

MYANMAR: About the Rohingya crisis

Paper presented by HRWF at a conference on "Rohingya refugees in Bangladesh" at the European Parliament.

By Hans Noot, *Human Rights Without Frontiers*

HRWF (08.11.2019) – Freedom of Religion or Belief has been legally guaranteed by most nations. However, it's rare for these legal protections to be fully implemented or complied with. Increasingly, converting or changing religions, sharing religious or non-religious beliefs, and being a member of a religious community that is not mainstream is resulting in workplace discrimination and unemployment. Moreover, legal remedies are often not accessible or effective when people are harassed by fellow citizens or local magistrates on the basis of their ethnicity, tradition, or religious affiliation. In extreme cases, States themselves structurally sponsor discrimination or commit genocide against certain religious or ethnic groups.

One such case is that of the Rohingya in Myanmar (Burma). Since the 1960s, more than a million Muslims living in Myanmar have fled to neighbouring countries. Over the past few years alone, 200 thousand Rohingyas fled to Saudi Arabia; 10 thousand to the United Arab Emirates; 350 thousand to Pakistan; 40 thousand to India; 5 thousand to Thailand; 150 thousand to Malaysia; 100 to Indonesia; and 890 thousand to Bangladesh, which greatly overstretched the country's already insufficient resources. This has been described as the world's

fastest growing refugee crisis. Half a million of Rohingya are currently living in makeshift camps with inadequate facilities, meager food, and a bare minimum of medical assistance.

The latest outburst of atrocities began in August 2017 when local Buddhist extremists in Rakhine province, supported by the military, began what the then-UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein described as a "textbook example of ethnic cleansing". There was looting, burning shops and villages, torture, arbitrary detentions, forced labor, forcible recruitment, extortion, gang rapes, trafficking, beatings, and mass killings with an estimated 36 thousand people literally thrown into fire. More than 43 thousand Rohingya parents have been reported lost since then, and are presumed dead.

State-sanctioned discrimination began in 1982 with the so-called Burma Citizenship Law. This law denies people of Rohingya ethnicity, the majority of Myanmar's Indian and Chinese population, and other so called "Bengali", their legal status at citizens which is a fundamental human right. For the Rohingya, this is particularly illogical as they have lived in Myanmar for centuries. This citizenship law renders them stateless and thus refugees within their own country of birth. The consequences of this law is that they are severely restricted from accessing basic human rights. Without citizenship, it is nearly impossible to study, work, travel, marry, practice Islam, access health services, vote, practice medicine or law, or run for office in Myanmar. They have no National Registration Cards, nor ID numbers, which deprives them of the ability to buy or sell goods and services.

Freedom of movement, too, is a fundamental human right. However, Rohingya are not allowed to leave their village to find work, trade, fish, attend the funeral of a relative, or even visit a doctor without permission from military officials which is often at the cost of steep bribes. They are disproportionately over-taxed on their belongings and anything they catch, produce, buy or sell. This includes taxes for the birth of a child or the death of a family member. Such discrimination and restrictions make them vulnerable to confiscation of land, extortion, theft, rape, torture, arson, displacement, and even murder, without avenues for retribution. Additionally, Myanmar has been using forced labor to build the infrastructure of the North Arkan state, and specifically targets the Rohingya population for this. Many thousands of those workers have died of malnutrition. According to Amnesty International, sixty percent of the 650 thousand that fled the Rakhine State recently are school aged children, many of them without living parents.

The Myanmar government has denied both the severity of the situation as well as its contribution to it. The army chief told Pope Francis in November 2017 that there was “no discrimination in this country”, and praised the military for maintaining peace and stability. Surprisingly, the country’s de facto civilian leader and Nobel Peace Prize laureate Aung San Suu Kyi, declined to discuss the plight of the Rohingya and instead blamed the whole matter on a “huge iceberg of misinformation”. Simultaneously, in January 2018, the government proposed that tens of thousands of Rohingya should be “forcefully relocated” to the uninhabitable island of Thengar Char in the Bay of Bengal. This proposal is illogical and concerning since this island floods each year during the monsoon season.

Putting aside accusations of government complicity in ethnic cleansing, there are many questions regarding underlying issues within this current human rights crisis. Why would Myanmar deny millions of their own people the right of citizenship and other basic human rights? How does the government explain the large numbers of men, women and children who risk their lives on hazardous roads with landmines laid by the military, or on the treacherous waters of the Bay of Bengal and the Andaman Sea, just to escape? Why does the international community seem relatively powerless when it concerns ethnic cleansing, a severe crime against humanity? Where are the trials that the UNHCR High Commissioner has called for to bring justice to the generals responsible for alleged acts of genocide? Why are journalists and aid workers not allowed to enter the Rakhine state? Why are UN investigators denied visas to investigate the violence there? Where is the outcry and media campaigns in the West that makes the general public aware of these atrocities? Many are unaware of the Rohingya crisis and most people are deeply shocked to hear the extent of the atrocities that have occurred.

That being said, it is important to point out the enormous sums of money donated by various UN agencies, the EU, the USA, and some States, as well as the efforts of neighboring countries such as Bangladesh, India, and Pakistan in receiving the influx of Rohingya. Despite official denial of the government that there is a crisis, the Myanmar government responded across Ministries and agencies by designating land for the Rohingya, coordinating relief, and allowing private individuals to donate. As a result of international cooperation, almost 100 thousand people have been treated for malnutrition, and hundreds of thousands of children have been vaccinated for diphtheria, tetanus and whooping cough. Meanwhile, the US House of Representatives has exerted great

political pressure, declaring the crisis in Myanmar as a genocide. The EU Parliament has raised concerns with its resolution 2576 of 14 June 2018, and some Fact Finding Missions have been conducted.

However, more action is needed such as: the lifting of limitations for journalists and other monitors; large scale media attention to raise awareness; supplies, such as food and clean water, feminine hygiene products, and cooking utensils; maternity care, cyclone resistant shelters, sanitation facilities; basic medicine and hospital facilities to treat and avoid measles, diarrhea, and cholera. Schooling is needed for the estimated 300 thousand children who were displaced. Additional immediate assistance should include financial support to help rebuild homes, and coordination with neighboring countries to combat the trafficking of Rohingya women. Lastly, Bangladesh, which has taken in the highest number of Rohingya refugees, needs more assistance from the international community.

Creating stability and sustainable peace in Myanmar must go beyond these short-term measures. The Rohingya population urgently need to receive legal recognition. This would allow them to settle permanently and enter the formal labour market, which would boost the economy, something that is sorely needed. Additionally, the Myanmar government would legitimise its authority over the Rankine and other states where the Rohingya outcasts settled centuries ago. Another long-term action would be investigating Myanmar's top military brass, including General Ming Aung Hliang, for genocide, crimes against humanity, and war crimes. Furthermore, the government needs an overhaul with the aim of creating a political climate that respects human rights. Stockholm needs to re-think their refusal to strip certain laureates of the Nobel Prize such as

Myanmar's Aung San Suu Kiy unless it is willing to risk losing its credibility.

The crisis and suffering in Myanmar highlight the need for a regional commission that would be organised at the top level and have a clear and strong mandate to act, facilitate, coordinate, and inform regarding the Rohingya crisis. This proposed regional commission would consist of government representatives from the neighboring countries and would need the backing of global powers such as the UN, EU, USA, and the OSCE. It would create pressure on Myanmar to adhere to international law and would design and help implement a long-term road map to resolve the issue.

The Rohingya are known as “the world’s most persecuted minority”, and have been subjected to crimes against humanity at appalling levels. Every nation, aid organization, religious community, and human being should be alarmed by this situation and take action. The Rohingya need to be given their home back in a situation that guarantees their long-term safety and be given ample opportunity to thrive. While this may not be the first case of structural and severe mass suffering, we must strive that it be the last. We fail all of humankind when we do not act to uphold human dignity.

Pope Francis in Myanmar: To

say or not to say 'Rohingya'

HRWF (30.11.2017) – Pope Francis received a special plea this month in the Vatican from Cardinal Charles Maung Bo of Myanmar, the overwhelmingly Buddhist nation where the pope has just made a politically very perilous visit: **Don't say "Rohingya."**

The international media has diversely covered his silence.

Pope Francis meets Suu Kyi in Myanmar, avoids mention of Rohingya

By Claudio Lavanga and Alastair Jamieson

NAYPYITAW, Myanmar (28.11.2017) – <http://nbcnews.to/2jw0vlo> – Pope Francis met with Myanmar leader and Nobel laureate Aung San Suu Kyi Tuesday, but avoided any public mention of the country's Muslim Rohingya minority who the U.S. says are being subjected to "ethnic cleansing."

Francis spent his first full day in the Buddhist-majority country meeting its civilian leader, a day after hosting the military general in charge of the mission to drive Rohingya from the northern Rakhine state.

In a speech, he said Myanmar's future depended on respecting the rights of all ethnic groups – a veiled reference to the crackdown that has sent more than 620,000 Rohingya into neighboring Bangladesh from where they have reported entire villages were burned and looted, and women and girls were raped.

He previously has prayed for "our Rohingya brothers and sisters," lamented their suffering and called for them to enjoy full rights, but the term "Rohingya" is avoided inside Myanmar because the ethnic group is not a recognized minority.

Several high-profile figures, including former U.N. Secretary

General Kofi Annan and Myanmar Cardinal Charles Maung Bo, urged Francis not to utter the term, fearing a potential blow against Myanmar's tiny Catholic community.

The pope said Myanmar's future "must be peace, a peace based on respect for the dignity and rights of each member of society, respect for each ethnic group and its identity."

He also called for a "democratic order that enables each individual and every group – none excluded – to offer its legitimate contribution to the common good."

Human Rights Watch expressed dismay after the speech, saying the treatment of Rohingya was part of a pattern of "shameless religious discrimination against minority religions like Christianity and Islam" in the country.

"The pope missed an important opportunity to tell Myanmar that every group has the right to self-identify, and to publicly refute the unconscionable pressure by Aung San Suu Kyi and the Myanmar military to deny the Rohingya their identity," said Phil Robertson, the group's Deputy Director, Asia Division.

Earlier, the pope met the commander responsible for the crackdown, Gen. Min Aung Hlaing.

The Vatican didn't provide details of the contents of the 15-minute "courtesy visit," except to say that "they spoke of the great responsibility of the authorities of the country in this moment of transition" and that the pair exchanged gifts.

Rohingya Muslims have long faced state-supported discrimination in Myanmar, and were stripped of citizenship in 1982, denying them almost all rights and rendering them stateless. They cannot travel freely, practice their religion, or work as teachers or doctors, and they have little access to medical care, food or education.

Myanmar's army denies accusations of rape, torture, murder and

forced displacement.

The latest violence erupted in August, when Myanmar security forces responded to militant attacks with a scorched-earth campaign that has sent many Rohingya fleeing to Bangladesh, where the pope will also visit on his trip.

In 2015, Pope Francis angered Turkey when he used the word “genocide” to describe the World War I mass killings of Armenians by Ottoman Turks. The Turkish government, which denies that the deaths constituted a genocide, recalled its ambassador to the Vatican in protest.

HRWF Footnote

Coverage of the Pope’s visit in Myanmar and the Rohingya issue:

Pope Francis’ Dilemma in Myanmar: Whether to Say ‘Rohingya’

<https://www.nytimes.com/2017/11/26/world/asia/pope-francis-myanmar-rohingya.html>

Pope’s Myanmar speech to avoid reference to Rohingya

<http://www.bbc.com/news/world-asia-42152146>

Pope fails to mention Rohingya in Myanmar speech

<https://www.theguardian.com/world/2017/nov/28/pope-francis-to-meet-aung-san-suu-kyi-on-first-full-day-in-myanmar>

Pope Francis avoids mention of Rohingya in Myanmar speech

<http://edition.cnn.com/2017/11/28/asia/pope-speech-rohingya-myanmar/index.html>

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INDIA: Uncertain fate for Rohingya Hindus in India

HRWF (13.10.2017) – Amongst the Rohingya Muslims fleeing ethnic cleansing in Myanmar, are Hindus, a religious minority that also has a long history in the country. Many Hindus have escaped to neighbouring Bangladesh and India. The majority of the persecuted communities have fled to Bangladesh, creating makeshift refugee camps.

In India, refugee Hindus are in a precarious situation. The Indian Supreme Court is currently debating the deportation of some 40,000 Rohingya Muslims from India. However, the Vishwa Hindu Parishad (VHP) party has requested that the government protect the Rohingya Hindus seeking asylum.

In the previous months, the government has made policy changes to make the citizenship process easier for religious

minorities from Bangladesh and Pakistan, including Hindus, Buddhists, and Christians amongst others.

Despite this previous support, the uncertainty of their fate remains as government officials share varying viewpoints on the situation of Rohingya Hindus. One anonymous senior home ministry official in New Delhi told NDTV:

“At this juncture we have no SOS calls from Hindus... Also, the Supreme Court is yet to decide whether India should deport Rohingya Muslims or not. The matter is sub-judice and any policy decision will be taken only after the court’s order”

As Rohingya Hindus wait in limbo for the Supreme Court decision, the VHP is continuing efforts to advocate for their asylum in India. The VHP is expected to meet with the foreign ministers and high commissioners of Bangladesh and Myanmar to ensure the safety of Rohingya Hindus in the Rakhine state.

Sources:

<https://www.ndtv.com/india-news/vhp-seeks-safety-of-rohingya-hindus-in-bangladesh-myanmar-1756054>

<https://www.ndtv.com/world-news/as-rohingya-muslims-face-uncertainty-myanmar-hindus-see-hope-in-india-1752903>

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MYANMAR: Rohingya Muslims flee as more than 2,600 houses burned in Myanmar's Rakhine

Reuters (02.09.2017) – <https://yhoo.it/2eL2Qqp> – More than 2,600 houses have been burned down in Rohingya-majority areas of Myanmar's northwest in the last week, the government said on Saturday, in one of the deadliest bouts of violence involving the Muslim minority in decades.

About 58,600 Rohingya have fled into neighbouring Bangladesh from Myanmar, according to U.N. refugee agency UNHCR, as aid workers there struggle to cope.

Myanmar officials blamed the Arakan Rohingya Salvation Army (ARSA) for the burning of the homes. The group claimed responsibility for coordinated attacks on security posts last week that prompted clashes and a large army counter-offensive.

But Rohingya fleeing to Bangladesh say a campaign of arson and killings by the Myanmar army is aimed at trying to force them out.

The treatment of Myanmar's roughly 1.1 million Rohingya is the biggest challenge facing leader Aung San Suu Kyi, accused by Western critics of not speaking out for the Muslim minority that has long complained of persecution.

Former colonial power Britain said on Saturday it hoped Suu Kyi would use her "remarkable qualities" to end the violence.

"Aung San Suu Kyi is rightly regarded as one of the most inspiring figures of our age, but the treatment of the Rohingya is, alas, besmirching the reputation of Burma," foreign minister Boris Johnson said in a statement.

The clashes and army crackdown have killed nearly 400 people and more than 11,700 "ethnic residents" have been evacuated from the area, the government said, referring to the non-Muslim residents.

It marks a dramatic escalation of a conflict that has simmered since October, when a smaller Rohingya attack on security posts prompted a military response dogged by allegations of rights abuses.

"A total of 2,625 houses from Kotankauk, Myinlut and Kyikanpyin villages and two wards in Maungtaw were burned down by the ARSA extremist terrorists," the state-run Global New Light of Myanmar said. The group has been declared a terrorist organisation by the government.

But Human Rights Watch, which analysed satellite imagery and

accounts from Rohingya fleeing to Bangladesh, said the Myanmar security forces deliberately set the fires."New satellite imagery shows the total destruction of a Muslim village, and prompts serious concerns that the level of devastation in northern Rakhine state may be far worse than originally thought," said the group's deputy Asia director, Phil Robertson.

Full capacity

Near the Naf river separating Myanmar and Bangladesh, new arrivals in Bangladesh carrying their belongings in sacks set up crude tents or tried to squeeze into available shelters or homes of locals.

"The existing camps are near full capacity and numbers are swelling fast. In the coming days there needs to be more space," said UNHCR regional spokeswoman Vivian Tan, adding more refugees were expected.

The Rohingya are denied citizenship in Myanmar and regarded as illegal immigrants, despite claiming roots that date back centuries. Bangladesh is also growing increasingly hostile to Rohingya, more than 400,000 of whom live in the poor South Asian country after fleeing Myanmar since the early 1990s.

Jalal Ahmed, 60, who arrived in Bangladesh on Friday with a group of about 3,000 after walking from Kyikanpyin for almost a week, said he believed the Rohingya were being pushed out of Myanmar.

"The military came with 200 people to the village and started fires...All the houses in my village are already destroyed. If we go back there and the army sees us, they will shoot," he said.

Reuters could not independently verify these accounts as access for independent journalists to northern Rakhine has been restricted since security forces locked down the area in October.

Speaking to soldiers, government staff and Rakhine Buddhists affected by the conflict on Friday, army chief Min Aung Hlaing said there is no “oppression or intimidation” against the Muslim minority and “everything is within the framework of the law”.

“The Bengali problem was a long-standing one which has become an unfinished job,” he said, using a term used by many in Myanmar to refer to the Rohingya that suggests they come from Bangladesh.

Many aid programmes running in northern Rakhine prior to the outbreak of violence, including life-saving food assistance by the World Food Programme (WFP), have been suspended since the fighting broke out.

“Food security indicators and child malnutrition rates in Maungdaw were already above emergency thresholds before the violence broke out, and it is likely that they will now deteriorate even further,” said Pierre Peron, spokesman for the U.N. Office for the Coordination of Humanitarian Affairs in Myanmar.

More than 80,000 children may need treatment for malnutrition in northern Rakhine and many of them reported “extreme” food insecurity, WFP said in July.

In Bangladesh, Tan of UNHCR said more shelters and medical care were needed. “There’s a lot of pregnant women and lactating mothers and really young children, some of them born

during the flight. They all need medical attention," she said.

Among new arrivals, 22-year-old Tahara Begum gave birth to her second child in a forest on the way to Bangladesh.

"It was the hardest thing I've ever done," she said.

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MYANMAR: Human Rights Watch accuses Myanmar soldiers of 'systematic' sex abuse of Rohingya

By Esther Htusan

human rights group urged Myanmar's government on Monday to back an independent international investigation into alleged abuses by security forces against members of the Muslim Rohingya ethnic minority, including the reported systematic use of sexual violence.

U.S.-based Human Rights Watch said in a statement that soldiers and Border Guard Police took part in rape, gang rape, invasive body searches and sexual assaults while conducting counter-insurgency operations in the western state of Rakhine from October through mid-December.

The estimated 1 million Rohingya face official and social discrimination in Buddhist-majority Myanmar, also known as Burma. Most do not have citizenship and are regarded as illegal immigrants from Bangladesh, even when their families have lived in Myanmar for generations. Communal violence in 2012 forced many to flee their homes, and more than 100,000 still live in squalid refugee camps.

"The sexual violence did not appear to be random or opportunistic, but part of a co-ordinated and systematic attack against Rohingya, in part because of their ethnicity and religion," Human Rights Watch said.

"These horrific attacks on Rohingya women and girls by security forces add a new and brutal chapter to the Burmese military's long and sickening history of sexual violence against women," said Priyanka Motaparthy, the group's senior emergencies researcher. "Military and police commanders should

be held responsible for these crimes if they did not do everything in their power to stop them or punish those involved.”

Myanmar’s military has long been accused of human rights abuses against members of the country’s other ethnic minorities, often while conducting counterinsurgency operations.

The United Nations High Commissioner for Human Rights made similar allegations in a detailed report released Friday. Other human rights groups have also criticized the treatment of Rohingya civilians.

The U.N. agency report, based on interviews with more than 200 Rohingya who fled to neighbouring Bangladesh, said the violence against the Rohingya has been widespread and seemingly systematic, involving killings, enforced disappearances, torture, rape and other sexual violence, arbitrary detention and deportation, “indicating the very likely commission of crimes against humanity.”

It said of the 101 women interviewed, “more than half reported having suffered rape or other forms of sexual violence.”

Human Rights Watch said Myanmar authorities “have taken no evident steps to seriously investigate allegations of sexual violence or other abuses reported by non-governmental organizations” and has tried instead to discredit them.

“The government should stop contesting these rape allegations and instead provide survivors with access to necessary support, health care, and other services,” Motaparthi said.

A spokesman for the Myanmar president’s office could not be reached for comment. The government has consistently denied abuses and has blocked independent journalists and aid workers from visiting the military’s operation zone in northern Rakhine.

The government launched what it called “area clearance operations” in northern Rakhine after attacks on border police killed nine officers. It blamed a little-known Muslim insurgent group for the attacks.

Friday’s U.N. human rights report said the military operations launched in October “have likely resulted in several hundred deaths and have led to an estimated 66,000 people fleeing into Bangladesh and 22,000 being internally displaced.”

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