



**U.K. Parliament International Development Committee Inquiry
into the work of the Department for International Development (DFID)
in Bangladesh, Myanmar, and on the Rohingya Crisis**

Submission by Fortify Rights
November 6, 2017

About Fortify Rights

1. Fortify Rights works to ensure and defend human rights for all. We investigate human rights violations, engage policy-makers on solutions, 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 Muslims 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. We also work closely with human rights defenders, community-based organizations, and affected communities to strengthen collective responses to human rights violations.

Summary

3. This submission details human rights violations by Myanmar state security forces against Rohingya Muslim civilians in Rakhine State since October 2016, drawing on evidence collected by Fortify Rights in Myanmar and Bangladesh, including interviews with more than 240 survivors and eyewitnesses of human rights violations. This submission comments on the catalyst for the recent mass migration

of Rohingya from Myanmar to Bangladesh, the scale and scope of the current crisis, and the Myanmar Government's current position with respect to repatriation of the Rohingya.

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 and more than 100 Rohingya women.
5. Immediately 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 subsequently interviewed additional survivors and eyewitnesses and, at the time of writing, our documentation continues. We interviewed Rohingya men and women, aid workers, people trapped in villages, and members and former members of the Rohingya armed group, the Arakan Rohingya Salvation Army (ARSA).
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. The scale of the current humanitarian crisis in Bangladesh is almost without precedent. More than 600,000 Rohingya were forcibly displaced to Bangladesh since August 25, joining approximately 90,000 other Rohingya forcibly displaced by Myanmar Army-led attacks against them in 2016. Thousands continue to arrive weekly. The Myanmar Government has committed to repatriating Rohingya who can prove their prior residence in Myanmar; however, the authorities' actions, including their recent confiscation of vacated Rohingya land and crops and the proposed construction of "repatriation" camps, elicits reasonable concerns that any Rohingya who are repatriated would be subject to further rights violations and potentially interned in camps.
8. We make several recommendations for urgent action, including calling on the United Kingdom to:
 - Implement targeted financial sanctions and a travel ban on select, responsible military leaders;
 - Apply leverage on United Nations Security Council members to push for a global arms embargo, targeted sanctions, and a referral of the situation to the International Criminal Court; and
 - Work with other states to consider options for intervention in and additional accountability mechanisms for Rakhine.

Human Rights Violations in Rakhine State

9. The most recent violence in Rakhine State broke out following militant attacks by 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. Civilians armed with swords, sticks, and guns worked alongside state security forces, committing killings and carrying out arson attacks.

10. 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. We believe death tolls are much higher than public estimates indicate.
11. Survivor testimonies indicate that 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.
12. 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 September 5, when Aung San Suu Kyi said that the clearance operations had ceased.
13. We documented three massacres—one in each township—that were carried out by the Myanmar security forces, illustrating these crimes. These findings are not exhaustive.
14. We documented a massacre in Maung Nu village, Buthidaung Township that took place on August 27. At 10 a.m., Myanmar army soldiers entered the village. Some residents fled immediately, but a large number gathered at a large, two-story home. Women and girls huddled in downstairs rooms, and men and boys gathered upstairs. The Myanmar Army took the women and girls to the house next door, 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 beat and interrogate them. Soldiers then laid the men and boys face down on the ground and executed them by shooting them or slitting their throats.
15. Survivors estimate that the soldiers killed at least 150 men and boys, ranging from 12 to 90 years old, in Maung Nu village. One survivor of the massacre told us that, while the soldiers executed the men and boys, about 10 soldiers took three groups of women, six at a time, into the bushes. These women were not seen again.
16. We documented another massacre that took place on the same day and around the same time in Chut Pyin village in Rathedaung Township. After entering the village, soldiers burned down homes by using rocket-propelled grenades (RPGs) and opened fire on civilians. Armed civilians working in collaboration with the army slashed and stabbed Rohingya residents with knives and long swords. Soldiers

reportedly also beheaded at least two children, and corralled a group of men and boys into a thatch-roof hut, setting it on fire and burning the men and boys alive. Survivors estimate the death toll in Chut Pyin village to be more than 200.

17. We documented a third massacre in a village called Min Gyi—also known as *Tula Toli*—that took place on August 30. At the instruction of soldiers, hundreds of Rohingya civilians, including children, gathered on the banks of the Purma River. Shortly after assuring the gathered Rohingya of their safety, soldiers opened fire on the group, killing almost everyone. Survivors, who watched the massacre and its aftermath from hiding locations, told us how the soldiers placed the bodies of victims in piles and burned them. Soldiers also threw children, some as young as two, into the river.
18. The Myanmar security forces carried out these crimes in a coordinated, seemingly well-planned, and systematic manner. The attack forced 603,000 people—60 percent of whom are children—across the border to Bangladesh, according to the U.N. as of October 23, as well as the displacement of an unknown number of others within Rakhine. The numbers are increasing daily.
19. The August operations followed the same pattern as earlier operations carried out in Maungdaw Township starting in October 2016 when Rohingya militants attacked three police outposts. In response, the Myanmar Army and other state security forces attacked at least 42 villages in Maungdaw Township between October and December 2016. We spoke to 188 people, mostly survivors who fled to Bangladesh, as well as doctors and aid workers. They told us how Myanmar Army soldiers killed Rohingya Muslims, raped and gang raped women and girls, and committed other crimes. At that time, up to 90,000 Rohingya refugees fled across the border into Bangladesh.
20. In the latest round of attacks, ARSA members also killed, threatened, and beat Rohingya residents. In some cases, ARSA members restricted the freedom of movement of Rohingya civilians in an attempt to conscript men and boys into ARSA forces. There are also reports that ARSA members killed Hindus. We are working to investigate these allegations.
21. The Myanmar security forces committed these attacks against the Rohingya against the backdrop of decades of systematic discrimination against the Rohingya population in Myanmar. Myanmar authorities have denied Rohingya citizenship and enforced severe restrictions on Rohingya movement, marriages, births, reparation of homes, and other aspects of daily life. We documented these restrictions in a Fortify Rights report published in March 2014 titled [*Policies of Persecution: Ending Abusive State Practices Against Rohingya Muslims in Myanmar*](#).

Humanitarian situation and repatriation

22. The situation in Rakhine now is dire. Attacks, including killings and arson, although more sporadic, continue. The Myanmar Government continues to deny unfettered humanitarian access to affected areas, which has almost certainly led to the loss of life as well as ongoing forced displacement. The authorities have also imposed restrictions on humanitarian access to 38 internment camps in eight other Rakhine townships, where the government confines more than 120,000 Rohingya displaced during violence in 2012. Their movement and basic freedoms are severely restricted.
23. The government is proposing the construction of “repatriation camps” near the Bangladesh border in Maungdaw Township and is 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. If the authorities’ treatment of more than 120,000 Rohingya confined to 38 other internment camps in other parts of Rakhine State is any indication, this latest initiative will mean indefinite confinement in squalid conditions with restricted access to critical humanitarian aid.
24. The government is also now forcing Rohingya in Maungdaw Township to participate in the National Verification Card process, a coercive process that essentially requires residents to disavow their ethnic identity in exchange for an, as of yet, unknown legal status.

Recommendations

25. Our documentation indicates that members of the Myanmar state security forces committed crimes against humanity during the widespread and systematic attack on the Rohingya civilian population in northern Rakhine State. The building blocks of genocide are also in place.
26. To date, Myanmar security forces have perpetrated these crimes with almost complete impunity. States have a responsibility to act to prevent further atrocities. While the international community has taken some steps to address the situation, further action is necessary to ensure the accountability needed to prevent atrocities. The situation demands the highest levels of attention from the international community and a swift global response.
27. The U.K., in particular, should:
 - Call on Myanmar’s civilian and military leadership to:
 - End the attack on Rohingya civilians in northern Rakhine State;
 - Immediately allow free and unfettered access for humanitarian aid organizations, journalists, and human rights monitors to all areas of Rakhine State; and
 - Cooperate with international efforts, including the Fact-Finding Mission mandated by the United Nations Human Rights Council.

- Implement an arms embargo, restrict all forms of military assistance, put in place targeted financial sanctions, and issue a travel ban on military leaders in command of the battalions and divisions involved in committing crimes.
- Apply 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 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 South East Asian Nations (ASEAN), the Organization of Islamic Cooperation (OIC), and others, including China, Bangladesh, and India, to act.
- Redouble funding to support independent human rights and humanitarian organizations working to address priority concerns in Rakhine State and Bangladesh.
- Abstain from providing any financial or material support that could be directed to the construction of new internment camps in Rakhine State and ensure that humanitarian assistance is only provided where it will not be used to further entrench violations against the Rohingya population.

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