



## **BURMESE ROHINGYA ORGANISATION UK (BROUK)**

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### **Situation Update November 2013**

#### **About the Rohingya**

The Rohingyas are a Muslim minority from Burma. Most live in Rakhine State in western Burma. The majority of people in Rakhine State are ethnic Rakhine Buddhists. During the democratic period following Burma's independence, the Rohingya were accepted as an ethnic group and Rohingya language programmes were broadcast on state radio. Following the military coup in 1962 restrictions were increased against the Rohingya, culminating in the imposition of the 1982 Citizenship Law, which denies Rohingya citizenship, rendering them stateless.

#### **Long-term human rights abuses**

Even by Burmese standards under military rule, the Rohingya suffered particular and severe repression and human rights abuses. A 2010 study by the Irish Centre for Human Rights, supervised by Prof Schabas, concluded that there was evidence that crimes against humanity were being committed against the Rohingya, including forced labour, deportation and forcible transfer, rape and sexual violence, and persecution. Rohingya need permission to marry, move from village to village and around the country, and access to middle and higher level education is severely restricted.

#### **Violence since June 2012**

Following elections in 2010, nationalist Buddhists stepped up activities inciting hatred and violence against Muslims, particularly against the Rohingya. For more than a year, while human rights activists were still being harassed and arrested, those inciting hatred and violence against the Rohingya were allowed to continue unchecked. In June 2012 the increased tensions created by this incitement led to violence and then systematic attacks against the Rohingya. As a result:

- Human Rights Watch has gathered evidence that ethnic cleansing and crimes against humanity have been committed against the Rohingya, and that there is state involvement.
- Thousands of Rohingya have been killed. Mass graves have been used to hide bodies.
- Thousands of Rohingya are missing since the June 2012 violence.
- Thousands of homes have been destroyed, official figures underestimate true numbers.
- Hundreds of women have been raped by security forces and during attacks.
- More than 143,000 people have been forced to flee their homes.
- Rohingya in villages are too afraid to leave because of attacks, face hunger and poverty.
- MSF has described Muslims in Rakhine State as living in Apartheid-like conditions.
- More than a thousand Rohingya have been arrested and torture used against them.
- Aid access to internally displaced people has been restricted and not enough aid is being given.
- At least 20,000 Rohingya have fled Burma by boat and at least 2,000 have drowned while attempting to flee.

#### **Recommendations for action:**

##### **1) An Independent International Investigation**

The commission established by the government of Burma did not address issues of accountability and justice. It is clear that the government of Burma is not willing to conduct a genuine investigation into the cause of the violence, to establish who was responsible for inciting and organising the violence, and to hold those who organised and took part in the attacks to account. An independent international investigation will not only help establish the truth, but also help

prevent further attacks as for the first time those responsible will fear being held accountable. Recommendations can also be made to prevent further violence.

## **2) International observers will improve security situation**

Rohingya in Rakhine State are living in constant fear of attack. An increase in international observers on the ground will help prevent further attacks, and can act as an early warning system if new violent attacks seem imminent. Their mandate should be widened to include making public reports.

## **3) More aid and increased humanitarian access**

Although aid access has improved, there is still not enough aid reaching the people internally displaced by violence. As a result, conditions are dire and unnecessary additional suffering is caused. There needs to be a significant increase in aid to IDPs, in particular medical assistance. Humanitarian aid also needs to be increased to Rohingya villagers who are isolated and unable to leave to trade and buy food because of fear of attack.

## **4) Stop Hate Speech**

Those inciting hatred and violence are well known in Burma, but no action has been taken against them. President Thein Sein has encouraged those inciting violence. He asked the UN for assistance in deporting all Rohingya, giving apparent legitimacy to their view that Rohingya don't belong in Burma. He also publicly defended the anti-Muslim Monk Wirathu. Pressure must be placed on the government to take action against those inciting hatred and violence against Muslims. MPs from the Rakhine Nationalities Development Party, which is linked with incitement and violence, should be refused visas to the USA and ineligible for international training and support.

## **5) Repeal of the 1982 Citizenship Law**

The 1982 Citizenship Laws needs to be repealed or revised. It legally underpins much of the discrimination against the Rohingya. President Thein Sein has repeatedly ruled out changing this law. No further relaxation of sanctions or closer relations with the government of Burma should take place until Thein Sein ensures this law is repealed or reformed. In line with the recommendation of the UN Special Rapporteur on Burma, the new law should be in line with international human rights standards, and not be race based, and; "ensure that all persons in Myanmar have equal access to citizenship and are not discriminated in such access on grounds of ethnicity or religion." The US government should ask the UN Committee on the Rights of the Child to request from Burma information relevant to the implementation of Article 7 of the UN Convention on the Rights of the Child, relating to the 1982 Citizenship Law, to assess if Burma is complying with its treaty obligations.

## **6) Free political prisoners and stop torture**

Information gathered by BROUK, and also by the UN Special Rapporteur on human rights in Burma, details the widespread use of torture against many of the 1,000 plus Rohingya arrested since violence began in June 2012. The Special Rapporteur has said that arrests have been arbitrary and that mass trials which are not fair have taken place. Community leaders appear to have been targeted for arrest, for example Dr Tun Aung.

## **7) Reconciliation between Rohingya and Rakhine**

Burma's political leadership has been unwilling to address issues of communal violence, religious intolerance and hate-speech. We appeal to the US government for advice and support in building a process in Burma whereby we can build communal understanding and tolerance, and respect for each other.