, Myanmar**

Submission by Fortify Rights
October 24, 2017

About Fortify Rights

1. Fortify Rights works to ensure and defend human rights for all. We investigate human rights violations, engage stakeholders, and strengthen initiatives led by human rights defenders, affected communities, and civil society. We believe in the influence of evidence-based research, the power of strategic truth-telling, and the importance of working closely with individuals, communities, and movements pushing for change. We are an independent, nonprofit organization based in Southeast Asia and registered in the United States and Switzerland.
2. Fortify Rights has been collecting information about human rights violations against Rohingya and other ethnic groups in Myanmar for several years. We interview first-hand victims and eyewitnesses directly and corroborate allegations with other supporting evidence, and document human rights violations according to international best practices.

Summary

3. This submission details human rights violations by Myanmar state security forces against Rohingya Muslim civilians in Rakhine State since October 2016. It draws on evidence collected by Fortify Rights in Myanmar and Bangladesh, including interviews with 239 survivors and eyewitnesses.
4. During “clearance operations” by the Myanmar military from October to December 2016, we interviewed 188 survivors and eyewitnesses of human rights violations, including doctors and aid workers.

5. Following the latest outbreak of violence in northern Rakhine State, we spent 9 days on the border in Bangladesh, interviewing 51 Rohingya and Hindu eyewitnesses and survivors from 31 villages in Maungdaw, Buthidaung, and Rathedaung townships. We interviewed Rohingya men and women, aid workers and people trapped in villages, as well as members of ARSA. We've since been collecting information from a range of in-country and external sources, including Rohingya who are in hiding or otherwise trapped in Maungdaw Township.
6. Based on the evidence we've collected, we conclude that state security forces perpetrated atrocity crimes against Rohingya, including crimes against humanity and possibly genocide.
7. We make several recommendations for urgent action, including calling on the United Kingdom (U.K.) to: implement targeted financial sanctions and a travel ban on select military leaders; apply unprecedented leverage on U.N. Security Council members to push for a global arms embargo, targeted sanctions and a referral of the situation to the International Criminal Court; work with other states to consider options for intervention in and additional accountability mechanisms for Rakhine; and hinge the provision of development funds on the cessation of violations.

Human Rights Violations in Rakhine State

8. The most recent violence in Rakhine State broke out following the militant attacks by the Arakan Rohingya Salvation Army (ARSA)—otherwise known as *al-Yaqin*—on 30 police outposts and one army outpost on August 25, 2017. Militants, armed with sticks and knives, killed 12 state security officials. This unleashed a violent and disproportionate response against the civilian population by the Myanmar military and the Myanmar police force, who were accompanied by mobs of civilians armed with swords and some other weapons.
9. Survivors told us that, since August 25, Myanmar security forces killed Rohingya Muslim civilians. They shot, stabbed, slashed, beheaded and beat to death men, women, children and infants, or burned them alive. Some victims' bodies were burned and dumped in mass graves. While real numbers are unknown, the Foreign Minister of Bangladesh recently estimated that more than 3,000 people have been killed.
10. Survivor testimonies indicate Myanmar security forces raped and gang-raped, sexually assaulted, tortured and beat Rohingya Muslims during their operations, and carried out arbitrary arrests and possible enforced disappearances.
11. Survivor testimonies also indicate that Myanmar security forces destroyed civilians' homes and mosques. Recent satellite imagery analyzed by Human Rights Watch indicates that 288 out of 866 Rohingya villages monitored across the three townships were razed partially or entirely. At least 66 of these were destroyed after

the 5th of September, when Aung San Suu Kyi said that clearance operations had ceased.

12. Civilians armed with swords, sticks, and guns worked alongside state security forces, committing killings and carrying out arson attacks.
13. We documented three particularly severe massacres—one in each township—that were carried out by the Myanmar security forces, illustrating these crimes. These findings are not exhaustive.
14. Around 10 a.m. on 27 August, Myanmar army soldiers entered Maung Nu village in Buthidaung township. Some residents fled immediately, but a large number gathered at a large two-story home for safety. Each room was filled with huddled masses of residents: women and girls were downstairs, men and boys upstairs. The Myanmar army took the women and young girls to the house next door and then dragged the men and boys outside, tied their hands behind their backs, covered their eyes with veils taken off the women and proceeded to violently interrogate them. Eventually, soldiers laid the men and boys face down on the ground and executed them by shooting them or slitting their throats. Although we are still working to confirm casualty figures, survivors estimate that at least 150 men and boys ranging from 12 to 90 years old were killed. One survivor of the massacre told us that, while the men and boys were being executed, about 10 Myanmar Army soldiers took three groups of six women at a time into the bushes, where he believes they were raped. These women never returned.
15. On the same day, around the same time, Myanmar army soldiers and armed civilians entered Chut Pyin village in Rathedaung Township. Soldiers burned down homes by shooting rocket-propelled grenades (RPGs) at them, and opened fire on civilians. Armed civilians working in collaboration with the army slashed and stabbed Rohingya residents with knives and long swords. At least two children were beheaded and soldiers corralled a group of men and boys into a thatch-roof hut and set the hut on fire, burning them alive. Survivors estimate the death toll to be more than 200.
16. On 30 August, in a village called Min Gyi—also known as *Tula Toli*—hundreds of Rohingya civilians including children gathered on the banks of the Purma River at the instruction of soldiers who told them they would be safe. Shortly after, soldiers opened fire and almost everyone died. The bodies of victims were placed in piles and burnt. Some children as young as two who were still alive were thrown into the river.
17. These crimes were carried out in a coordinated, seemingly well-planned and systematic fashion, and led to the exodus of 603,000 people—60 percent children—across the border to Bangladesh, according to the U.N. as of October 23, and the

displacement of an unknown number of others within Rakhine. The numbers are increasing daily.

18. This portrays a pattern not new to northern Rakhine. Following a smaller scale attack by Rohingya militants on three police outposts in October 2016, the Myanmar army and other state security officials carried out a brutal attack on Rohingya Muslims. We spoke to 188 people, mostly survivors who fled to Bangladesh, as well as some doctors and aid workers. They told us about the killing of Rohingya Muslims, the rape and gang rape of women and girls, and other crimes including torture, the razing of villages, and massive forced displacements, during attacks on at least 42 villages in Maungdaw Township between October and December 2016. At that time, up to 90,000 fled across the border.
19. In the latest round of attacks, Myanmar security forces are not the only ones committing crimes. ARSA also killed, threatened and beat local Rohingya residents, and restricted their freedom of movement, sometimes in an attempt to conscript men and boys. There are also reports that ARSA members killed Hindus. We are working to investigate these allegations.
20. The situation in Rakhine now is dire. Attacks including killings and arson, although more sporadic, continue. The Government has denied humanitarian access to affected areas, which has almost certainly led to the loss of life as well as ongoing forced displacement. Humanitarian access is limited to 38 internment camps in eight other Rakhine townships, where the government confines more than 120,000 Rohingya who survived similar attacks in 2012. Their movement and basic freedoms are severely restricted.
21. The government is proposing the construction of “repatriation camps” near the Bangladesh border in Maungdaw Township and are asking the U.N. and aid groups for financial and material support. States and aid groups should not be fooled into thinking this would constitute repatriation and resettlement—based on the authorities’ treatment of more than 120,000 Rohingya confined to 38 other internment camps in other parts of Rakhine State, this latest initiative will almost certainly mean confinement in squalid conditions.
22. The Government is also now forcing Rohingya to participate in the National Verification Card process in Maungdaw, a coercive process that essentially requires residents to disavow their ethnic identity in exchange for an as yet unknown status. Many people are fleeing, fearing the authorities are using the process to erase their history of residency and rightful claim to citizenship.
23. The systematic and widespread nature of the crimes no doubt demonstrates that crimes against humanity are being committed. The building blocks of genocide are also in place. Based on what we’ve documented, we believe a comprehensive investigation would show that some perpetrators acted with intent to destroy at least a part of the Rohingya group.

Recommendations

24. To date, these crimes have been perpetrated with almost complete impunity. While some steps have been taken by the international community to address the situation, these have been wholly insufficient to ensure the accountability needed to prevent atrocities. The repeated pattern of violence against Rohingya and other ethnic groups in Rakhine is a testament to this.
25. The situation demands the highest levels of attention from the international community, and a swift global response. States have a responsibility to act to prevent further atrocities.
26. The U.K., in particular, should:
 - Extend the European Union's arms embargo on Myanmar to a restriction on all forms of military assistance and put in place targeted financial sanctions and travel bans on military leaders in command of the battalions and divisions involved in committing crimes.
 - Apply unprecedented leverage on U.N. Security Council members to push for a global arms embargo, targeted sanctions and a referral of the situation to the International Criminal Court (ICC).
 - Work with other States to consider options for intervention in Myanmar, including calling for the engagement of a peace-keeping force to protect the population in Myanmar and/or on the border in Bangladesh.
 - Work with other States to consider additional options for accountability in addition to an ICC referral.
 - Urge affected states, the Association of Southeast Asian Nations (ASEAN), the Organization of Islamic Cooperation (OIC), and others with leverage over Myanmar—notably China, Bangladesh and India—to act.
 - Hinge the provision of development funds on the cessation of violations against the Rohingya and a demonstrated commitment to accountability for those that have occurred.
 - Only provide humanitarian assistance to Rohingya in Rakhine where it can be assured such assistance would not be used to further entrench violations against them.
 - Call on Myanmar to cease committing violations, allow the U.N. Fact-Finding Mission and the media unfettered access, allow unimpeded humanitarian access,

ensure accountability for crimes, remedy the systematic discrimination against Rohingya Muslims before taking any steps to repatriate and resettle them, and implement the recommendations made by the Advisory Commission led by Mr. Kofi Annan.

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