



HUMAN
RIGHTS
WATCH

“All You Can Do is Pray”

Crimes Against Humanity and Ethnic Cleansing
of Rohingya Muslims in Burma’s Arakan State

Summary and Key Recommendations



The riverine Rohingya village of Zailya Para in Minbya Township burns after attacks by Arakanese mobs in October 2012.

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“ALL YOU CAN DO IS PRAY”

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A police officer points his rifle at street level in Sittwe in June 2012. The government claims a total of 211 people died in the June and October violence; Human Rights Watch research indicates far greater loss of life.

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The deadly violence that erupted between ethnic Arakanese Buddhists and Rohingya Muslims in early June 2012 in Burma's Arakan State began as sectarian clashes in four townships. When violence resumed in October, it engulfed nine more townships and became a coordinated campaign to forcibly relocate or remove the state's Muslims.

The October attacks were against Rohingya and Kaman Muslim communities and were organized, incited, and committed by local Arakanese political party operatives, the Buddhist monkhood, and ordinary Arakanese, at times



directly supported by state security forces. Rohingya men, women, and children were killed, some were buried in mass graves, and their villages and neighborhoods were razed. While the state security forces in some instances intervened



to prevent violence and protect fleeing Muslims, more frequently they stood aside during attacks or directly supported the assailants, committing killings and other abuses. In the months since the violence, the Burmese

government of President Thein Sein has taken no serious steps to hold accountable those responsible or to prevent future outbreaks of violence.



A group of Arakanese with weapons approach a Muslim village already in flames. Sittwe Township, Arakan State, June 2012.

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The violence since June displaced at least 125,000 Rohingya and other Muslims, and a smaller number of Arakanese, to internally displaced person (IDP) camps. Many of the displaced Muslims have been living in overcrowded camps that lack adequate food, shelter, water and sanitation, and medical care. Security forces in some areas have provided protection to displaced Muslims, but more typically they have acted as their jailers, preventing access to markets, livelihoods, and humanitarian assistance, for which many are in desperate need.

In the Aung Mingalar area of Sittwe, the Arakan State capital, the government has imposed such severe restrictions on the remaining Muslim residents that they are effectively locked up in their own neighborhood. United Nations officials have been denied access to them.

Human Rights Watch traveled to Arakan State following the waves of violence in June and October, going to the sites of attacks. We also visited every major IDP camp as well as numerous unofficial displacement sites and communities now hosting Muslim displaced persons. This report draws on over 100 interviews conducted during those visits with Rohingya and non-Rohingya Muslims and Arakanese who have suffered or witnessed abuses and been displaced, as well as some organizers and perpetrators of violence. We also spoke with diplomats, United Nations officials, and humanitarian aid workers. Human Rights Watch's focus was on the five townships that experienced the greatest violence and abuses in June and October, where property destruction and



arson were so widespread that the damage was visible in satellite images.

The sectarian violence in June was sparked by the rape and murder on May 28, 2012 of a 28-year-old Arakanese woman by three Muslim men in Ramri Township. On June 3, a large group of Arakanese villagers in Toungop town, southeast of Ramri, stopped a bus and beat and killed ten Muslims who were on board. Violence between Arakanese Buddhists and Rohingya intensified, with mobs on both sides committing killings and arson. Both communities' populations suffered and thousands fled their homes. While the state security forces initially did nothing to halt the violence, they soon joined in with Arakanese mobs to attack and burn Muslim neighborhoods and villages.

The violence in October was clearly much more organized and planned. For months, local Arakanese political party officials and senior Buddhist monks publicly vilified the Rohingya population and described them as a threat to Arakan State. On October 23, thousands of Arakanese men

An overpopulated IDP camp outside Sittwe. Tens of thousands of Rohingya who fled their homes in June 2012 now reside in such camps. The government constructed semi-permanent shelters in some camps, raising concerns about the government's willingness to respect the rights of the displaced persons to return home.

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armed with machetes, swords, homemade guns, Molotov cocktails, and other weapons descended upon and attacked Muslim villages in nine townships throughout the state. State security forces either failed to intervene or participated directly in the violence. In some cases attacks occurred simultaneously in townships separated by considerable distance.

In the deadliest incident, on October 23 at least 70 Rohingya were killed in a massacre in Yan Thei village in Mrauk-U Township. Despite advance warning of the attack,



A group of Rohingya men and boys, arrested and held in Sittwe by the authorities for alleged involvement in violence. Hundreds of Rohingya have been arrested in violent sweeps of Rohingya communities—many have been held incommunicado for months.

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A Rohingya family at the "unregistered" IDP site known as Ohn Taw Gyi, or the "coconut garden," prepares locally gathered plants to eat. They are facing food shortages because the government does not permit humanitarian agencies to deliver aid to thousands of displaced who are not registered in official IDP sites.

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only a small number of riot police, local police, and army soldiers were on duty to provide security. Instead of preventing the attack by the Arakanese mob or escorting the villagers to safety, they assisted the killings by disarming the Rohingya of their sticks and other rudimentary weapons they carried to defend themselves.

"First the soldiers told us, 'Do not do anything, we will protect you, we will save you,' so we trusted them," a 25-year-old survivor told Human Rights Watch. "But later they broke that promise. The Arakanese beat and killed us very easily. The security did not protect us from them."

The violence in Yan Thei began at 6:30 a.m. and lasted all day until army reinforcements arrived and finally intervened at 5 p.m. Included in the death toll were 28 children who were hacked to death, including 13 under age 5.

Satellite images obtained by Human Rights Watch from just 5 of the 13 townships that experienced violence since June 2012 show 27 unique zones of destruction. Images of affected areas in Sittwe, depicting destruction that occurred in June 2012, show 2,558 destroyed structures. Those from 4 of the 9 townships that experienced violence in October show 2,304 destroyed structures. This partial picture of the violence means that at least 4,862 structures were destroyed in Arakan State since June, altogether covering 348 acres of mostly residential property.



CRIMES AGAINST HUMANITY AND ETHNIC CLEANSING

The criminal acts committed against the Rohingya and Kaman Muslim communities in Arakan State beginning in June 2012 amount to crimes against humanity carried out as part of a campaign of ethnic cleansing. Under international law, crimes against humanity are crimes committed as part of a widespread or systematic attack on a civilian population. The attack must be against a specific population and part of a state or organizational policy. Non-state organizations – including political parties and religious bodies – can be responsible for crimes against humanity if they have a sufficient degree of organization.

“Ethnic cleansing,” though not a formal legal term, has been defined as a purposeful policy by an ethnic or religious group to remove by violent and terror-inspiring means the

Two mass graves shown to Human Rights Watch outside Ba Du Ba Rohingya IDP camp, Sittwe. On June 13 the police dumped 18 Rohingya bodies displaying horrific wounds, including one child and some men whose hands and feet were bound. Local residents buried the bodies here.

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civilian population of another ethnic or religious group from certain geographic areas.

United Nations bodies have long acknowledged deportation, forced population transfers, and other abuses against Rohingya in Arakan State. Since the 1990s, UN special rapporteurs have identified these abuses in terms indicating the commission of international crimes, referring to the abuses as “widespread,” “systematic,” and resulting from “state policy.” The events of 2012 provide strong new evidence of such crimes.

The evidence indicates that political and religious leaders in Arakan State planned, organized, and incited attacks against the Rohingya and other Muslims with the intent to drive them from the state or at least relocate them from areas in which they had been residing – particularly from areas shared with the majority Buddhist population. While more moderate voices exist within the political and religious establishment in Arakan State, they were and remain sidelined.

A great deal of local organizing preceded and supported October's violence. Arakanese political parties, monks' associations, and community groups issued numerous anti-Rohingya pamphlets and public statements. Most of the public statements and pamphlets explicitly or implicitly deny the existence of the Rohingya ethnicity, demonize them, and call for their removal from the country, even sometimes using the phrase "ethnic cleansing." The statements frequently were released in connection with organized meetings and in full view of local, state, and national authorities who raised no concerns.

Prior to the October violence, local authorities took various measures that appeared to promote anti-Rohingya hatred and encourage Rohingya to move from their homes. In Pauktaw, for example, local government officials and members of the Rakhine Nationalities Development Party (RNDP) – the dominant ethnic Arakanese party in Arakan State – held several meetings to press Rohingya to leave the area. On October 18, just days before the renewed violence in the state, the All-Arakanese Monks' Solidarity Conference was held in Sittwe. The monks, who hold very high moral authority among the Arakanese Buddhist population, issued a virulently anti-Rohingya statement that urged townships to band together to "help solve" the "problem." According to local Rohingya, the attacks that occurred on October 23 appeared to involve many Arakanese who were not from the immediate area.

Since June, local authorities, politicians, and monks have acted, often through public statements and force, to prevent the Rohingya and Kaman populations in their midst from conducting ordinary day-to-day activities. They have denied Muslims their rights to freedom of movement, opportunities to earn a living, and access to markets and to humanitarian aid. The apparent goal has been to coerce them to abandon their homes and leave the area.

"The RNDP leaders were giving the orders to the people," said a displaced Rohingya man, 27, from Pauktaw. "In one group there were 20 people [Arakanese] and they were ordered to secure the area around our village. If any food entered to the Rohingya part of the village they would stop it."

Crimes against humanity included killings, forcible population transfers and deportation, persecution, and other



violence that were widespread, systematic, and directed at the Muslim population. The many public statements and



Local Arakanese dismantle and loot the site of a destroyed mosque
in Sittwe, June 2012.

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The body of a Rohingya man killed with his hands bound. The body was one of 18 Rohingya corpses, including that of a boy, dumped by police outside Sittwe on June 13. All the bodies showed grievous wounds. Police ordered local residents to bury the bodies in a mass grave that was shown to Human Rights Watch.

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documents from political and religious leaders demonstrated a policy of committing crimes against humanity. The use of terror-inspiring tactics by Arakanese mobs shows intent to commit ethnic cleansing.

Burmese state involvement in the crimes appears to have been both direct and indirect. While much of the violence appears to have been carried out by mobs with weapons, various branches of the state security forces stood by and did nothing to provide security for attacked Muslims and at times participated directly in the atrocities – this includes the local police, Lon Thein riot police, the inter-agency border control force called Nasaka, and the army and navy.

Human Rights Watch found no indications that the Burmese government has seriously investigated or taken legal action against those responsible for planning, organizing, or participating in the violence either in June or October. This absence of accountability lends credence to allegations that this was a government-supported campaign of ethnic cleansing in which crimes against humanity were committed. Security forces have actively impeded accountability and justice by overseeing or ordering the digging of mass graves, or by digging mass graves themselves, in some cases after killings involving state security forces.

For instance, on June 13, a government truck dumped 18 naked and half-clothed bodies near a Rohingya IDP camp outside of Sittwe, which local Rohingya buried in two mass graves. None of the bodies were identified. Local residents took photographs showing some victims who had been “hogtied” with string or plastic strips before being executed. By leaving the bodies near a camp for displaced Rohingya, the soldiers were sending a message – consistent with a policy of ethnic cleansing – that the Rohingya should leave permanently.

“They dropped the bodies right here,” said a Rohingya man, who saw the bodies being dumped and later buried. He told Human Rights Watch: “Three bodies had gunshot wounds. Some had burns, some had stab wounds. One gunshot wound was on the forehead, one on the chest. Two men’s hands were tied at the wrists in front and another one had his arms tied in the back.”

Witnesses also said they saw several Burmese army soldiers digging a large mass grave on June 14, with trucks full of dead bodies, on a road outside a Rohingya IDP camp near Sittwe.

THE HUMANITARIAN CRISIS

Arakan State is now in the midst of a major humanitarian crisis. While the Burmese government has hosted high-profile diplomatic visits to displacement sites in an apparent show of commitment to the needs of those affected by the violence, it has simultaneously obstructed the delivery of humanitarian aid, leading to an unknown number of preventable deaths. Tens of thousands of Rohingya have fled the country by sea with hopes of reaching Bangladesh, Malaysia, or Thailand, and many thousands more appear ready to do the same.

The humanitarian situation in Rohingya IDP sites throughout the state remains dire, even in the larger camps populated by those displaced in June 2012. Tens of thousands of Rohingya are currently not receiving adequate assistance. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), thousands of children are at risk of dying from acute malnutrition, while tens of thousands are without sufficient shelter, food, water, and sanitation.

Nearly every IDP site suffers disturbing inadequacies, though the particulars vary from site to site. Many Muslim IDPs have been living in overcrowded tent camps, others in “semi-permanent” structures, and some have had no shelter or basic aid at all, in full knowledge of the Burmese authorities. Meanwhile, the relatively few sites populated by displaced Arakanese have been well provided for by local and national government programs, and are supported by national TV and radio fundraising drives that secure donations from Burmese society only for displaced Arakanese.

The deep and widespread animosity among the local Arakanese community toward the UN agencies and international organizations providing relief to displaced Muslim populations has provided another serious obstacle to the delivery of humanitarian aid. Arakanese residents and Buddhist monks have protested against international aid for Rohingya, physically blocked aid deliveries, and threatened aid workers. The state security forces have done little to end the obstruction.

The government has also continued to prevent international aid organizations from resuming some programs that existed prior to the onset of the violence in June. This has had a very negative humanitarian impact on the Muslim populations, particularly in the northern part of the state.

The Rohingya: A History of Persecution

Violence between Buddhists and Muslims in Arakan State dates back many decades. The contemporary conflict can be traced at least to the Second World War, when the Rohingya remained loyal to the British colonial rulers, and the Arakanese sided with the invading Japanese. Clashes between Arakanese and Rohingya have occurred ever since. While both populations have faced oppression by successive

Burmese governments after independence in 1948, governments in the predominantly Buddhist country have routinely persecuted and forcibly displaced the Rohingya population, altering the ethnic profile of Arakan State.

In 1978, the Burmese military drove over 200,000 Rohingya out of the country in a bloody rampage of killings, rape, and arson. The military repeated its anti-Rohingya campaign in 1991 with a wave of attacks that forced over 250,000 Rohingya to flee to Bangladesh. Many of those were ultimately forced back to Burma – to northern Arakan State, where the Burmese government has sought to concentrate the Rohingya away from Arakanese-dominated parts of the state, and has subjected them to a battery of restrictive regulations and denial of rights.

Violence against Muslims in the state has continued over the years. In 2001, Arakanese mobs attacked Rohingya in Sittwe, destroying mosques and schools while state security forces stood by and watched.

Central to the persecution of the Rohingya is the 1982 Citizenship Law, which effectively denies Burmese citizenship to Rohingya on discriminatory ethnic grounds. Because the law does not consider the Rohingya to be one of the eight recognized “national races” (along with ethnic Burmans, Arakanese, Karen, and other groups), which would entitle them to citizenship, they must provide “conclusive evidence” that their ancestors settled in Burma before independence in 1948, a difficult if not impossible task for most Rohingya families. Kaman Muslims, as a legally recognized ethnic group, are Burmese citizens.

The government, and Burmese society more broadly, openly considers the Rohingya to be illegal immigrants from what is now Bangladesh and not a distinct “national race” of Burma, denying them consideration for citizenship. Official statements refer to them as “Bengali,” “so-called Rohingya,” or the pejorative “kalar.”

Despite claims that virtually all Rohingya are “Bengali,” most Rohingya in Burma were born in the country, many to families whose lineage goes back several generations. The government has made use of this denial of citizenship to deprive Rohingya of many fundamental rights. Rohingya face restrictions on freedom of movement, education, marriage, and employment – rights that are guaranteed to non-citizens as well as citizens under international law. Various other human rights violations have accompanied the persecution of the Rohingya over the years, including arbitrary detention, forced labor, rape, torture, forcible relocations, and other abuses. While the Burmese government and military has similarly mistreated the Arakanese population over the years, the oppression and abuse of the Rohingya in Arakan State has been particularly severe.

Since the June violence, thousands of Rohingya asylum seekers have attempted to flee from Burma to Bangladesh,

crossing the Naf River or finding alternative routes by sea. The Bangladeshi government closed its borders, forcing asylum seekers back to sea on barely seaworthy boats in violation of its international legal obligation not to return someone to a place where they face persecution. Thailand has similarly “helped on” thousands of Rohingya asylum seekers since June, in some cases following a policy to provide boats with supplies to continue their voyage to Malaysia, but in other cases pushing them back to sea or handing them over to human traffickers.

RESPONSE FROM NAYPYIDAW

A month after the June violence, on July 12, President Thein Sein called for “illegal” Rohingya to be sent to “third countries.” Since most Rohingya, even those whose families have resided in Burma for generations, lack formal legal status, the president’s language implied that the great majority of Burma’s Rohingya did not belong in the country.

The president’s statement has had consequences in Arakan State. It continues to be invoked by Arakanese community leaders who view expulsion of Rohingya from Burma as an appropriate political solution. But this notion extends beyond the Arakanese population and dominates thinking in much of Burmese officialdom and society. It is even reflected in the statements and actions of some of Burma’s prominent democracy activists, including opposition leader Aung San Suu Kyi.

Even in the absence of further attempts to drive Rohingya from the country or keep them in displacement camps away from their homes, there are serious concerns that the government seeks to segregate the Buddhist and Muslim populations in Arakan State, facilitating the deprivation of fundamental rights of the largely stateless Rohingya.

On August 17, Thein Sein established a 27-member “investigative commission” to “reveal the truth behind the unrest” and “find solutions for communities with different religious beliefs to live together in harmony.” On August 25, he accused local forces in Arakan State of fueling the violence, saying, “Political parties, some monks, and some individuals are increasing the ethnic hatred.” Nonetheless, no serious measures have been taken in Arakan State to hold accountable those responsible for the violence since June, or take effective steps to prevent groups from further engaging in sectarian violence. And it is unclear to what extent the commission’s long-delayed report will provide details on responsibility for abuses and address broader issues of citizenship, humanitarian aid, and accountability.

Following the violence in October, the president’s office issued ominous allegations that “persons and organizations” were responsible for manipulating the incidents “behind the scene[s],” adding that they “will be exposed and legal actions

will be taken against them.” The president has not followed up on this statement, and subsequent press releases from the government in October and December denied any role of state security forces in the violence.

Perhaps in response to growing international concerns, Thein Sein subsequently offered a more helpful response to the situation. In a November 16 letter to the UN Secretary-General Ban Ki-moon, he condemned the “criminal acts” that led to the “senseless violence” in Arakan State and noted that “once emotions subside on all sides” his government was prepared to “... address contentious political dimensions, ranging from resettlement of displaced populations to granting of citizenship ... [to] issues of birth registration, work permits, and permits for movement across the country for all, in line with a uniform national practice across the country ensuring that they are in keeping with accepted international norms.”

This message was reiterated in a statement released on November 18, prior to US President Barack Obama’s visit to Burma – the first-ever visit to Burma by a sitting US president.

Since then, however, the government has taken no significant steps to address these issues, or even to provide a roadmap for the way forward. In the meantime, violence against Muslims in Burma has spread beyond Arakan State. Between March 20 and 22, mobs of Buddhists, led in some instances by Buddhist monks, attacked Muslims in Meiktila, Mandalay Region, following weeks of incitement through anti-Muslim sermons by members of the Buddhist monkhood. An estimated 40 were killed and 61 were wounded, and the destruction of Muslim property, businesses, and places of worship was clearly visible from satellite imagery. According to a needs assessment released by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), over 12,000 people were displaced by the violence in Meiktila and are in shelters around the town. After the Burma army ended the violence in Meiktila on March 23, anti-Muslim violence spread elsewhere in central Burma, including Okpho, Gyobingauk, and Minhla townships of Pegu Region. Soldiers reportedly fired warning shots in the air to disperse protesters in Pegu, and the government placed another nine townships in Burma under emergency provisions or curfew, limiting public assembly.

In response to the spread of anti-Muslim violence, the UN Special Rapporteur on human rights in Burma, Tomas Ojea Quintana, said he received reports of state involvement in some of the violence, adding: “This may indicate direct involvement by some sections of the State or implicit collusion and support for such actions.”

Understandably, most of the Muslims in Arakan State interviewed by Human Rights Watch expressed desperation and hopelessness as to their current situation and future. The authorities have done little to reverse their plight. When mobs

of Arakanese were destroying a Muslim quarter of Kyauk Pyu Township in October, one displaced Muslim man asked an army soldier for protection. Capturing what many Muslims in the state already believe, the soldier replied: “The only thing you can do is pray to save your lives.”

KEY RECOMMENDATIONS

TO THE GOVERNMENT OF BURMA

- Fully, promptly, and impartially investigate those responsible for serious abuses in connection with the violence in Arakan State and prosecute them fairly to the fullest extent of the law, regardless of rank or position.
- Revise legislation as necessary and ensure that state practice upholds the equal rights of Rohingya and other Muslims in Burma in accordance with international human rights law.
- Immediately lift all unnecessary restrictions on freedom of movement of the Rohingya population; ensure they are able to pursue livelihoods, purchase essentials, and return to their homes and recover property; and provide them protection as needed. Ensure that returns of displaced persons and refugees take place in accordance with international standards, on a voluntary basis with attention to the safety and dignity of the returning population.
- Provide safe and unhindered humanitarian access for UN agencies and international and national humanitarian organizations to all affected populations and detention facilities in Arakan State.
- Agree to the establishment of an independent international mechanism to investigate serious violations of international human rights law, including possible crimes against humanity, committed by security forces and non-state actors in Arakan State.
- Permit the UN special rapporteur to conduct an independent investigation into abuses in Arakan State and support efforts to establish an OHCHR office in Burma with a full protection, promotion, and technical assistance mandate, and sub-offices in states around the country, including Arakan State.
- Urgently amend the 1982 Citizenship Act to eliminate provisions that are discriminatory or have a discriminatory impact on determining citizenship for reasons of ethnicity, race, religion or other protected status. Ensure that Rohingya children have the right to acquire a nationality where otherwise they would be stateless.

“All You Can Do is Pray”

Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma’s Arakan State

In June 2012, deadly violence erupted between Arakanese Buddhists and Rohingya Muslims in four townships of Burma’s Arakan State. When violence resumed in October, it engulfed nine more townships and became a coordinated campaign to forcibly relocate or remove the state’s Muslims.

“All You Can Do is Pray” is based on more than 100 interviews with Rohingya and Kaman Muslims, Arakanese, and others in Burma. It describes how Arakanese political party operatives, the Arakanese Buddhist *sangha* (order of monks), and ordinary citizens cooperated in violence against Muslims, at times supported by government officials and state security forces. Entire Muslim villages, homes, businesses, and mosques were razed and scores of Rohingya men, women, and children were killed. Human Rights Watch has new evidence of the existence of four mass-grave sites in Arakan State.

The Rohingya have been effectively denied citizenship under Burma’s 1982 Citizenship Law, rendering them stateless. At least 125,000 Rohingya are living in overcrowded camps that lack adequate food, shelter, water and sanitation, and medical care, and tens of thousands of others have fled the country by sea.

Many of the crimes documented in this report amount to crimes against humanity carried out as part of a campaign of ethnic cleansing. Human Rights Watch calls on the Burmese government to urgently end abuses by state security forces and punish those responsible, ensure access to humanitarian organizations, and amend discriminatory provisions in its citizenship law.



Ethnic Arakanese with weapons walking away from a village in flames while a soldier stands by. Arakan State, Burma, June 2012.

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