

BANGLADESH: ABUSE OF BURMESE REFUGEES FROM ARAKAN

Introduction

Beginning in late 1991, wide-scale atrocities committed by the Burmese military, including rape, forced labor, and religious persecution, triggered an exodus of ethnic Rohingya Muslims from the northwestern Burmese state of Arakan into Bangladesh.¹ Nearly 240,000 refugees, now housed in 19 camps in and around the Bangladeshi town of Cox's Bazar, face the prospect of possible mass repatriation when the 1993 rainy season ends in October. That repatriation would be cause for concern on two grounds. First, though talks have taken place between Burmese authorities and Mrs. Sadako Ogata, head of the United Nations High Commissioner on Refugees (UNHCR) to allow a UNHCR presence inside Burma, no final agreement has yet been reached, and grave concerns remain about military abuses in Arakan and thus about the safety of repatriated refugees. Second, when mass repatriations took place in 1992, they became the occasion for coercion and physical abuse of refugees by Bangladeshi authorities, raising serious doubts about whether most returned voluntarily.

Asia Watch has not been able to investigate abuses on the Burmese side of the border. But in April 1993, an Asia Watch consultant visited the refugee camps in Bangladesh. He also met in Dhaka with officials in both the Foreign Ministry and the Home Ministry, local government officials in the Cox's Bazar area directly responsible for implementing policy with respect to the Rohingyas, staff members of the UNHCR, foreign government officials, international relief workers, Bangladeshi human rights monitors, and refugees. The Bangladeshi government was cooperative in allowing the mission to take place.

The Asia Watch consultant compiled evidence of verbal, physical and sexual abuse of refugees at the hands of Bangladeshi military and paramilitary forces in charge of the camps. Those abuses indicate the need for international agencies, particularly the UNHCR, to have full access to all camps to interview refugees in confidence about their willingness to return, and for the Bangladeshi authorities

¹ See Asia Watch, "Burma: Rape, Forced Labor and Religious Persecution in Northern Arakan," Vol. 4, No. 13, May 7, 1992, based on interviews conducted in Bangladesh in March, 1992.

to investigate the pattern of abuse against refugees and bring those responsible to justice.

Background

On April 28, 1992 after intensive involvement by Under-Secretary-General of the United Nations for Humanitarian Affairs, Jan Eliasson, Bangladesh and Burma signed a bilateral agreement for the "safe and voluntary" return of the Rohingyas. The agreement provided for UNHCR participation in the repatriation process, but contained no specifics. On May 5, the two governments signed a protocol which made reference to the April 28 agreement, but made no reference to "safe and voluntary" repatriation. According to one source who requested anonymity, the protocol was simply a "pact for picking people up and putting them on the other side."

Both the agreement and the protocol served to undermine what had hitherto been the Burmese argument, that the Rohingyas were not Burmese but illegal immigrants from Bangladesh, and that they therefore had no right to return. A procedure was worked out whereby the Bangladesh government would submit names of potential returnees among the refugees; the latter would not need to submit formal identity documents as proof of their citizenship but could just name their village headman in Arakan. Burmese authorities would check with the headman, and then let the Bangladeshi authorities know which refugees they would accept back. But there were no mechanisms in the agreement to monitor the safety of the refugees on return, and no screening procedures to ensure that return would be voluntary. Human rights groups, including Asia Watch, argued that no refugees should go back until those mechanisms were in place.

The first repatriation was scheduled for May 15, but after widespread protests in the refugee camps and an international outcry over the lack of safeguards, it was repeatedly postponed. Finally, on September 22, 49 refugees² were sent back from Rangikhali transit camp, with UNHCR only informed after the fact by the Bangladeshi government. More protests broke out, which appeared to be both spontaneous and encouraged by the two armed guerrilla organizations, the Rohingya Solidarity Organization (RSO) and the Arakanese Rohingya Islamic Front (ARIF), operating on the border. One, on September 25 in Dhoba Palong camp, left three refugees dead and many others injured; another, the following day in Teknaf, left 10 wounded. Demonstrations in favor of repatriation were staged by local villagers, organized into the Rohingya Repatriation Action Committee, which reportedly had the support of local Bangladeshi officials.

The demonstrations led to an order from authorities in Dhaka that no foreign relief workers would be allowed to speak with the refugees except in the presence of a Bangladeshi official. Security forces undertook an intensive search for weapons in the camps, and an unknown number of refugees were arrested under the Special Powers Act of 1974.

On October 8, the Bangladesh government and UNHCR reached an agreement whereby refugees

² Most press accounts at the time said 47 refugees; a fact sheet issued by the Bangladeshi government said 49.

would be interviewed by UNHCR staff about their willingness to return. They would be interviewed not only after they had arrived in the three transit camps, Rangikhali, Nayapara-2 and Jumma Para, but in the process of moving from the 17 "camps of origin" to the transit centers. As a result, UNHCR personnel were able to interview some of the refugees who returned in the next two groups. On October 12, 63 refugees went back. This time the protests were more violent, and in a clash between Bangladesh security forces and refugees, five refugees were killed and over 100 wounded. On October 31, 104 more Rohingyas returned to Burma. UNHCR maintains that both groups who went back in October did so willingly, although there appears to be some question as to how free refugees felt to speak.

Nevertheless, the protests continued: a little over a week after the October 31 group returned, another clash led to eight refugees killed and over 100 injured. The incident, which the Bangladesh authorities blamed on an attack from the refugee side but which no human rights organization was able to investigate, led to the deployment of police and the paramilitary force, Ansar, in all 19 refugee camps, and the effective closure of the camps to outsiders.

As plans developed in November for a major repatriation, protests broke out again. In the Shailer Dheba camp, eight refugees were killed by security forces on November 9. The government claimed that the clash broke out after security forces went into the camp to rescue a woman who had been seized by Rohingya militants opposed to repatriation.

Then, on November 25, over 900 people were sent back, to an even greater outcry. Again, the Bangladesh government claimed the violence was fuelled by "trouble-makers" who were intimidating refugees who wanted to return. Refugees, on the other hand, claimed the government was arresting people who refused to cooperate with the return. Two men from Dhoa Palong camp, for example, were reportedly arrested for refusing to give a Bangladeshi official a list of 500 "volunteers" for repatriation. The refugees said those who had "volunteered" thus far had either been bribed or forced. They claimed they were being threatened by police, and that every time they spoke to journalists or foreigners, the police came around immediately afterwards, demanding to know what they had said.³ Independent sources told Asia Watch that in five camps, refugee leaders were rounded up and systematically beaten, that ration books were confiscated so that they had no access to food, and that many refugees were simply given the choice of repatriation or prison.

In retrospect, observers traced the beginning of intensified coercion to the November 17 visit to the Cox's Bazar area by Safiur Rahman, the Additional Home Secretary in Dhaka. For about two months after his visit, humanitarian workers in the camps were confronted with daily incidents of physical abuse and threats by police, the Ansar force, and local civilian officials. Abuse included beatings on the soles of the feet, placing wet bags on the heads of refugees to simulate suffocation, forced sitting or standing in one position for hours, and at least one case of rape.

Because of these reports and increasing evidence that the returns were not voluntary, the UNHCR halted its operations after the November 25 repatriation. The pace of forced returns, however, picked up, with 2,881 people being sent back between December 1 and December 20. In a letter to Prime Minister Zia on December 22, Mrs. Ogata complained that some refugees had been subject to coercion

³ Sabir Mustafa, "Sea of Distrust Divides Officials and Rohingyas," *Daily Star* (Dhaka), November 30, 1992, p.1

by Bangladeshi authorities and sent back against their will, and that UNHCR was being denied access to returnees to conduct private interviews. She referred to "strong evidence to suspect refugees are being coerced to return, in some cases, having been physically assaulted, their ration cards confiscated, with several hundred persons detained in jail."

By the end of 1992, some 900 refugees were reported to have been detained. Some had committed acts of violence but many were detained because of their opposition to repatriation. Most, according to one source interviewed by Asia Watch, were arrested under Section 54 of the Penal Code for "suspicious behavior." Others were arrested under the Special Powers Act, which allows for indefinite detention without charge or trial, and the Suppression of Terrorist Activities Ordinance of 1992.

Despite her intervention, over 13,000 more refugees were returned between December 22 and January 15, 1993. On January 15, in the face of international criticism and continuing refusal by the refugees to cooperate, Bangladesh briefly suspended the repatriation. The government also invited Mrs. Ogata to Dhaka to formalize an agreement on UNHCR's role. Meanwhile, repatriation resumed on January 31, when UNHCR was once again allowed to conduct private interviews with returnees -- but only in the transit camps. When the interviews were conducted, it transpired that nearly all the refugees in the transit camps were there against their will. UNHCR intervened again, and the Bangladeshi government finally took steps to curb abuses.

With the reduction of abuse came reduction of repatriation: a total of 750 returned in March 1993 as compared with 4,814 during the month of December 1992. Many of the detained refugees were released (although an estimated 500 remained in detention at the end of March), and relatively few new arrests had taken place when Asia Watch visited in April. Non-governmental organizations, which had experienced obstruction and harassment from the Bangladeshi government from mid-1992 on also saw most restrictions lifted on their activities in April. Despite perceptible improvements over the situation in December-January, however, it was clear abuses continued in the refugee camps through April, as the case studies attached to this report amply document.

In one disturbing development, newly arrived refugees began to be arrested for "loitering." A. Mohammed Noorkari, Assistant Secretary at the Gundhum I refugee camp, told Asia Watch that on March 18, 1993, six Rohingyas were arrested in his camp for "loitering" because they had come to the camp without any identification or "valid papers." On March 19, they were arrested under the Passport Act as "infiltrators." The six were members of a family, a mother and five children. Noorkari explained that these people were not refugees, but were in the camp illegally: "Refugees are people who come when recognized by the government as such. But if you come now you are not a refugee; you are an infiltrator, because you are not recognized by the government." The family is being held at Police Station Naikoncherri, in Bundarban district.

Noorkari said that another family was arrested on March 19, also in Gundhum I and also charged with loitering without identification papers. They had never come to the camp before. They came from the village of Nakayan Buthidaung, Akyab District in Burma. Upon arrest, they were sent to Ukhia Police Station, Cox's Bazar District. Noorkari said he had personally "interrogated" both families and had made the decision to arrest them.

Throughout March and April 1993, negotiations went on between UNHCR and the Bangladesh

government over procedures for "safe and voluntary" repatriation. On May 12, a "memorandum of understanding" was signed by Mrs. Ogata in Dhaka, finally allowing the UNHCR to conduct confidential interviews to ensure that coercion was no longer used. The MOU also gives UNHCR free access to and a presence in all refugee camps in order to carry out their humanitarian mandate. On June 29, UNHCR wrote to Asia Watch noting that the "atrocities against individual cases reported by the Asia Watch mission have been brought to the notice of our Representative in Bangladesh, who is aware of the need for continuing vigilance to avoid any deterioration of the situation the camps." UNHCR also said its office in Cox's Bazar detected a "marked improvement" in the camps since the MOU was signed in May.

The Burmese military junta, the State Law and Order Restoration Council or SLORC, has thus far rejected any international monitoring in Arakan. Prof. Yozo Yokota, Special Rapporteur of the UN Commission on Human Rights for Burma, in his report to the Commission on February 17, 1993, recommended that "...in light of the seriousness of the refugee and repatriation problem, an international human rights monitoring team, in conjunction with the mandate of the Special Rapporteur (should) be allowed access to the border areas...(and) to the sites of repatriation within Myanmar." He suggested it be composed of independent experts and selected representatives of agencies with the appropriate expertise.⁴

Absent such a monitoring team, and without adequate safeguards and international monitoring on the Burma side of the border, it was not surprising that many Rohingya refugees continued to be fearful of going back.

In May 1993, an interagency technical mission led by Michael Priestly, an aide to Under-Secretary-General Jan Eliasson, visited Burma to discuss the possibility of an interagency UN presence in Arakan. On the basis of this mission, Mrs. Ogata visited Burma in a "private capacity" on July 26-31 for high-level talks with government officials. A UNHCR technical mission visited Burma in mid-September for further discussions. If an agreement permitting UNHCR to have a permanent presence in Arakan is signed, the Bangladeshi government would almost certainly increase pressures on the refugees now in Cox's Bazar to return home as quickly as possible. As of August 1993 approximately 33,000 refugees had reportedly returned to Burma, but the vast majority -- approximately 217,000 -- remained in the camps.

The Abuses

The cases described below indicate the gravity of the abuses that were taking place in the camps as late as April 1993. They are taken from interviews conducted by Asia Watch in visits to three camps of origin (Gundhum I, Dechua Palong and Balukhali II) and one transit camp (Jumma Para) in April. We document them here as a reminder of what can be taking place, even as an unacceptable situation is widely held to have "improved." These abuses took place before the UNHCR had access to the "camps of origin", but because they were taking place out of sight, UNHCR officials were, for the most part, unaware that they had occurred. By the terms of the new memorandum of understanding signed in May, UNHCR has full access to those camps, although not a 24-hour presence. Abuses can still occur, and we welcome UNHCR's acknowledgement of the need for vigilance. While fully recognizing the social and

⁴ "Report on the Situation of Human Rights in Myanmar," E/CN.4/1993/37, page 50.

economic burdens that the refugees have placed on the Bangladeshi government, we also reiterate our call to Prime Minister Khaleda Zia to fully investigate these incidents and ensure that those responsible are brought to justice.⁵

It is important to note that high-ranking officials in Dhaka denied that local camp authorities had ever engaged in systematic verbal and physical coercion of the refugees, despite the overwhelming evidence of past abuse. They also insisted -- despite the absence of any independent verification -- that conditions in Arakan have improved in the past year such that any continuing refugee concerns about returning were not legitimate. Finally, government officials suggested that much of the violence in the camps was the product of "terrorist" or "fundamentalist" organizations' pressure on the refugees to remain in Bangladesh. There is no question that Rohingya militants were responsible for some incidents of violence, which, on at least two occasions, may have included murder. But there is also ample evidence to suggest that security forces engaged in a systematic pattern of abuse and torture as a means of coercion, and that they have not been held accountable for their actions.

The U.S. government, which had been publicly critical of Bangladesh's use of coercion, should encourage a full investigation of these reported abuses.⁶ However, a State Department official told Asia Watch that the U.S. had "very little influence" to press for action by Dhaka on these cases and saw no point in focusing on "past abuses" when there had been improvements in camp conditions.

There should also be continuing pressure on Burma for an end to human rights abuses in Arakan and access to the area by international human rights and humanitarian organizations. It is imperative that any final agreement between UNHCR and the Burmese government include provisions for more than a token presence for the international body in Arakan, and that UNHCR personnel be guaranteed freedom of movement and ability to hold confidential interviews with the repatriated refugees.

INDIVIDUAL CASES

M.A. 37, religious teacher

M.A. is a resident of Gundhum I, who originally came from Badana village, Buthidaung, Burma, with five family members. He came because the Burmese military had beaten him and forced him to serve as a porter. M.A. crossed the border at Teknaf, where Government of Bangladesh (GOB) officials found him and sent him to Gundhum. In early April 1993, M.A. was at a mosque about to call people for prayer when two local police officers approached. One asked who he was. M.A. said he was the local imam. One officer then cursed him and kicked him three times.

Shortly afterward, about nine police officers went to the nearby shed of F.K., 35, a widow who had

⁵ On June 10, 1993 Asia Watch wrote to Foreign Minister Rahman and outlined the findings and recommendations of our mission. To date, no response has been received.

⁶ On December 24, 1992, Richard Boucher, U.S. State Department, cited "credible reports" that Bangladesh was coercing Rohingya refugees to return to Burma, and called upon the government to cease this practice and to allow the UNHCR to fulfill its international protection role.

come with seven children to Bangladesh from the village Chingri Phara, Maungdaw in about April 1992. She left Burma because her eldest son, aged 15, was forced to be a porter for the Burmese army. In April 1993, when the police officers came to her shed, they said her son had gone back to Myanmar but had returned. They wanted to know where her son was. She said her son was outside. One of the officers struck her twice with a stick on her lower back. They told her they would come back; she gave one of the officers 100 taka (\$2.50 US)⁷ not to come back, and they did not come back looking for the son after that. (In December 1992 to January 1993 F.K.'s ration book was confiscated and she was told she would be sent back to Myanmar. At that time she paid 70 taka (\$1.75 US) to a local policeman and she was not sent anywhere. She got her ration book back when the UNHCR resumed participation in the interviewing process in late January.)

The day after the April incident, M.A. and the imam went to the Camp in Charge (the highest government official in the camp administration; herein thereafter, the CIC) of Gundhum I to complain about the police beating. The following day, two police officers came to M.A.'s shed and accused him of living on international food, and told him he should go back to Myanmar.

Also in early April 1993, about ten days before the April incident relating to M.A., three policemen came to the Gundhum I shed of M.K., 50, who had come with her husband and four children from village Loundhum, Bolibazar, Maungdaw, Burma. The police asked where her son, F.U., was, but she told them he had run away. The police said they had information that F.U. had gone back to Myanmar and returned illegally to Bangladesh. The police told M.K. to turn over her son. She insisted that he had run away. One of the officers then struck her on the back and arms with a stick. She began to cry. The officers then screamed at her and called her "whore" and "bitch" before leaving the shed.

C. M.S., 28, teacher

A resident of Jumma Para transit camp, he came to Bangladesh with his family and several relatives from village Loudeadhung, Buthidaung, Burma. He and family left Burma when a military camp was established near his house, and he was told by Burmese soldiers that he and his family would have to leave the village. He and family left the house and lived in the jungle for a while; at times he went into the village to construction work on what was formerly his 50 acres of land for the Burmese army. After crossing at Teknaf, he and his family were sent first to Balukhali I camp, then to Dechua Palong II still in March 1992. At DP II, M.S. was beaten by local police and camp officials three times from October 1992 to January 1993, twice in the CIC office and once in his house. On one occasion four to five BDR soldiers beat him with sticks on all parts of his body, and kicked him on and off for about an hour. During each of the three beatings, he was asked, "Do you want to go back or not?" Each time he said he did not want to return.

Frequently, while at Dechua Palong II, police and camp officials would come to his and other families' sheds at night saying that they would have to go to the transit camp. On or about December 25, 1992, the CIC of Dechua Palong II confiscated his ration book; his family received no rations for 15 days, until he agreed to go to the transit camp.

On January 10, 1993, he and his family were sent from Dechua Palong II to Jumma Para transit

⁷ US dollar equivalent is based on an exchange rate of 40 taka to one US dollar.

camp.

On April 19, 1993, he and his wife were beaten. At 2:30 p.m., he was at the nearby medical facility, while his wife and two children were in their shed at Jumma Para. He saw the CIC, several police and local camp officials enter his shed. He came to the shed and saw the CIC order his wife turn over the family sewing machine. She said she would not. The police used bamboo sticks to strike her five or six times on the back. Her husband came inside and started to open the trunk which contained the sewing machine -- to give it to the police -- when the police struck him five times with sticks on the upper back. The husband then turned over the sewing machine. He was later told by the CIC that he could have the sewing machine back upon payment of 1,000 taka. The CIC told him he could also have the sewing machine back if he told the UNHCR that his family would consent to going back to Myanmar.

D.A.S., 25

D. A.S. is a resident of Jumma Para camp. In early 1992, he and four family members left Khumar Khalo village, Buthidaung, Burma, crossed the border at Teknaf and was sent to Dechua Palong II camp. He was sent to Jumma Para camp on January 15, 1993. [He originally left Burma because he had been forced to serve as a porter for the Burmese military more than 200 times for up to 15 days each time, and had been beaten by the Burmese military].

On April 19, 1993, the CIC and a few camp officials went from shed to shed confiscating fishing nets and other personal items. The CIC asked A.S. if he wanted to go back to Myanmar and he said he did not. [In March 1993, A.S. was interviewed by the UNHCR and told them he did not want to return to Burma.] The CIC deleted A.S.'s son's name from the family ration book, so the son could not receive rations. The CIC then struck A.S. six times on the backs of his hands with a bamboo stick.

[During this interview, several persons in the shed with us reported that camp officials had demanded the payment of money if families wanted to avoid arrest of sons who were suspected of involvement in the Rohingya Solidarity Organization. International relief officials confirmed that extortion is widely reported in the camps.]

E.M.H., 50

E. M.H. is a resident of Jumma Para. In early 1992, he came to Bangladesh with his wife and eight children from village Nsekaizdaung, Buthidaung, Burma, when they were told to leave their home by Burmese army soldiers. After crossing the border, then were first sent to Dechua Palong II, where they stayed for 11 months. In December 1992, the CIC of Dechua Palong II told him that his family had to return to Myanmar, and they were sent to Jumma Para transit camp at that time.

In or about February 1993, he was interviewed by the UNHCR at Jumma Para, and he said that he did not want to go back to Burma. That same afternoon, after the UNHCR had left the camp, he was gathered with about 100 other refugees who had all been interviewed that day and expressed their desire not to return. The CIC of Jumma Para, the acting CIC of Dechua Palong II, and two Jumma Para camp officials came by and forced the 100 refugees to sit in a line, one behind the other. Over the next half hour, the officials, together with Ansar (the Paramilitary force), struck each of the persons in the line with bamboo sticks. The Acting CIC of Dechua Palong II and several *Ansar* police then took M. Hossain and 13 other refugees and put them into two vans. While they were waiting in the vans in Jumma

Para, M.H. saw other camp officials line up the 90 or so remaining refugees into three lines. Camp officials screamed at the 90 or so refugees to place their hands on their ears and to say that they wanted to go back to Myanmar. The refugees yelled again and again together, "We will go back," "We will go back." When one of the refugees stopped yelling, an official would come over and hit him with a bamboo stick. Altogether, six of the camp officials had sticks. Members of the local population were there as well. The refugees continued yelling their desire to go back for about 10 minutes, before M.H.'s van drove away from Jumma Para.

The van drove to Dechua Palong II, where M.H. and the other 13 refugees were made to sit down in two lines. The camp officials forced the refugees to lean their heads forward as far as they could. Then the officials beat the refugees with bamboo sticks on the arms and back for about a half hour. Two refugees had their arms broken. Later that night, M.H. and the 13 other refugees were sent back to Jumma Para. One or two days later, the CIC of Jumma Para told M.H. and others that if they reported to foreigners what had happened, they would be sent to jail.

Incident at Gundhum I Camp

On April 21, 1993, the Asia Watch consultant and UNHCR staff arrived at Gundhum I camp. As their van pulled up alongside the shed housing the camp administration, they saw several uniformed Ansar members walking toward the shack. One of the police was holding one end of a thick white rope. In front of the police was a man around whose waist was secured the other portion of the white rope.

As they walked into the camp administration shed, where the CIC, the assistant CIC and other camp officials were seated, Asia Watch and the UNHCR asked what had happened with the man out front. Mr. Noorkari, the Assistant Secretary of the Camp, informed them that he had ordered the arrest of the man out front earlier that morning, because "he was saying loudly that he was not going back to Myanmar, that no one was going back to Myanmar. That is a crime." Another camp official explained, "He was spreading rumors -- rumors that the refugees would not be going back." Noorkari then said that he had ordered the man detained for his "crime," but that he had then decided not to have the police take the man to jail, but rather to release him on the condition that he not "spread" similar "rumors" in the future. But if the "crime" were repeated, Noorkari said, the refugee would be arrested and jailed.

G. K.B., 30

G. K. B. is a resident of Dechua Palong I camp. She came to Bangladesh with her husband and four children from Areahea Phara village, Maungdaw, Burma. The family left Burma because her husband, M.Y., and elder son were being forced to serve as porters for the Burmese military. After crossing at Teknaf, the family was sent to Dechua Palong II camp, where they were for one year.

After four or five months in Dechua Palong II, M.Y. was arrested -- he was accused by police of having a fake ration card. He was jailed for 3 months and 8 days, and was then released. He was never convicted of a crime. He was then sent back to Dechua Palong II (this was in October or November 1992). At some point following M.Y.'s release, the leaders of refugees at Dechua Palong II were called into the CIC office there and told that all the refugees would have to go back to Myanmar. During the same period of time, camp officials sent large numbers of refugees to the transit camps without the refugees' consent.

A month after his release from jail, M.Y. was sent alone to a transit camp. He escaped from a truck which was bringing him to the transit camp and returned to Dechua Palong II. Upon M.Y.'s return to DP II, the entire family agreed to go to a transit camp. They were sent to Nayapara transit camp, where they were for two months. The family had no problems there. After two months, the family (probably just M.Y. - the practice is to interview only the male heads of families, who are presumed to speak for the family as a whole) was interviewed by UNHCR. The family indicated they did not want to return to Burma. They were sent to Dechua Palong I.

On April 14, 1993, K.B. sent her son, aged 15, outside the camp to buy some salt. On his way back from the market, the son was captured by police, beaten and taken to CIC office. After learning that her son was at the CIC office, K.B. went there with the mothers of five other children who were being held. (The Asia Watch consultant saw one of the children -- an eight-year-old girl named T.B., who had two six-inch long black lines on her back running parallel about one inch apart. The girl said the lines came from beatings with bamboo sticks at CIC office on or about April 14). Upon arriving at the CIC office, K.B. saw her son and five other children seated in front of the CIC office, with ten to twelve camp officials and one policeman nearby. Three to four officials were asking the children where they had gone, what and how much they had bought, and so on. After some questioning, the policeman held one child's head to the ground while another child, on the policeman's instructions, struck the first child on the back five or six times with a bamboo stick. This process was repeated with all six children.

After the beatings, K.B. and three other mothers were called inside the CIC office. One of the other mothers -- D.B. -- was asked why she had sent her son out of the camp. She said she needed salt. The CIC struck her with a bamboo stick on her leg. Then the CIC asked K.B. where her husband was. She said her husband was in the camp. A policeman then asked why her son had told them that his father was not here. The police then pushed K.B.'s son's head down, and the CIC struck him once with a bamboo stick. When the CIC asked K.B. why she had sent her son out of the camp, she said she needed salt. The CIC then struck her twice on the legs with a bamboo stick. The children and the mothers were released thereafter.

H. M.A., 30

H. M.A. is a resident of Dechua Palong I. In 1992, he left with his wife and three children from Baelena village, Buthidaung, Burma. He left because he had been beaten when serving as a porter for the Burmese military.

He and family have been living in Dechua Palong I since February 1993. He had been previously in Jumma Para transit camp for about two months. Two days before he left Jumma Para, M.A. was interviewed by UNHCR and said he did not want to go back to Burma. The same afternoon he was interviewed by UNHCR, he was sitting outside the UNHCR tent at Jumma Para camp following his interview. He was with about 150 other refugees. After UNHCR left the camp, CIC and other camp officials approached the refugees and announced that the foreigners had left. "So," the CIC said, "If we beat you, no one will save you." The CIC told the refugees, "When the foreigners come here, you think Allah has come here."

The CIC gathered M.A. and 13 other refugees and pushed them into two camp vans. As he was in one of the vehicles waiting to leave Jumma Para, M.A. saw the other refugees remaining at Jumma Para lined up, shouting, "We'll go back, We'll go back!" Those who did not shout were beaten by camp

officials. M.A. and the 13 others were then taken to Dechua Palong II camp. There he and the 13 others were made to sit in two lines, and place their heads on the ground. As they did so, four camp officials struck the men with sticks all of the body except on the head. The CIC kicked M.A. in the forehead. Camp officials shouted at the refugees, "You refused to go back! If the foreigners feed you, why don't they take you to their country? You cannot stay in this country!"

I.A.A., 39

I. A.A. is a resident of Balukhali II camp, he came to Bangladesh from Singdaung village, Buthidaung, Burma.

On April 20, 1993, at about 5:45 pm, the acting CIC of Balukhali II called a meeting of all majees (local community leaders), about 400, including A.A. The Acting CIC said that if he saw any human excrement near the sheds, he would make the majees eat the excrement. A.A. asked, "If we see anyone leave excrement, should we force him to eat it?" [A.A. explained that people prefer not to travel to the latrines at night.] The Acting CIC struck A.A. once with an iron rod on the right shoulder. A.A. was then made to bend his knees into a sitting position for the rest of the one-hour meeting.

The Acting CIC said that everyone would have to go back to Myanmar and asked all majees who wanted to return to raise their hands. Only one man did so. The Acting CIC said that, if the refugees talked with the UNHCR, they would be shot. While saying this, the Acting CIC raised his hand and pulled his trigger finger as if firing a gun.

I. S.K., 22

J. S.K. is a resident of Balukhali II. She left village Barchara, Maungdaw, Burma in early 1992. She came as a widow -- her husband, a porter for the Burmese army, was taken about six months before she left, after which time she heard that he had died. She came to Bangladesh with two children.

On April 20, 1993 at about 11 am to noon, one camp official -- named Iddris -- came to her shed and entered. The official touched the aluminum roof of her shed and said, "It's not hot, it's cold. If it's not hot, you will not return to Myanmar." Then the official grabbed her breast and said, "You are Urdu but you have a big stomach." S.K. used her arm to push the policeman away. He told her he wanted to have intercourse with her. S.K. said she had come to Bangladesh to save her honor. The official said if she did not have intercourse with him, he would take action against her. Then he left.

The following day, April 21, two policemen came to S.K.'s shed at about 9 or 10 am. She was standing at the entrance when she saw them approach, and she went inside. One of the policemen came inside after her and shouted at her, "Take your knife and cut down the trellis!" Then, as S.K. went to get her knife to comply with that order, the policeman struck her with a stick on the back and then pushed the stick hard against her groin area. S.K. got her knife and started cutting down the trellis in front of her shed. The policeman then began to take firewood from S.K.'s shed. She protested, saying she was a widow. The policeman then asked if she would marry him, and asked how many children she had. She said two. The policeman said he would arrange a man for her.

S.K. still had difficulty walking on April 23 from the pain in her groin area.

K. K.B. (19?)

K. K.B. is a resident of Balukhali II. She came from village Tambezar, Buthidaung, Burma in 1992 with brother and father and sister in law. In Balukhali II for the past month and a half. Previously she was in the Ukhia transit camp for one month.

On April 19, 1993, at about midnight, several policemen and three local villagers (not refugees) came to her shed and called out for her brother, M.K. (20) (who described his own capture). M.K. came out, and two policemen took him to a nearby water pump. He asked what he had done wrong and said he had nothing illegal in his shed. At the water pump he was struck with a wooden stick several times. One policeman took 200 taka from M.K. The police told M.K. that, if he told anyone about this, they would take serious action. Then they released him and he returned to the shed.

After M.K. had been taken away, but before he had come back, three other policemen came into the shed and forcibly took K.B. to the woods near the camp. K.B.'s mother and sister-in-law protested. In the woods, the police grabbed a piece of jewelry from K.B.'s pierced nose, as well as a watch she was wearing on her wrist. Her nose was bleeding. The three policemen then each raped her in succession. Two of the policemen had a knife, which they showed to her while telling her that, if she attempted to resist, they would use the knives against her. K.B. was also told that if she told anyone about the rapes, they would use their knives against her. After raping her, the police left K.B. in the woods. She cried out for help, and her brother rescued her.

L. N.Z., 28 (mother), from village Khar Khali, Maungdaw; S.K., 15 (daughter) (also from Khar Khali); S.K.II, 18 (neighbor) (also from Khar Khali)

They are all residents of Balukhali II. On April 20, 1993, at about 9 - 10 am, the CIC, accompanied by several camp officials and police, came to N.Z.'s shed, and asked to have the family sewing machine. At the time, N.Z., S.K. and S.K.II were inside the house. N.Z. refused to give the sewing machine. The officials shouted at N.Z., calling her names, and hit her once. They asked for her ration book. N.Z. said she would not give it to them. One official called the CIC over. The CIC then grabbed S.K.'s wrist. Another camp official came over and fondled and pinched S.K.'s breasts. The CIC and the other official said that the family ration book was hidden in S.K.'s clothing. The CIC and the other official put their hands inside S.K.'s clothing and touched her all over her body, including her vagina.

The CIC and the other official then tied N.Z.'s arms in front of her, and did the same to S.K. S.K. asked S.K.II to get S.K. another cloth to cover S.K.'s head. When S.K.II came to give S.K. some cloth, one policeman fondled S.K.II's breasts and struck S.K. on the back of the neck with a stick. (S.K. had a two-inch-long scar on the back of her neck when Asia Watch saw her.). The police then brought N.Z. and S.K. to a nearby latrine at the bottom of the hill on which their shed is perched. N.Z. and S.K. were told that, if they did not give up the sewing machine, they would be tortured. N.Z. then said that the sewing machine was in the house of a local villager (not a refugee) who lived next door to N.Z. and S.K. The police then went to the house of the local villager and repeatedly struck the thatched roof with sticks, damaging the roof. The police took the sewing machine from the villager's house.

(In the middle of our interview, a man identified as an Ansar official dressed in civilian clothing came by and, according to persons near the shed where we were conducting the interview, told them, "Well, they're telling everything to the UNHCR -- so I'll come by tonight and get them.")

G.B., 30

G.B. is a resident of Jumma Para. She and her husband, R.A., 35, who owned 28 acres in Burma, came to Bangladesh in January or February 1992. They are not residents of Jumma Para transit camp. They were sent to Haludia Palong for several months until about October 1992, when they were sent to Jumma Para transit camp.

While in Haludia Palong, R.A. was one of the majees. Early in the morning of the day R. and G. were sent from Haludia Palong to Jumma Para, her husband went with four other local leaders to the office of the CIC of HP to lodge a complaint. G. was in her shed later that morning when she was told that her husband and others were being beaten. She went to the CIC office. In the office she saw the CIC, about 20 police officers, her husband and five or six other refugees. All the refugees were seated with their hands tied behind their backs with nylon rope. The police were beating her husband and the others with bamboo sticks. This went on for several hours off and on from mid-afternoon to the early evening. G. and the wives of the other local leaders were at the CIC office during this period of time.

Finally, G. and the other wives told the camp officials that their families would return to Myanmar. At that point, the beating ended, and the five or six families all were sent to Jumma Para at about midnight. (Previously, they had been told by camp officials that they would have to return to Myanmar, but they had refused.)

On April 18, 1993, R. was arrested -- a camp official came to their shed at Jumma Para and took R. to the office of the CIC. G. shortly afterward came to the CIC office where she saw R. seated on the floor of the office. The CIC was beating R. with a bamboo stick for more than one hour on the balls of his feet, the knees, chest and face. There was blood on R.'s face. At one point, the CIC made R. turn over onto his stomach, and the CIC continued to strike with the bamboo stick all over the back of R.'s body. The CIC was yelling at R. that he should go back to Myanmar. Later on, R. was taken to Cox's Bazar jail. He remained under arrest as of April 21, 1993.

Z.H., 20

Z.H. is a resident of Balukhali II camp. In 1992 she came with two children and her mother and brother from a village in Buthidaung, Burma. She had previously been arrested in Burma and spent 18 days in jail before being released four days before crossing the border to Bangladesh. Her husband had been jailed in 1991 for murdering a village leader in Burma who had confiscated the family's property.

She has been in Balukhali II since late February 1993. In mid-March 1993, a police inspector came to her shed and told Z.K. that he wanted to have sex with her. The inspector told her that if she did not have sex with him, he would jail her or deny her food rations. Some time thereafter, Z. was called down to the CIC office by the same police inspector, who repeated his threats. When several other refugees came to the office, Z. was let go. The inspector threatened to shoot Z. if she repeated his threats.

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Asia Watch is an independent organization created in 1985 to monitor and promote internationally recognized human rights in Asia. The Chair is Jack Greenberg, the Vice Chair is Orville Schell. Sidney Jones is Executive Director and Mike Jendrzeczyk is Washington Director.

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