

Physicians for  
Human Rights

August 2013

**Patterns of Anti-Muslim  
Violence in Burma:**  
A Call for Accountability  
and Prevention

**PHR**

Physicians for  
Human Rights



*A mother looks out from her tent alongside her children at a camp for internally displaced persons on the outskirts of Sittwe, Burma.  
Photo: Paula Bronstein/Getty Images*

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# About Physicians for Human Rights



For more than 25 years, PHR's use of science and medicine has been on the cutting edge of human rights work.

## **1986**

Led investigations of torture in Chile, gaining freedom for heroic doctors there

## **1988**

First to document the Iraqi use of chemical weapons on Kurds, providing evidence for prosecution of war criminals

## **1996**

Exhumed mass graves in the Balkans for International Tribunals, and sounded the alarm about refugee camps in Bosnia and Kosovo

## **1996**

Provided evidence of genocide for the International Criminal Tribunal for Rwanda

## **1997**

Shared the Nobel Peace Prize for the International Campaign to Ban Landmines

## **2003**

Warned U.S. policymakers on health and human rights conditions prior to and during the invasion of Iraq

## **2004**

Documented genocide and sexual violence in Darfur in support of international prosecutions

## **2010**

Investigated the epidemic of violence spread by Burma's military junta

## **2012**

Trained doctors, lawyers, police, and judges in the Democratic Republic of the Congo, Kenya, and Syria on the proper collection of evidence in sexual violence cases

## **2013**

Won first prize in the Tech Challenge for Atrocity Prevention with MediCapt, our mobile app that documents evidence of torture and sexual violence

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*A Muslim Rohingya man sits at his burnt home at a village in Minpyar in Rakhine State on October 28, 2012.  
Photo: Than WIN/AFP/Getty Images*

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## Executive Summary

Violence against ethnic and other minority groups living in Burma (officially the Union of Myanmar) has marked the country's history over the past several decades. Burma's former military regime made common practice of targeting ethnic communities for forced labor, sexual violence, and other serious crimes. Under Burma's current nominally democratic government, violence against marginalized groups has escalated to an unprecedented level as Rohingyas and other Muslims throughout Burma face renewed acts of violence. Persecution and violence against Rohingyas, a Muslim group long excluded from Burmese society and denied citizenship, has spread to other Muslim communities throughout the country. Serious human rights violations, including anti-Muslim violence, have resulted in the displacement of nearly 250,000 people since June 2011, as well as the destruction of more than 10,000 homes, scores of mosques, and a dozen monasteries.

The successive waves of violence too often go unpunished by the Burmese government. At times, the crimes have even been facilitated by the police. The failure of the Burmese government to properly protect its people and address human rights violations committed by police officers signals serious obstacles ahead on the path from military dictatorship to a truly democratic country where everyone has a voice and the rights of all people are respected and protected.

One of the most extreme and alarming examples of anti-Muslim violence was the March 2013 massacre of dozens of Muslim students, teachers, and other community members in Meiktila, a town in central Burma. Physicians for Human Rights (PHR) conducted an in-depth investigation into those killings and released a report in May 2013 detailing the crimes. In an effort to place this particular incident in the wider context of ongoing violence, PHR produced this report to analyze and assess patterns of extreme violence from various sites across the country, which indicate that the government has consistently failed to properly address attacks driven by hate speech and racism. Further investigation by an independent commission is necessary to uncover additional details about the organization and motivation behind the recent violence.

There are no simple solutions to stem rising tides of religious hatred and violence. The people of Burma face the significant task of choosing how to grapple with intolerance and anti-Muslim hatred, as well as myriad abuses by the government against other marginalized groups. The ultimate responsibility, however, rests with the Government of Burma, which must ensure that people are protected from violence and that any perpetrators are investigated, arrested, and charged according to fair and transparent legal standards. As this report demonstrates, while there have been several arrests following some of the most extreme outbreaks of violence, the government must do more not only to respond to the individual acts of violence, but also to promote an atmosphere of tolerance and

acceptance where the rights of all people are protected. The Burmese government also has the responsibility to find durable solutions to end violence that respect ethnic diversity. Institutionalized displacement and segregation are abhorrent and unsustainable responses that have devastating consequences for those displaced by violence or fear of persecution.

PHR conducted eight separate investigations in Burma and the surrounding region between 2004 and 2013. PHR's most recent field research in early 2013 indicates a need for renewed attention to violence against minorities and impunity for such crimes. The findings presented in this report are based on investigations conducted in Burma over two separate visits for a combined 21-day period between March and May 2013.

The Government of Burma, civil society leaders, and the international community must act immediately to stop anti-Muslim violence in the country. The unhampered spread of violent incidents across Burma exposes concerning indicators of future violence. There is, for instance, rapid dissemination of hate speech against marginalized groups, widespread impunity for most perpetrators, and inaction or acquiescence by many leaders in government and the democracy movement. As we have witnessed in the past, these elements are ingredients for potential catastrophic violence in the future, including potential crimes against humanity and/or genocide. If left unchecked, this particular combination could lead to mass atrocities on a scale heretofore unseen in Burma.





*A formerly functioning mosque that was reduced to rubble during the violence in Meiktila, Burma in March 2013.*

*Photo: Richard Sollom.*

The impunity of the former Burmese regime and the renewed waves of recent violence demand an immediate response not only to properly address the crimes of the past, but also to stem the escalation of violence. All people of Burma deserve decisive and effective action to combat hate speech and impunity, within the bounds of

internationally recognized legal norms. The international community must not be reluctant to confront a country just because it has made some recent political improvements. Instead, all those dedicated to ending violence must see the crimes in Burma as a horrible example of what happens when impunity reigns and demagogues are not confronted, and as an urgent warning sign of potential atrocities.

*For full policy recommendations, please see page 28.*

## Acknowledgments

This report was written by Andrea Gittleman, JD, Physicians for Human Rights (PHR) senior legislative counsel; Marissa Brodney, PHR senior program associate; and Holly Atkinson, MD, FACP, PHR volunteer medical advisor, and past PHR president.

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## Anti-Muslim Violence: June 2012 to Present

### May 28, 2012

A 27-year-old Buddhist Rakhine seamstress is raped and murdered by a group of men. The next day, police arrest three Muslim suspects.

### June 3, 2012

A Rakhine mob pulls 10 Muslims from a bus and kills them in retaliation for the rape and murder of the seamstress. Anti-Muslim leaflets are distributed before the attack.

## Introduction

Burma's Muslims have faced an unprecedented number of attacks since mid-2012, resulting in injury, displacement, economic hardship, and death. The recent upsurge in violence began in June 2012 after three Muslim men allegedly raped and killed a Buddhist woman in Rakhine State in western Burma.<sup>1</sup> A mob of Buddhists then pulled 10 Muslims—nine men and one woman—off of a bus and lynched them, sparking riots by ethnic Rohingya Muslims in the northern Rakhine townships<sup>2</sup> of Maungdaw and Buthidaung.<sup>3</sup> Non-Muslim Rakhine civilians retaliated to the reported June incident in force, in some cases supported by police officers and members of the military. The immediate result was approximately 200 people killed, 100,000 people displaced, and 8,500 homes destroyed, according to estimates from the Burmese government.<sup>4</sup> The violence in Rakhine State was followed by another wave in October 2012 that resulted in more than 80 deaths and displaced over 35,000 people.<sup>5</sup> Since then, sporadic attacks against Muslims have continued across the country resulting in even more killing and displacement. Serious human right violations, including anti-Muslim violence, have resulted

Serious human rights violations, including anti-Muslim violence, have resulted in the displacement of nearly 250,000 people since June 2011, as well as the destruction of more than 10,000 homes, scores of mosques, and a dozen monasteries.

in the displacement of nearly 250,000 people since June 2011,<sup>6</sup> as well as the destruction of more than 10,000 homes,<sup>7</sup> scores of mosques, and a dozen monasteries.<sup>8</sup>

Burma (officially the Union of Myanmar) is a diverse country with many different ethnic groups, languages, and religions. The majority Burman ethnic group makes up 60 to 70 percent of the population and has controlled the government and military for six decades.<sup>9</sup> The country is nearly 90 percent Buddhist, according to government figures; other religions in Burma include Christianity, Islam, Hinduism, and Animism.<sup>10</sup> Muslims in Burma are a diverse community among themselves, tracing their roots to several waves of migration that began with Persian traders before the advent of

Islam.<sup>11</sup> Muslims currently comprise an estimated 4 to 10 percent of Burma's total population.<sup>12</sup> The largest Muslim population living in Burma today is concentrated in Rakhine State, which is home to approximately 800,000 ethnic Rohingya.<sup>13</sup>

The root causes of the anti-Muslim violence are complex. Though Muslim minorities have a long history in Burma, it has not always been peaceful. With a longstanding fear of perceived outsiders, Buddhist nationalist groups and individuals have dredged up old conflicts—such as the *mujahid* rebellion for independence in Rakhine State following World War II—in an effort to incite Buddhist nationalism.<sup>14</sup> Hate speech by prominent monks and anti-Muslim movements, which has been facilitated by the opening up of

### June 7, 2012

The Burmese government launches an investigation into the murder of the 10 Muslim pilgrims.

### June 8, 2012

Rohingyas riot after Friday prayers; sectarian violence breaks out in several towns across Rakhine State. Muslims report security forces and mobs of Rakhine subjecting them to arbitrary arrests, physical attacks, rape, and killings.



*Ethnic Rakhine demonstrators protest at the Shwedagon pagoda in Rangoon after unrest flared in western Burma and seven people were killed in June 2012.*

*Photo: Ye Aung Thu/AFP/GettyImages.*

access to the Internet and social media websites, allows anti-Muslim rhetoric to spread farther and faster than before. International news media accuse a Buddhist nationalist movement called “969” and a notorious radical monk, Wirathu, of spearheading anti-Muslim propaganda.<sup>15</sup> The 969 movement promotes the boycott of Muslim businesses and encourages Buddhists to display 969 logos on their homes, businesses, and vehicles in a show of solidarity. Wirathu and other monks linked to the 969 movement delivered anti-Muslim speeches in early 2013 in Mandalay Region,<sup>16</sup> Gyobingauk Township,<sup>17</sup> Minhla<sup>18</sup> in Bago Region, Okkan,<sup>19</sup> Taunggyi,<sup>20</sup> and near Lashio<sup>21</sup> in the days before anti-Muslim violence erupted in those towns. A recent news report noted that Wirathu called the massacre of Muslims in Meiktila a “show of strength.”<sup>22</sup> Following the attacks in Meiktila, DVDs were sold in Mandalay that contained video footage, reportedly shot during the Meiktila riots in March 2013, of Muslims being burned and beaten to death. The DVDs were being sold by Buddhists with “pride and glee,” according to a person who bought them.<sup>23</sup>

The Burmese government’s long history of sponsoring Buddhist nationalism and the marginalization of all ethnic minority groups, combined with weak attempts to stop violence as it occurs and its history of cultivating impunity for human rights violators, have fueled the spread of anti-Muslim violence.<sup>24</sup> Despite widespread rumors connecting political elites or other influential people with the recent spikes in violence,<sup>25</sup> corroboration of these reports has been difficult. While additional investigation is necessary to uncover the nature and extent of the connections between high-level political elites and any organizers of the recent violence, the Government of Burma’s failure to appropriately stop attacks and protect those at risk implies an unacceptable measure of support for the acts of violence.

Current Burmese laws do little to provide protection for ethnic and religious minorities, especially Muslims. Criminal law in Burma since the 1960s has heavily favored state security over the protection of citizens’ rights. The Burmese legal system has operated for decades as an arm of state oppression rather than an institution dedicated to promoting justice and

accountability—the system was set up to arrest whomever those in power wanted to arrest.<sup>26</sup> A 1982 law that lists citizenship requirements for Burma, as well as a statement by the former junta that excludes Rohingyas from the arbitrary 135 recognized national races of Burma, have rendered the Rohingya stateless. The effects of statelessness have had a significant impact on Rohingyas, such as restrictions on education<sup>27</sup> and marriage, though the marriage regulations apply only to Rohingyas living in the northern part of Rakhine State.<sup>28</sup> Forced labor,<sup>29</sup> extortion,<sup>30</sup> restrictions on movement, and targeted taxation<sup>31</sup> by the government also apply specifically to Rohingyas in northern Rakhine State.<sup>31</sup>

Other Burmese Muslims have also felt the effects of this exclusion. While they are issued identity cards, in order to acquire them, they frequently have to pay a bribe and declare that they are from another country, such as Pakistan or India.<sup>33</sup> Most Muslims refrain from working in the police and military, where they face institutional discrimination.<sup>34</sup> The effects of decades of state-sponsored discrimination against ethnic minorities are twofold: first, they create an environment in which abuse

## June 10, 2012

President Thein Sein declares a state of emergency.



*Police patrol in a truck on the streets of Sittwe, capital of Rakhine State, in June 2012. Photo: STR/AFP/GettyImages*



## Introduction

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against ethnic minorities is acceptable, and second, the lack of effective accountability mechanisms emboldens perpetrators to commit abuses without consequence. There is thus little risk for people who attack Muslims in Burma.

Not all Buddhists in Burma are anti-Muslim; many of them have risked their own lives to protect their Muslim neighbors, and several groups have spoken out against recent violence.<sup>35</sup> Monasteries in Shan State and Mandalay Division have sheltered Muslims fleeing the violence.<sup>36</sup> Groups of Buddhist monks, such as the All Burma Monks' Alliance, have issued statements condemning the violence.<sup>37</sup> Dozens of civil society groups—including Interfaith Youth Coalition on AIDS in Myanmar (IYCA-Myanmar), Mizzima Youth Network, Interfaith Peace Network, and Myanmar Youth Resource Society (MYRS)—have held events promoting religious understanding and nonviolence.<sup>38</sup>

Between 2004 and 2013, Physicians for Human Rights (PHR) documented systematic attacks by the Burmese military against the country's minority ethnic groups in eight investigations in Burma and bordering countries.<sup>39</sup> The attacks on Muslims in the past year are a continuation of that trend of targeting vulnerable groups. The Government of Burma has the responsibility to protect its citizens, and its failure to do so has created widespread impunity. Broad popular support for the atrocities, combined with this climate of impunity, has led anti-Rohingya attitudes to metastasize into anti-Muslim sentiment that has spread across the country.

In order to more deeply document the recent upsurge in anti-Muslim violence, PHR sent two researchers to Burma in March 2013 to investigate the situation in Rakhine State. While they were there, anti-Muslim violence erupted in Meiktila, Mandalay Division. The PHR researchers immediately traveled to Mandalay Division to conduct a preliminary investigation, and PHR sent a second team to do a forensic assessment of a massacre at a Muslim school in the Mingalar Zayyone quarter of Meiktila.

PHR released an emergency report with detailed findings from the school massacre in May 2013, but the report did not cover the widespread and systematic nature of the current wave of anti-Muslim violence in Burma. This report uses data from both investigations to demonstrate the broader nature of the rising tide of violence across the country.

Consistent patterns of behavior by government entities, and consistent patterns of abuse, may imply that police or military were following orders from their superiors, thus suggesting a government role in the abuses. Evidence of direct orders, funding streams, and material support remains elusive and requires additional independent investigation. Even if there were no direct orders and high-level organization to promote abuse, the deeply engrained disdain for Muslims and other minorities that allowed for such patterns of human rights violations demonstrates a deep problem that the Government of Burma must address.

### June 18, 2012

The Rohingya men arrested for the rape and murder of a Rakhine seamstress in May are sentenced to death.



*Rohingya Muslim children from Burma cry while kept under watch by Bangladeshi security officials after disembarking from an intercepted boat in Teknaf, June 2012.  
Photo: MUNIR UZ ZAMAN/AFP/GettyImages.*

8 Sites of Anti-Muslim Violence in Burma Since June 2012



### June 25, 2012

Security forces begin resettling displaced Rohingyas in Rakhine State's capital of Sittwe.

### July 2, 2012

Thirty people are arrested in connection with the murder of the 10 Muslims on June 3.

### July 5, 2012

Ten aid workers are detained by the Burmese government in Rakhine State, some of whom are charged with criminal offenses.

## Methods

The findings of this report are based on field investigations conducted by Physicians for Human Rights (PHR) in Burma from March 22 to March 29, 2013 and from April 20 to May 2, 2013. The PHR team consisted of Richard Sollom, MA, MPH, former PHR director of emergencies; and Holly Atkinson, MD, FACP. The team interviewed 71 people in total, including Muslim, Buddhist, and Christian community leaders, as well as victims and witnesses of the violence.

In the Sittwe displaced persons camps, PHR investigators used modified chain-referral sampling to identify internally displaced persons (IDPs) from each village or quarter in Sittwe who were living in the camps. Chain-referral sampling is a technique that enables researchers to identify subgroups of people based on referrals from other participants in the survey.<sup>40</sup> PHR researchers conducted in-depth interviews with 32 people from six rural villages and 12 neighborhoods in the town of Sittwe, addressing a total of 18 geographic locations where separate incidents of violence had occurred.

PHR researchers used similar methods in central Burma to identify victims and witnesses of human rights violations. In central Burma, PHR interviewed 39 people in the cities and surrounding villages of Mandalay, Meiktila, Nay Pyi Taw, and Rangoon (Yangon).

PHR researchers sought eyewitnesses from as many different locations where outbreaks of violence occurred as was possible, given logistical and security constraints. By taking this approach, PHR researchers were able to identify patterns of human rights abuses, examining how the police, military, and Buddhist monks behaved in different locations.

PHR epidemiologists have used such pattern identification in prior investigations elsewhere in Burma—as well as in Afghanistan, Darfur, Kosovo, and Sierra Leone—to examine whether the government or military played an active role in the perpetration of human rights abuses.<sup>41</sup>

### July 11, 2012

The Myanmar National Human Rights Commission reports no abuses by security forces during violence in June, states all aid needs are being met, and does not acknowledge the plight or existence of Rohingyas.

### July 12, 2012

President Thein Sein announces that the “only solution” to the inter-ethnic violence is to send all 800,000 Rohingyas to other countries or put them in camps run by the United Nations High Commissioner for Refugees (UNHCR). The UNHCR rejects the proposal.

### August 4, 2012

UN Special Rapporteur for Human Rights in Burma Tomás Ojea Quintana calls for an investigation into the June violence in Rakhine State over allegations of human rights abuses.

**G**iven the sensitive nature of this research and the risk of community or government reprisals against witnesses, PHR investigators made every effort to protect the identities of the interview subjects. PHR researchers did not record names, nor did they make audio or video recordings of the interviews. They conducted interviews with only one interpreter in private areas out of sight and earshot of passersby.

PHR investigators obtained informed oral consent from each participant following a detailed explanation of PHR, the purpose of the investigation, and the potential benefits and risks of participation. Oral rather than written consent was obtained to ensure anonymity and security. In the case of a minor, permission was also obtained orally from the child's parent or guardian to ensure that he or she was confident that the safety, rights, and interests of the child were being safeguarded during the interview. Participants could stop the interview at any time or refuse to answer any questions.

PHR investigators employed additional safeguards for respondents under 12 years of age: the investigators listened to their uninterrupted narrations and did not ask probing questions. Those interactions were kept purposefully short. In each interview with respondents under 12 years of age, at least one parent was either present or nearby during the interview. Interviews were halted if the child became distraught in any way. Of the nine interviews conducted with minors who were eyewitnesses, the PHR field team terminated three of them early because of emotional distress.

**D**ue to security concerns, PHR was unable to access internally displaced persons (IDP) camps in Rakhine State that were further inland from Sittwe or to interview Muslims in the northern Rakhine towns of Maungdaw or Buthidaung. For security and logistical reasons, PHR investigators also were unable to access all of the towns where violence had occurred, and thus could not speak with eyewitnesses about the violence that had occurred in those areas. Because PHR did not use random sampling to identify victims of abuses, these data may not be representative and cannot be extrapolated to a larger population.

PHR's Ethical Review Board (ERB) approved this research. PHR has had an ERB since 1996 to ensure protection of human subjects in its research and investigations. PHR's ERB regulations are based on Title 45 CFR Part 46 (see: <http://ohsr.od.nih.gov/guidelines/45cfr46.html>) provisions, which are used by academic Institutional Review Boards (IRBs). All of PHR's research and investigations involving human subjects must be approved by the ERB and conducted in accordance with the Declaration of Helsinki as revised in 2000.

## August 17, 2012

President Thein Sein announces the creation of a 27-member commission to investigate the causes of the sectarian violence that occurred in June.

## October 15, 2012

Thousands of Buddhist monks march in protest over the establishment of an office for the Organisation of Islamic Cooperation (OIC) in Rakhine State.

President Thein Sein's office announces that it will not permit the OIC to have a presence in Burma.



*Buddhist monks take part in a demonstration against the Organisation of the Islamic Conference in Rangoon on October 15, 2012.*

*Photo: Ye Aung Thu/AFP/GettyImages*



## Anatomy of Anti-Muslim Violence in Burma Since June 2012

As the descriptions below demonstrate, the patterns of violence against Muslims tend to stem from one “inciting incident.” In several geographic locations, word of these initial incidents spread widely and led to extreme violence. An overview of the violence across the country allows several discernible patterns to emerge. Often the initial incident that leads to future violence includes elements of sexual violence or an attack on a religious figure—acts that can promote feelings of ethnic or religious purity. Whether these initial acts are violent or innocuous, the retaliatory attacks tend to target an entire community and not the individual perpetrators of that particular inciting incident.

PHR was not able to determine whether arrests and convictions were carried out in a manner consistent with internationally-established norms of police work or rule of law. Convictions can only be an indicator of justice if these norms are upheld, and the Government of Burma is notorious for jailing people without cause. The

convictions in Burma may be a sign that the government is taking action to stop the violence; however, the international community should not use these numbers as the only measure of progress on this front.

### **Rakhine State: June 8–10, 2012**

The violence in Rakhine State in June 2012 started when a group of men allegedly raped and murdered a 27-year-old Rakhine seamstress.<sup>42</sup> Three Muslim men were arrested the next day for the crime.<sup>43</sup> On June 3, some 300 Buddhists pulled 10 Muslims from a bus and lynched them in a retaliatory attack.<sup>44</sup> Prior to the lynching, pamphlets were handed out in Rakhine State, calling for retribution for the murder of the Buddhist woman.<sup>45</sup> On June 8, Rohingyas rioted after Friday prayers, resulting in the destruction of numerous homes and the death of seven people, four of whom were Rakhine.<sup>46</sup> Over the next four days, the violence quickly escalated as it spread to other townships across Rakhine State. Rohingyas and other Muslims reported that security forces and Rakhine mobs subjected

them to discriminatory and arbitrary arrests, physical attacks, rape, killing, and destruction of property.<sup>47</sup>

PHR documented multiple instances of police attacking Rohingyas, providing covering fire for Rakhine mobs that were attacking Rohingyas, and watching while Rohingyas were attacked.

The UN Special Rapporteur on the Situation of Human Rights in Myanmar stated that 1,100 people were detained in relation to the June 2012 violence and subsequent violence in October, the “vast majority” of whom were Rohingya men and boys.<sup>48</sup> In an August 2012 presentation, Burma’s Ministry of Border Affairs stated that 858 people were detained in Rakhine State after the violence in June; 734 of those people are Rohingyas (listed by the government as “Bengali”).<sup>49</sup> Official government documents use the term “Bengali” to refer to Rohingyas, reflecting the government’s allegations that Rohingyas come from Bangladesh and have little claim to Burmese citizenship.

### **October 21, 2012**

Violence erupts throughout Rakhine State. Security forces reportedly stand by as Rakhine mobs attack Rohingya villages and neighborhoods, killing inhabitants and burning down houses.

### **October 27, 2012**

President Thein Sein acknowledges that whole villages were burned down in Rakhine State.



*Burma’s president, Thein Sein.*

*Photo: JEWEL SAMAD/AFP/Getty Images*

## Anatomy of Anti-Muslim Violence in Burma Since June 2012

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### Rakhine State:

#### October 21–24, 2012

After a mob killed a Rakhine merchant for selling rice to Muslim customers in Mrauk U on October 21, a wave of violence spread to nine townships within three days. Witnesses described thousands of armed Rakhines descending on Muslim towns and villages, burning houses as the inhabitants fled.<sup>50</sup> Entire villages, neighborhoods, townships, and cities, including Sittwe, were emptied of Muslims; those who fled were forced into makeshift camps.<sup>51</sup> Over 35,000 people were displaced by this round of violence, more than 97 percent of whom were Muslim.<sup>52</sup>

On December 8, 2012, then minister of border affairs, Lieutenant-General Thein Htay, released the official number of those detained in connection with the violence in June and October in Rakhine State. The minister stated that 1,121 people in 12 townships had been detained, 849 of whom were Rohingya (listed as “Bengali”), 233 were Rakhine, 27 were Hindu, eight were Burmese (listed as “Myanmar”), and four were Maramagyi.<sup>53</sup> Prisoners were reportedly refused bail or access to legal counsel.<sup>54</sup> In February 2013, a report released by

the Democratic Voice of Burma stated that 966 Rohingyas have remained incarcerated since November 2012.<sup>55</sup> The detained Rohingyas were more likely to face charges carrying sentences of up to 13 years, while detained Rakhines allegedly faced charges that carry sentences of 6 months to a year.<sup>56</sup> As of February 2013, 68 people had reportedly died while in custody, 62 of whom were detained in Buthidaung prison.<sup>57</sup> Four Rakhines suspected of involvement in the October violence were released in April 2013.<sup>58</sup> On July 9, 2013, senior Burmese government officials stated that 1,169 people had been arrested in connection with the violence in Rakhine State, and that 507 had been convicted in 195 court cases, while 662 others were still on trial in 45 other cases. There was no indication of the religious or ethnic breakdown of those arrested.<sup>59</sup>

The Burmese government’s combined estimates of those killed during the June and October 2012 violence range from 176<sup>60</sup> to 211 people,<sup>61</sup> with all estimates indicating that proportionally many more Rohingyas were killed.<sup>62</sup> In contrast, Rakhine State’s National Democratic Party for Development reports that more than 500 people

were killed in October 2012 alone.<sup>63</sup> According to Burmese officials, the violence in October left 89 people dead, 136 injured, and over 5,300 houses and religious buildings destroyed.<sup>64</sup> As of May 2013, as many as 140,000 internally displaced persons (IDP) resided in 89 locations across Rakhine State.<sup>65</sup>

### Rangoon:

#### February 2013

Several hundred Buddhist nationalists attacked a Muslim school and businesses in the Thaketa Township of Rangoon in February 2013. The mob had mistakenly thought the school was being turned into a mosque after it requested permission to make repairs to the roof.<sup>66</sup>

Police reported that they detained four people after the attacks, but all were released shortly thereafter.<sup>67</sup> Thus far, no other reports have been released to indicate additional detentions or arrests.

### October 28, 2012

Over 35,000 people displaced by violence that started on October 21 increase the total number of IDPs in Rakhine to 100,000; nearly all are Muslim.



*A Rohingya girl stands next to a shelter in an unregistered/unofficial IDP camp near Sittwe.*

# Anatomy of Anti-Muslim Violence in Burma Since June 2012

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*Mobs destroyed the school and mosque in the Mingalar Zayyone quarter of Meiktila, site of the massacre of scores of students, teachers, and residents.*

*Photo: Heim Aung*

## **Mandalay & Bago Divisions: March 26–29, 2013**

The violence in Mandalay reportedly started with a quarrel between a Buddhist couple and the employees of a Muslim-owned gold shop over the value of a gold hair clip in the city of Meiktila. The argument became physical as the employees reportedly beat the husband in the street; police arrived and detained the owner of the shop and the Buddhist woman.<sup>68</sup> Onlookers became enraged and destroyed the gold shop, as well as several other

Muslim-owned shops nearby while reportedly shouting anti-Muslim slurs.<sup>69</sup> In retaliation, a group of local Muslims reportedly killed a Buddhist monk. As news of the monk's death spread, mobs of Buddhists attacked Muslims in the city and destroyed Muslim homes, religious buildings, and shops.<sup>70</sup> The violence continued for several days as it spread to other villages in Mandalay Division and south to Bago Division.<sup>71</sup> Eyewitnesses told PHR that over the course of three days, 12 of Meiktila's 13 mosques were destroyed, along

with 1,500 homes.<sup>72</sup> Witnesses told PHR that in the days leading up to the violence, the number "786" was spray-painted on Muslim homes.<sup>73</sup> This number—which is significant to Muslims in the region<sup>74</sup>—was apparently used in this particular case to identify homes to be attacked.<sup>75</sup>

One eyewitness to the violence in Meiktila told PHR that one week before the fighting, Buddhists throughout the city had put 969 stickers on their homes. He said groups of people

## **October 29, 2012**

Explosions reportedly caused by hand grenades occur at two mosques in Kawkareik Township in Karen State.

## **November 1, 2012**

Thousands of Rohingyas in Pauktaw Township refuse to sign government registration forms because authorities replaced the term "Rohingya" with "Bengali."

## **November 4, 2012**

Doctors Without Borders reports that pamphlets and posters being distributed in Sittwe threaten any aid workers who treat Muslims.

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were going door-to-door and giving Buddhists stickers to mark their homes so that they would not be targeted for burning.<sup>76</sup> Eyewitnesses told PHR that they saw monks instigating the violence, some carrying weapons.<sup>77</sup>

PHR interviewed eyewitnesses who said police watched without trying to intervene while Muslims were killed and their homes and mosques burned.<sup>78</sup>

The number of people arrested for the Meiktila violence varies considerably among sources. Mandalay Region Advocate General Ye Aung Myint reported on May 27 that 87 people had been arrested in connection with the events in Mandalay, 38 of whom are Buddhist.<sup>79</sup> In a briefing on April 3, the minister for foreign affairs stated that 142 people had been detained and that action was being taken against 32 perpetrators of the violence in Mandalay and Bago.<sup>80</sup> The police stated that 70 people had been arrested, including 28 Muslims and 42 Buddhists.<sup>81</sup> Witnesses reported that Burmese authorities questioned and then released a number of those arrested.<sup>82</sup>

As of the writing of this report, the government had arrested 44 people, both Muslims and Buddhists, for incidents that occurred in Meiktila. In April 2013, the gold shop owner, his wife, and an employee were sentenced to 14 years each for assault and theft.<sup>83</sup> In May, seven Muslim men were convicted on various charges for the killing of the Buddhist monk, receiving sentences of 2 to 28 years in prison.<sup>84</sup> In July, two Buddhists were sentenced to seven years for murder committed during the riots.<sup>85</sup> Between July 9 and July 11, 2013, 25 Buddhists and four Muslims were convicted for crimes committed during the violence in Meiktila.<sup>86</sup> The 25 Buddhists were sentenced on several charges, including arson, inciting unrest, assault, theft, and murder;<sup>87</sup> those convicted of murder received 10 to 15 years in prison.<sup>88</sup> The four Muslims received sentences ranging from seven years to life imprisonment for their roles in one murder specifically.<sup>89</sup> On July 12, one Buddhist and two Muslims were sentenced to five years imprisonment for arson and destruction of property.<sup>90</sup> One student activist from Rakhine State, Ye Min Oo, was facing six years in prison for “sedition and inciting religious hatred” during the violence in Meiktila; he was arrested on March 25, but no verdict had been given as of the writing of this report.<sup>91</sup>

### Acts of Courage

Some positive stories have emerged from this new chapter of atrocities in Burma. Civil society groups are leading efforts to build peace and social reconciliation; the government can learn much from these groups. The Interfaith Youth Coalition on AIDS in Myanmar (IYCA-Myanmar), Mizzima Youth Network, Interfaith Peace Network, Myanmar Youth Resource Society (MYRS), and other Burma-based groups have held several events promoting religious understanding and nonviolence.<sup>92</sup> In addition, PHR interviewed Muslim victims of the violence in Sittwe who spoke of groups and individuals who protected them. For example, a Rohingya person described how Rakhine staff of the Myanmar Red Cross stopped Rakhine mobs from beating them, provided treatment, and evacuated them to the hospital.<sup>93</sup> Other Muslim victims said that their Buddhist neighbors hid them from the mobs and helped them escape the fighting.<sup>94</sup> A Burman policeman diverted Rakhine mobs from one Muslim section of town, enabling Rohingyas to escape unharmed.<sup>95</sup> PHR documented two occasions in which Buddhist monks tried to intervene to stop the violence.<sup>96</sup>

### November 15, 2012

The United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) announces that 115,000 displaced persons are in 58 locations in Rakhine State, more than half of them located near Sittwe.

### November 17, 2012

Satellite evidence obtained after the violence in October shows the complete destruction of Rohingya villages and neighborhoods throughout Rakhine State.

### November 17, 2012

President Thein Sein promises to address the underlying problems of the violence in Rakhine State in a televised address and letter to the UN.



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At the time this report was written, 44 people had been convicted in total, 28 of whom were Buddhist (sentences ranging from 3 to 15 years).<sup>97</sup>

Police in Bago Division claim that they have arrested between 50 and 60 people thought to have participated in vandalizing homes and property.<sup>98</sup> In the town of Moeny, only 4 people have reportedly been questioned in connection with the riots, while 21 people have been detained for violating the curfew put in place during the violence.<sup>99</sup> Ten people were reportedly convicted for violating the curfew and sentenced to three months in prison.<sup>100</sup> One Muslim was sentenced to two years for “insulting” religion after removing a 969 sticker from a shop in Bago Division on April 20. He was tried two days after the incident and sentenced the following day.<sup>101</sup>

## **Oakkan, Rangoon Division: April 30–May 1, 2013**

The violence in Oakkan and the surrounding areas reportedly started after a Muslim woman bumped into an 11-year-old novice monk, causing him to drop and damage his alms bowl.<sup>102</sup> After police detained the woman, rumors spread that Muslim residents were going to mount a revenge attack. Mobs of armed Buddhists formed with the supposed intent of catching Muslims by surprise, descending on Muslim villages in the surrounding area.<sup>103</sup> Residents described groups of 200 to 300 armed Buddhists driving into villages on motorcycles and destroying homes and mosques.<sup>104</sup> Some of the attackers were purportedly local residents, while others were likely from elsewhere.<sup>105</sup>

Twenty-one people were arrested in connection with the violence in Oakkan and the surrounding villages in May 2013.<sup>106</sup> The woman who allegedly bumped into the novice monk was among those arrested and was charged with insulting religion through “deliberate and malicious acts.”<sup>107</sup> She and another Muslim woman have been convicted and sentenced to two years of hard labor.<sup>108</sup> No one else had been convicted at the time this report was written.

## **Hpakant, Kachin State: May 4, 2013**

A group of approximately 30 Buddhists attacked Muslim-owned shops and houses in three areas of Hpakant Township on May 4, 2013. There are no reports of what may have sparked the outbreak of violence.<sup>109</sup>

Two Buddhists were subsequently detained, but there had been no additional arrests, charges filed, or convictions when this report was written.<sup>110</sup>

## **Lashio, Shan State: May 28–29, 2013**

The violence in Lashio reportedly started after a Muslim man got into a quarrel with a female Buddhist gasoline vendor.<sup>111</sup> In the ensuing fight, the Muslim man poured gasoline on the vendor and lit her on fire.<sup>112</sup> The suspect was detained by police soon thereafter. A mob formed around the police station demanding that the police release the man to them. When the police refused, the mob burned a mosque.<sup>113</sup>

The violence escalated from there, as mobs of armed men roamed the streets on motorcycles, while a group of men in the market reportedly cheered and sang nationalist Burmese songs as they destroyed shops.<sup>114</sup> Journalists and humanitarian aid workers reported being threatened and attacked by the crowds during the violence.<sup>115</sup>

## **December 7, 2012**

Following a four-day visit to Burma, Valerie Amos, UN under-secretary-general for humanitarian affairs, states that the situation for IDPs in Rakhine State is “dire.”

## **December 24, 2012**

The UN General Assembly unanimously approves a non-binding resolution expressing concern over violence in Rakhine State and advocates that Burma protect the rights of Rohingyas.

## **February 11, 2013**

Government authorities instruct immigration officials in Rakhine State to prevent Muslims from moving outside their townships.

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Shan State government spokesperson, Wai Lin, stated that 44 people were arrested in connection with the violence in Lashio, most of whom were Buddhists.<sup>116</sup> Police spokesman, Major Moe Zaw Linn, stated that 60 people were arrested during the violence.<sup>117</sup> Fourteen people were still on trial for their involvement in the violence as of mid-June, with additional suspects reportedly under arrest.<sup>118</sup> However, the only person convicted so far is the Muslim man accused of setting fire to the Buddhist petrol vendor; he was sentenced to 26 years in prison for attempted murder, causing grievous harm, and two separate drug-related crimes.<sup>119</sup>

### **Mone, Bago Division: May 29, 2013**

This bout of violence was reportedly triggered by a fight between two brothers-in-law, one Muslim and one Buddhist, during which the latter was supposedly injured.<sup>120</sup> Both were taken to the police station, after which residents reportedly stated that a crowd of Buddhists surrounded the station and demanded that the Muslim man be charged with a serious crime.<sup>121</sup> Afterward, the crowd destroyed a mosque and madrasa.<sup>122</sup>

As of the writing of this report, no arrests had been reported in connection with this violence.<sup>123</sup>

### **Thandwe, Rakhine State: June 30–July 1, 2013**

The unrest was reportedly sparked after word spread that one or two men—who were purportedly Muslim—raped a woman.<sup>124</sup> After hearing the news, a mob of 50 people reportedly gathered outside of a police station and went on to destroy several Muslim-owned homes and injure three Kaman Muslims.<sup>125</sup> The next day, the mob burned down another Muslim-owned home.<sup>126</sup>

As of July 2013, only one Muslim man accused of rape had been arrested.<sup>127</sup>

The overall culture of impunity demands sweeping legal reforms and a concerted initiative by political and civil society leadership in Burma.

### **February 16, 2013**

UN Special Rapporteur Tomás Ojea Quintana condemns the Burmese government's treatment of the Rohingyas.



*UN Special Rapporteur Tomás Ojea Quintana talks to the media following a press briefing on the situation in Rakhine State.  
Photo: Ye Aung Thu/ AFP/GettyImages*

**B**etween June 2012 and July 2013, attacks on Muslims occurred in dozens of towns across Burma. PHR investigators interviewed 89 key informants and eyewitnesses to the incidents in 19 locations across Rakhine State, Mandalay Division, and in the city of Rangoon. Several patterns that emerged from these interviews suggest that the violence now spreading throughout Burma might represent more than random acts of communal violence, and instead might have been instigated and sustained by anti-Muslim

groups. Patterns of neglecting the violence are evident in the government response across the broader geography of the attacks. The apparent failure of authorities to respond appropriately and in a manner that protects human rights of all persons also indicates possible collusion in the violence. In each situation, PHR documented the failure to protect civilians and prosecute perpetrators. The overall culture of impunity demands sweeping legal reforms and a concerted initiative by political and civil society leadership in Burma. The especially egregious actions by po-

lice and military units in Rakhine State, combined with an overall absence of the rule of law, enabled the violence to spread to other areas of the country.

The patterns evident in PHR's primary data are reflected in reports by journalists and by other human rights investigators who have traveled to other sites of violence in Burma where PHR did not go. To highlight the similarities of events across Burma, this section presents PHR's findings in parallel with reports from other areas of the country, categorized by human rights violation.



*Residents look at the charred remains of burnt bodies in riot-hit Meiktila on March 23, 2013. Photo: Soe Than WIN/AFP/Getty Images*

**February 18, 2013**

Several hundred Buddhist nationalists attack a Muslim school and businesses in the Thaketa Township of Rangoon.

**February 20, 2013**

In northern Maungdaw Township, 13 Rohingya women and girls are beaten and gang-raped by the Nasaka, Burma's border security force.

**February 21, 2013**

Deputy minister of immigration and population denies the existence of the Rohingya ethnic group in Burma during a parliamentary question session.

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### Burmese Authorities Fail to Protect Civilians from Assault<sup>128</sup>

*"There is no help from the government. The government is looking at us as an enemy."<sup>129</sup>*

– *Community leader, Sittwe IDP camps*

Police and military actions during the violence followed similar patterns across the country. Eyewitnesses from 13 of the 17 locations where PHR investigated in Rakhine State said they saw police during the attacks. In those 13 locations, police were seen firing weapons into crowds in eight separate sites,<sup>130</sup> and were seen watching but not intervening four times.<sup>131</sup> Eyewitnesses told PHR that police sometimes fired into the air and other times fired directly at people, sometimes killing those in the crowd.<sup>132</sup> In only two situations did police intervene to help evacuate injured Muslims.<sup>133</sup> In some cases, the police did nothing at first, but later helped move Muslims to safety.<sup>134</sup> The army's record was only slightly better. PHR documented nine times in which military troops were seen during outbreaks of violence. On two occasions, troops fired their weapons at Muslims,<sup>135</sup> on three occasions they did nothing to stop the violence,<sup>136</sup> and in six cases they evacuated wounded Muslims to hospitals or trucked them to IDP camps.<sup>137</sup>

Witnesses of the violence in Kyauk Phyu, Meiktila, and Rangoon told PHR that local government officials warned Rohingyas not to attack Rakhines and said that they could not protect Muslims.<sup>138</sup> Although local authorities knew in advance that violence would erupt, they did nothing to prevent it.

*"During the violence, we had no protection from the police. But we got some help, but only a little, from the army—to take us to the hospital."<sup>139</sup>*

– *Male IDP, Sittwe camps*

*"Before [Rakhine people] attacked our village, they destroyed our boats, so we couldn't escape. The next morning, some military came, a battalion from Mrauk U. They said, 'We'll tell the Rakhine not to attack you again.' We had no food, so many women from the village went out to find food—not men; they were afraid they would be killed by Rakhines. Three days later, the army and Rakhine people came into the village, and the army watched while Rakhines looted our houses. We lived like this for two months; we ate grass as food. When the army came the last time they said, 'We only have a few more days to protect you, so it is better for you to go away, go to another place.'"<sup>140</sup>*

– *Female IDP, Sittwe camps*

### June 2012, Rakhine State, PHR Field Reporting

Key informants told PHR they saw police stand back and watch as Than Daw Li village and Narzi quarter erupted in flames.<sup>141</sup> One key informant told PHR that state-owned equipment was used to destroy mosques and Rohingya homes, stating: "They smashed everything with a bulldozer; it was a government bulldozer from a jetty."<sup>142</sup>

Other key informants told PHR that they called state authorities to ask for protection when armed mobs of Rakhine people arrived in their neighborhoods, but that authorities took no action.<sup>143</sup>

## March 20, 2013

Buddhist mobs attack Muslim quarters in the city of Meiktila following a dispute between a Muslim gold shop owner and Buddhist customers.



*The entire Muslim Mingalar Zayyone quarter was totally destroyed as part of the anti-Muslim violence that swept through Meiktila in late March 2013. Photo: Heim Aung*



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### October 2012, Rakhine State, PHR Field Reporting

Approximately 60 miles down the coast from Sittwe, police and Army Battalion 34, commanded by a Burman,<sup>144</sup> were positioned around the Muslim quarter in the town of Kyauk Phyu. Muslims from Kyauk Phyu told PHR that they were grateful for the protection and sent food and presents to the police and soldiers.<sup>145</sup> The local government then replaced Battalion 34 with Battalion 543, commanded by a Rakhine.<sup>146</sup> The Kyauk Phyu district government also warned Rohingyas to refrain from retaliating against the attacks.<sup>147</sup> One eyewitness told PHR, “We called on the phone to Kyauk Phyu district government for help. They said, ‘If you burn one Rakhine house, then you will be killed.’”<sup>148</sup> Eyewitnesses told PHR that on October 23, once the violence had started, police and Battalion 543 provided covering fire for Rakhines who were throwing Molotov cocktails at Muslim houses.<sup>149</sup> Several Rohingyas were wounded and killed.<sup>150</sup>

*“Before the violence, we heard that Rakhines would attack us—there was talking at the market. I was afraid. The local government told us not to attack the Rakhines—that the Rakhines would burn our houses if we did. The Union Solidarity and Development Party (USDP) district government sent us a letter; it said, ‘Muslim people, don’t attack Rakhines or they will burn your house.’”<sup>151</sup>*

– Male farmer, Kyauk Phyu

### March 2013, Mandalay Division, PHR Field Reporting

PHR spoke with eyewitnesses of the violence in Meiktila in March 2013 who saw police stand by as crowds destroyed Muslim homes, schools, and businesses. PHR’s May 2013 report, *Massacre in Central Burma: Muslim Students Terrorized and Killed in Meiktila*, documented that police watched while groups of armed Buddhists killed at least 20 children and four teachers.<sup>152</sup>

PHR also spoke with eyewitnesses from Mandalay Division who saw police fail to act as mobs attacked their communities. One male resident of Meiktila saw a crowd form near a police station and start to move toward the market. He joined this group of people and reported getting trapped in the crowd, where he

counted approximately 10 monks, five of whom he saw handing out iron bars to people. This eyewitness also saw fires in several Muslim storefronts, and said that the monks blocked the passage of fire trucks that arrived on the scene. He reported that he observed several policemen who stood at the scene and watched.<sup>153</sup>

This eyewitness also said that when he tried to take a video of the scene, he heard a man yell, “There’s a Kalar [a derogatory term for Muslim]; he’s taking photos of us.” Eight people then began attacking him with sticks. He said that two of the policemen who were standing in front of him grabbed his arms, pulled him up, and took him to the nearby police station. The eyewitness stated that, en route to the station, people in the crowd hit him with bars, and the police did little to stop them. PHR researchers noted that this eyewitness had very obvious *periorbital ecchymoses* (black eyes), and a deviated nasal bridge, which was presumably broken. He was still suffering from severe back pain from where he was struck with iron bars.<sup>154</sup>

## March 21, 2013

At least 20 students and four teachers are reportedly killed by a Buddhist mob that attacked a madrasa in the Mingalar Zayyone quarter of Meiktila.

## March 24, 2013

Violence in central Burma spreads as mobs attack Muslim homes, businesses, and mosques in towns outside Meiktila and Rangoon.

## March 26, 2013

The official death toll from the violence in Meiktila is raised to 40. UN Special Adviser on the Prevention of Genocide Adama Dieng voices concern over the violence.

Anti-Muslim violence spreads to several villages in Bago Division, resulting in the destruction of mosques, shops, and homes. Many Muslims in the villages are forced to flee.

PHR interviewed one female head of household who was stopped twice by police while attempting to flee from violence in her village, during which time she witnessed police verbally authorizing armed civilians to attack Muslim neighborhoods for a period of 30 minutes. She said she tried to drive her children and grandchildren out of her village on the evening of March 23 after witnessing “about 40 to 50 people” attack Muslim shops and light fires. Police officers stopped her at a roadblock and told her to turn around and go home. When she began to drive back toward her village, she saw violence spreading in the direction of her home and drove back to the checkpoint. She then overheard a group of men on the roadside talking to a policeman who appeared to be in charge of the checkpoint. She heard the policeman say to the group of men, armed with sticks, that he would give the group 30 minutes to loot and burn Muslim businesses, but then he’d “have to do something.” At this point, she was allowed through the checkpoint, but the police officer threatened her by saying, “If you tell anyone about what you saw, we’ll come find you and beat you.”<sup>155</sup>

*“As we drove out of town I saw a mosque burning and a fire truck. People were blocking the fire truck from reaching the mosque.”<sup>156</sup>  
– Female IDP, Meiktila*

#### Reports from Elsewhere in Burma

Journalists detailing the Lashio riots in May 2013 recounted a similar pattern, reporting that the fire brigades did not respond to burning buildings; they claimed they were not ordered to respond to the fires so they did not go.<sup>157</sup>

#### Legal Analysis

Internationally accepted police guidelines obligate police officials to protect all persons against illegal acts,<sup>158</sup> thereby obliging police to intervene when witness to unlawful destruction and threats to civilian lives. In the Burmese context, police and military incompetence or timidity cannot be an explanation for their reluctance to act. Throughout Burma’s history, and especially during pro-democracy protests in 1988 and 2007, police and military have disrupted civilian protests with brutal efficiency. In the last year, government forces put down peaceful protests and arrested protestors in Letpadaung, Madaya Island, Mandalay, Rangoon, Lashio, and Shwebo.<sup>159</sup> The police force should operate as an institution that protects civilians, not one that only reacts to peaceful protests deemed threatening to the state.

The police force should operate as an institution that protects civilians, not one that only reacts to peaceful protests deemed threatening to the state.

### March 28, 2013

President Thein Sein warns potential instigators of violence that he has the ability and resolve to use force to protect citizens.

### March 29, 2013

A mob of around 50 men attacks a Muslim neighborhood in the Gyobingauk Township of Bago Division, causing hundreds of Muslims to flee.

### April 2, 2013

In Rangoon, 13 boys die in a fire at a madrasa. Burmese officials say that the fire was an accident, but people close to the school claim that foul play was involved.

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### **Burmese Authorities Fired on and Arbitrarily Executed Civilians in Rakhine State**<sup>160</sup>

Police in Rakhine State failed to protect Rohingyas during the violence there. Police also fired deadly weapons at Rohingyas to prevent them from defending their property against mobs of armed Rakhines. In the incidents that PHR investigated, Rohingyas sometimes defended themselves and their property with knives, sticks, or other rudimentary weapons. Even though Rohingyas were armed at times, the response by police was excessive and appears to have amounted to arbitrary execution in some cases.

#### **June 2012, Rakhine State, PHR Field Reporting**

*"Before the burning, Army Battalion 542 fired onto the roofs of the Rohingya houses. Then Rakhines burned the houses with petrol bombs."*<sup>161</sup>

– Male farmer, Kyauk Phyu

A middle-aged father told PHR that police watched while Rakhine people set fire to Rohingya homes in his community.<sup>162</sup> He testified that on June 11, after Rakhine residents set fire to Rohingya houses, police shot at Rohingyas as they exited their burning homes.<sup>163</sup> This same eyewitness told PHR that on the road to the IDP camp he witnessed police officials force a 12-year-old boy to lie down face-up on the street, at which time police shot him once in the chest with a rifle.<sup>164</sup> The eyewitness claimed to have been about "three bamboo pole lengths" (approximately 100 feet) away from this shooting when it happened. Afterwards, he ran with his family away from the scene.<sup>165</sup>

In several cases, eyewitnesses told PHR that authorities provided covering fire for Rakhines who were burning Rohingya houses. Although Rohingyas tried to defend their property, they were turned back by gunfire. One eyewitness told PHR, "I saw Rakhine people throwing petrol bottles on the roof of a Rohingya house. The Rohingyas attacked them back. Then the police started shooting at the Rohingyas. Some were hit in the leg and some were hit on the body."<sup>166</sup>

Another eyewitness said, "Some Rakhine people were marching to the mosque and the madrassa. Our villagers tried to stop them by attacking, but the police shot at us. Four Rohingyas were killed; I saw all four get killed."<sup>167</sup>

*"When the Rakhines started burning our houses, we wanted to defend ourselves. We attacked them with sticks and knives to make them stop. Then Lon Htein [police commandos] started shooting at people."*<sup>168</sup>

– Male IDP, Sittwe camps

*"I saw about 50 commando police come in first; they pointed guns at Rohingyas and fired. I saw about 10 people killed. At the same time, Rakhines started burning the town. Later we retrieved the bodies."*<sup>169</sup>

– Female IDP, Sittwe camps

### **April 5, 2013**

A plan to resettle Rohingya IDPs in Kyauk Phyu Township is scrapped after local Rakhines oppose allowing Rohingyas to be resettled near them.

### **April 10, 2013**

Dozens of people are arrested throughout Bago Division in connection with the anti-Muslim riots in March 2013.

### **April 11, 2013**

A Muslim gold-shop owner, his wife, and an employee are sentenced to 14 years in prison for assault and theft during an altercation that sparked anti-Muslim violence in Meiktila.

### Reports from Elsewhere in Burma

Most of the direct assaults on Muslims by Burmese authorities occurred in Rakhine State. The police failure to prevent anti-Muslim violence and arrest perpetrators in other parts of the country most likely played a role in enabling or even encouraging attacks. PHR did not independently verify any incidents of police or military shooting civilians outside of Rakhine State.

The only other reported case of police firing on civilians outside of Rakhine State was in Pyay Township in Mandalay, where people were injured and hospitalized after being shot with rubber bullets on March 27, 2013 during riots sparked by the Meiktila violence.<sup>170</sup>

### Legal Analysis

The UN Code of Conduct for Law Enforcement Officials limits police use of deadly force to those occasions when “strictly necessary and to the [minimum] extent required for the performance of... duty.”<sup>171</sup> UN Basic Principles on the Use of Force further stipulate that law enforcement officials may only use firearms against people posing “imminent threat of death or serious injury,” and even then only when less “extreme” means are insufficient means of protection.<sup>172</sup>

### Forced Displacement<sup>173</sup>

Forced displacement exacts a devastating toll on entire communities. Such displacement often involves the stripping away of livelihoods, the loss of family and other interpersonal connections, the inability to access basic services, including health and education, and future vulnerability to human rights abuses.<sup>174</sup>

### June and October 2012, Rakhine State, PHR Field Reporting

During the initial wave of violence in Sittwe, Muslims fled the fighting and gathered in Aung Mingala quarter, one of the largest Muslim quarters in town, seeking safety in numbers. After a few days, the population of the quarter swelled to several times its normal size. Local military commanders came to the quarter and said they would evacuate IDPs. According to eyewitnesses, the army sent six or seven trucks to move IDPs to the edge of town. These trucks dropped them off where the IDP camps are located today. Eyewitnesses said the relocation was voluntary because people feared for their lives and wanted to get out of Sittwe. Several thousand more people walked from the Aung Mingala quarter to the edge of town. Eyewitnesses said they were attacked by Rakhine civilians and monks as they fled, but were protected by the army.

PHR interviewed Muslims who fled their homes during the June 2012 violence and were grateful to Burmese Army soldiers for protecting them.<sup>175</sup>

The army facilitated the exodus of all of the Muslims in the town of Sittwe, with the exception of those who chose to remain in Aung Mingala ghetto.<sup>176</sup> Aung Mingala remains the only Muslim quarter in Sittwe not burned to the ground and evacuated. The quarter is surrounded by police, and people are not permitted to enter or leave without paying a bribe. The army drove people out ostensibly for the Muslims’ safety, but the result was to concentrate the Muslim population in camps outside of town, where they have remained for over a year.

One Rohingya woman told PHR that five days after violence began in Sittwe, police “kicked out” all Rohingya families from her village of Pauktaw and forced them toward the shore.<sup>177</sup>

## April 18, 2013

A Burmese government spokesperson rejects calls for an international investigation into the anti-Muslim violence, saying the violence is Burma’s “internal affairs.”

## April 29, 2013

The Rakhine State Conflicts Investigation Commission calls for more security forces in Rakhine, segregation between Muslims and Buddhists, and limiting the population growth of Rohingyas.

## April 30, 2013

Anti-Muslim mobs destroy several businesses, homes, and a mosque in Oakkan and surrounding villages. At least one person is killed.



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### Burmese Authorities Promote Segregation and Prevent Muslims from Fulfilling Basic Needs<sup>178</sup>

#### June and October 2012, Rakhine State,<sup>179</sup> PHR Field Reporting

PHR researchers documented several instances of government restrictions on freedom of movement. During the fighting, Rohingyas fleeing violence in Kyauk Phyu by boat were turned away from entering the IDP camps in Sittwe because authorities wanted them in a different camp. The Nasaka, Burma's border security force, fired over fishing boats trying to land IDPs at the Sittwe beach and beat Rohingyas as they disembarked.<sup>180</sup>

*"[After we landed at Sittwe IDP camp,] the army called us. They said, 'You can't land here, go to Rathedaung.' We said we did not want to go there, and they said, 'Talk to the prime minister of Rakhine State to see where you should go.' We said, 'We're Kaman Muslims, we have citizenship, take us back to Kyauk Phyu.' But the prime minister said no. They want to send us to difficult areas to discriminate against us. They are sending us there to get attacked by Rakhines again; these areas are not safe."<sup>181</sup>*

– Male IDP, Sittwe camps

Rohingyas are even less safe outside the IDP camps, where they may be susceptible to attacks from civilians. The Burmese authorities are not forcing Rohingyas to stay in the camps, but because they will not give them protection if they leave, the Rohingyas have no choice but to remain there. Tomás Ojea Quintana, the UN special rapporteur on the situation of human rights in Myanmar, visited these camps in February 2013 and said the camp in Myebon "felt more like a prison than an IDP camp."<sup>182</sup>

*"Nasaka will let us go [on boats to other countries] but will not let us return."<sup>183</sup>*  
– Community leader, Sittwe IDP camp

Because Rohingyas in the camps cannot travel to the markets in Sittwe to buy food, those not receiving rations from the World Food Program (WFP) must rely on sympathetic Rakhine truck drivers to buy them food in the markets and deliver it to the camps. These truck drivers, who have been harassed by monks and beaten by Rakhine mobs in the markets, told PHR that they receive no protection from the police.<sup>184</sup>

*"The Rakhines will kill Rohingyas if they go downtown. There is no government protection. We cannot go to the hospital, to the market."<sup>185</sup>*

– Community leader, Sittwe IDP camp

The Burmese police and military failed to protect Rohingyas from attacks during the 2012 violence, and they have not been able to provide protection since then. Rohingyas in the areas around Sittwe cannot travel freely outside of IDP camps. Most IDPs in Sittwe interviewed by PHR said they would return home to Sittwe if the government would guarantee their safety, though at the time of the interviews they felt this was not the case.<sup>186</sup> One female IDP told PHR, "100 percent I want to go home to Sittwe if I can get safety and protection from the government. That is my home."<sup>187</sup>

*"I want to live in peace with the Rakhine people, like in the past."<sup>188</sup>*  
– Male IDP, Sittwe camps

*"1982 [the citizenship law] is not for us. We need rights. This is our country too; we vote, and we have been elected. They don't want to recognize us as citizens because we are Muslim."<sup>189</sup>*  
– Male IDP, Sittwe camps

### May 1, 2013

A mob of about 100 Buddhists armed with sticks reportedly threatens to burn the Muslim village of Win Kite and kill its residents, but is pushed back to a nearby Buddhist village by police.

### May 2, 2013

The U.S. Commission on International Religious Freedoms lists Burma as one of the worst offenders in denying religious freedom.

### May 4, 2013

A crowd of 30 people destroys a Muslim-owned shop in Hpakant Township in Kachin State. Two Buddhists are arrested at the scene.

PHR interviewed three groups of community leaders who lived in IDP camps near Sittwe, as well as community leaders who were organizing aid for IDPs in Meiktila. In the Sittwe camps, leaders complained of limited food supplies and a lack of shelter.<sup>190</sup> IDPs in the camps near Sittwe who had registered with WFP received regular rations of rice, oil, and salt. Unregistered IDPs received food aid from private donors from Rangoon. Unregistered IDPs said these food rations did not come regularly, and they were constantly worried about running out of food.<sup>191</sup> PHR was not able to access all camps in Rakhine State, and some private donors in Rangoon told PHR that they could not visit particular camps because the government did not provide them with security from hostile local civilians.<sup>192</sup>

IDPs were living in canvas tents provided by the United Nations High Commissioner for Refugees (UNHCR), in bamboo houses, and in grass-thatched huts that were too low to permit standing. The IDP camps are interspersed with villages that existed before the displacement. Altogether, they cover about nine square miles. This area is located on a coastal plain—an extremely flat site with no drainage. In many places, latrines were only a few yards from the houses.

Community leaders of one unregistered settlement of about 67 households said they had four water pumps—only two of which were working—and 10 toilets for their community. They said most of the children had diarrhea and malaria.<sup>193</sup>

PHR investigators were not able to visit camps for Rakhine IDPs in Sittwe, but observed them from nearby. These camps were much closer to the town of Sittwe, and all were made up of bamboo houses with iron sheets on the roofs; PHR investigators saw electric wires running into the houses and electric streetlights. PHR researchers also saw housing construction on the edge of the town of Sittwe, where locals said houses would be built for displaced Rakhine people. So far, there is no government plan to move Rohingyas or other Muslims out of the IDP camps.<sup>194</sup>

Muslim community leaders in Mandalay told PHR that they were raising money to support Buddhist and Muslim IDPs. They said that the government asked them to build 1,100 homes for Muslims who had fled Meiktila, but that the government requested they use a contractor known to be a crony of the old regime. Community leaders said they were given 30 days to resettle an estimated 9,000 Muslim IDPs from Meiktila.<sup>195</sup>

## May 7, 2013

The Dalai Lama denounces attacks on Muslims by Buddhist monks in Burma, saying that killing in the name of religion is “unthinkable.”

## May 21, 2013

Seven Muslims are convicted for crimes related to the violence in Meiktila in March and receive sentences ranging between 2 and 28 years in prison.

## May 23, 2013

Seven Rohingya are charged with criminal offenses after they are arrested for refusing to register as “Bengali” with the government.

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While temporary shelters have been built for an estimated 71,000 IDPs in Rakhine State (only slightly more than half of the 140,000 IDPs),<sup>196</sup> the UNHCR estimates that 69,000 IDPs are living in “flood-prone areas” or in tents or makeshift structures that cannot withstand the rainy season.<sup>197</sup> Efforts are under way to build temporary structures capable of resisting the rain for the remaining IDPs. The Rakhine government, with assistance from the central Burmese government, has been tasked with the construction of shelters for 45,000 people, while the UNHCR is constructing shelters for 25,000 people.<sup>198</sup> However, many of these structures have to be elevated over rice paddies, since the Burmese government was reportedly unable to secure more suitable land.<sup>199</sup> According to Doctors Without Borders, the water, sanitation, and hygiene (WASH) conditions are “far below” international standards in a number of camps in Rakhine.<sup>200</sup>

The United Nations Office for the Coordination of Humanitarian Affairs stated in a press release that, despite efforts to improve the situation for IDPs in Rakhine State, there are still severe gaps in humanitarian assistance that need to be addressed. Restrictions on IDPs’ freedom of movement have prevented them from being able to seek employment, health services, and education.<sup>201</sup> There are also fears that the construction of semi-permanent shelters will result in the establishment of permanent settlements, ensuring continued communal segregation.<sup>202</sup>

*“We’re worried for our kids. They cannot go to school; living in tents they have no privacy. They’ll have no future.”*  
– Male IDP, Sittwe camps<sup>203</sup>

*“We can’t get anything here—food, medical supplies—for over one month from any donors or from INGOs. In recent days we are really starving.”*  
– Male IDP, Sittwe camps<sup>204</sup>

*“I have been starving for three days—three days with no food.”*  
– Female IDP, Sittwe camps<sup>205</sup>

*“I am most worried about shelter right now. The shelter is not good. Soon the rainy season will come, and we do not have enough protection from the rain. And we do not have enough food. How can we live without food? We are starving here.”*  
– Female IDP, Sittwe camps<sup>206</sup>

## May 25, 2013

The Rakhine State government imposes a two-child limit only on Rohingyas in an apparent attempt to stem the growth of the Muslim population.

## May 28, 2013

Buddhist mobs set fire to a mosque, a madrasa, and Muslim shops over two days in the city of Lashio in Shan State.

## May 29, 2013

Buddhist mobs destroy a mosque and a madrasa in Mone, a small town in the Bago Division.

The trauma among Burmese citizens resulting from 60 years of military dictatorships has not gone away with the installation of the new government. The old regimes used divide-and-conquer tactics against Rakhines and Rohingyas, which inevitably fueled the animosity in Rakhine State that contributed to the situation today. The legacy of human rights violations in other ethnic states and in the central part of the country remain, and so far the new government has not made any effective attempts at national reconciliation or transitional justice. Civil society groups and individual citizens have begun this essential work of bringing together divided communities. The government must follow their lead. The new government must show that it is not a continuation of the Ne Win and Than Shwe regimes, but that it is ready to institute true reforms: to stop violence and end impunity for human rights violations and mass crimes.

PHR documented details of a massacre in Meiktila, Mandalay Division, in a May 2013 report that highlighted one of the most extreme examples of anti-Muslim violence in recent months. PHR investigators documented the methodical killing and terrorization of Muslim children and adults in March 2013 that, according to the official tally, took an estimated 100 lives. PHR corroborated 24 of those deaths. During the massacre, police officials, including leaders within the local police structure, observed the violence without intervening or protecting those at risk.

The killings in Meiktila, as well as the crimes in Sittwe, Lashio, Okkan, and elsewhere, are some of the starkest examples of anti-Muslim sentiment in Burma. While such massacres are not sweeping the country at present, the brazen nature of these crimes and the widespread culture of impunity in which these massacres occur form deeply troubling preconditions that make such crimes very likely to continue. If these conditions go unaddressed, Burma may very well face countrywide violence on a catastrophic level, including potential crimes against humanity and/or genocide. The Burmese government must make a concerted effort to allow an effective investigation into these abuses and hold perpetrators accountable.

Inter-ethnic hatred can be exploited by extremists, but all people, not only political leaders, have the responsibility to turn the national tide against violence and toward reconciliation.

### May 31, 2013

Thirty-five people are arrested and detained in connection with the riots in Lashio.

### June 5, 2013

Two Muslim women accused of sparking the violence in Oakkan in April 2013 are sentenced to two years in prison and hard labor.

Separately, police kill three Rohingya women in Mrauk U Township in Rakhine State. The women reportedly were part of a crowd trying to prevent police from relocating Rohingyas from their temporary homes.

### June 11, 2013

Burma's minister of immigration and population publicly announces his support for the two-child policy for Rohingya families.



The violence in Burma should not be considered a sudden and regrettable byproduct of the recent reforms or a natural occurrence in a nascent democracy. Instead, these violent episodes are the result of the complete lack of a fair legal system and accountability mechanisms under a brutal military junta with a long history of targeting ethnic groups and exploiting communal tensions for its own purposes. Killings, forced displacement, and other human rights violations are not inevitable but rather purposeful attacks on civilians. In the past 12 months in Burma, ethnic discrimination has exploded into bouts of extreme violence that have predominantly targeted the Rohingya and Muslim communities.

Burma is facing a unique opportunity in its transition from military dictatorship to democracy. The shift is still fragile, and the manner in which the Burmese government chooses to address violence against minorities will determine whether the transition is successful.

The people of Burma face the difficult but necessary task of grappling with abuses against minority ethnic and religious groups and forging social unity. Inter-ethnic hatred can be exploited by extremists, but all people, not only political leaders, have the responsibility to turn the national tide against violence and toward reconciliation.

## Rakhine Commission Report

The Burmese government established a Rakhine Investigation Commission to investigate violence in Rakhine State, uncover its root causes, and develop recommendations for future action. The commission included former political prisoners and pro-democracy leaders but no members of the Rohingya community. The commission's final report did not include a thorough assessment of the underlying causes of the violence and instead included some problematic recommendations that may serve to further inflame ethnic hatred. Instead of addressing the systemic discrimination against the Rohingyas, the report plays upon that very persecution. It observes, for example, that the high birth rate among Rohingyas is partly responsible for ethnic tension, repeating a theme used by anti-Rohingya extremists who wish to curb Rohingya population growth. The recommendations also focus on security measures, including border control, which portray the Rohingya community as people who do not belong in Burma. This characterization of

Rohingyas as outsiders or "Bengalis" strengthens the argument of extremists who wish to expel Rohingyas from the country. In general, the commission's report characterizes the violence in Rakhine State as a result of a breakdown in community relations, where all communities were affected equally. Members of the Rohingya and Rakhine Buddhist communities were both perpetrators and victims of the violence, but the commission report did not detail the ways in which Rohingya communities bore the brunt of the violence.

While the mere fact that the government established the commission represents an improvement, and some of the commission's recommendations are worthwhile, the overall methodology of the commission and the tenor of the report demonstrate its insufficiency. Independent international investigators must conduct a thorough and impartial analysis and generate recommendations that will end the violence and heal traumatized communities.

### June 12, 2013

UN Special Rapporteur Tomás Ojea Quintana says, "The human rights violations being committed against the Rohingya in Rakhine State are widespread and systematic."



*Controversial monk Wirathu attends a meeting of Buddhist monks at a monastery outside Rangoon on June 27, 2013. Photo: Ye Aung Thu/AFP/Getty Images*

### June 13, 2013

Wirathu, head of the 969 movement, calls for a law banning interfaith marriages.

In documenting the extreme persecution of Burma's Muslim population and other ethnic minorities, frequently spurred by some Buddhist leaders, the aim of Physicians for Human Rights (PHR) is to press for leadership and the rule of law that will ascribe individual, rather than collective, responsibility for these crimes. We call on civic leaders of all faiths and ethnicities in Burma to work together to stop the cycles of violence and reprisals and to work toward a tolerant and inclusive society that respects the human rights of all people. We especially commend the courage of those who have spoken out against prejudice and ethnic or religious hatred and who have stepped forward to protect the most vulnerable in their communities.

PHR calls for the following recommendations to be implemented immediately to bring a swift end to the ongoing violence in Burma and to promote the forms of social dialogue necessary to move the country from violence to a state of reconciliation.

#### **To the Government of Burma**

The Government of Burma must undertake significant institutional reforms to create accountability mechanisms, including an independent judiciary that would operate under fair and transparent procedures. For too long, Burma's legal and judicial institutions have operated to promote government authority, not to protect the public. Many draconian laws from the former military regime are still in use; Burma's parliament should conduct a thorough overhaul of these oppressive laws and replace them with laws that reflect internationally recognized norms. Civil society groups, including representatives from ethnic nationality groups, should be involved in this redrafting process. Although long-term work is necessary to revamp Burma's institutions of accountability, the Government of Burma can take the following specific steps without delay:

- Investigate and prosecute all members of the police force who commit or facilitate human rights violations. Install an internal accountability mechanism within the police force to fire, demote, or otherwise appropriately punish officers who do not appropriately protect civilians. Vet the police and security force structures in a transparent manner to remove from service any officers clearly shown to be complicit in human rights violations.
- Redraft the 1982 Citizenship Law to comport with internationally recognized legal standards. Involve Rohingya community members and other members of minority groups in the redrafting process.
- Immediately allow humanitarian aid organizations unimpeded access to all those in need, including people in internally displaced person (IDP) camps.
- Lead an internal campaign to dispel hate speech, and publicly and officially condemn all acts of violence against vulnerable ethnic or religious groups.
- Cooperate with any international investigation into the 969 movement and other organizations that may be implicated in anti-Muslim violence.

### **June 14, 2013**

A spokesperson for President Thein Sein says that police were justified in shooting three Rohingya women.

### **June 14, 2013**

UN High Commissioner for Human Rights Navi Pillay expresses concern over human rights violations and violence against Burma's Muslims and the lack of accountability.

### **June 20, 2013**

Twelve Nobel Peace Prize laureates release a statement to Burma's government urging it to open an international, independent investigation into the anti-Muslim violence.

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- Move forward with the planned establishment of a country office of the Office of the United Nations High Commissioner for Human Rights to provide more consistent documentation and protection efforts in Burma and to ensure compliance with international human rights norms.
- Immediately repudiate the two-child policy instituted in northern Rakhine State and ensure that all state policies regarding children and family choice reflect internationally recognized norms as well as Burma's legal obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.
- Allow local, regional, and international journalists and human rights investigators to have unfettered access to areas where violence has occurred.
- Invest in long-term measures to promote accountability, such as redrafting laws that discriminate against particular groups, training lawyers and judges, and professionalizing the police force. Ensure that such institutional reforms lead to fair trials for all defendants.
- Pass legislation to ensure that the nascent Myanmar National Human Rights Commission (MNHRC) becomes an independent body that operates in accordance with the Paris Principles, which outline standards for national human rights commissions. The MNHRC conducted a limited initial investigation into the Rakhine State violence in June 2012, but its work would benefit from formal independence from the government.
- Collaborate with international humanitarian agencies to facilitate family reunification of those displaced by the violence and to trace missing people.
- Provide security for IDPs to voluntarily return to their home communities.
- Dedicate resources to the rebuilding of schools, religious sites, homes, and other buildings destroyed during the violence.

## To the Democracy Leaders of Burma

Burmese democracy and human rights activists have led the campaign against oppression and militarism for decades and have enjoyed the full support of the international community in those efforts. As Burma's political opposition has greater freedom and influence within the country, democracy leaders should call for an end to violence and greater protections for minority groups.

- State in unequivocal terms the unacceptable nature of violence, no matter who the target, and reject wholesale the hate speech espoused by some members of the 969 movement.
- Express support for fair, transparent, and effective accountability mechanisms for crimes, including those targeting ethnic and religious minorities.
- Specifically counter hate speech against Rohingyas, Muslims, and other religious and ethnic minorities by building a movement for social inclusion and reconciliation.

## June 25, 2013

Burma's government bans the sale of that week's issue of *Time* magazine, featuring an image of Wirathu on the cover and naming him "The Face of Buddhist Terror."

## June 27, 2013

Security forces fire on a crowd of Rohingyas in an IDP camp in Pauktaw in Rakhine State, killing two and injuring six.

## June 30, 2013

A mob of 50 people in the town of Thandwe in Rakhine State burns down several homes, injuring three Kaman Muslims.

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### To the United States Government

After years of instituting and enforcing strict sanctions against Burma, the United States has embarked on a new era of engagement with the Government of Burma. The United States eased sanctions to match incremental reforms, such as increased press freedoms and the release of political prisoners. U.S. officials are beginning to press for military aid to Burma in the form of training, claiming that such engagement will support reform. Burma's democratic development heavily depends on the future role of the military and the police forces. Therefore, the U.S. government must publicly lay out a binding roadmap that defines concrete steps the Burmese government must take, which then allow for specific responses from the U.S. government. The Obama Administration should report to Congress on the implementation of each step of the U.S. government's response before further action is taken. Accountability and proper vetting (including acts of commission and omission) are indispensable prerequisites for any future engagement regarding the military and police force. The United States should evaluate whether members of Burma's police force or military are properly held accountable, no

matter their rank or position, in order to determine whether an acceptable degree of accountability has been achieved. The United States should:

- Unequivocally and publicly denounce all acts of violence against Muslims and other ethnic and religious minorities. Press the Government of Burma to hold all perpetrators accountable according to fair and transparent procedures.
- Refrain from providing the Government of Burma with any military assistance, including training, until Burmese authorities have vetted military, police, and other security forces to remove perpetrators of human rights violations from the institutions and have implemented credible accountability mechanisms to address violations committed by members of the military, police, and other security forces.
- Prioritize the protection of human rights when designing U.S. foreign policy toward Burma, especially as U.S. businesses begin to invest in the country.

### To Members of the United Nations Human Rights Council

In June 2013, the Human Rights Council adopted by consensus a presidential statement on anti-Muslim violence in Burma that called for an end to the violence and the establishment of accountability mechanisms. If Burma has not made progress on the recommendations included in that statement, the Council should revisit the issue by passing a stronger resolution that establishes an independent investigation of anti-Muslim violence in the country. The United Nations Human Rights Council should:

- Renew the mandate of the Special Rapporteur on the Situation of Human Rights in Myanmar when the mandate is up for renewal in March 2014.
- Follow up the June 2013 presidential statement on anti-Muslim violence with a stronger resolution that establishes an independent investigation of anti-Muslim violence in Burma and presses the Government of Burma for clear progress on the recommendations listed above.

## July 1, 2013

A Buddhist mob destroys nine shops inside a Buddhist monastery in Thabeikkyin Township in Mandalay Division after hearing rumors that Muslims are hiding inside.

## July 1, 2013

A mob of armed Buddhists blockades a major road in search of Muslims in Singu Township in Mandalay Division, but it is dismantled after local authorities intervene.

## July 8, 2013

Six Muslims and 28 Buddhists are convicted for crimes they are accused of committing during the Meiktila riots, including arson, assault, and murder.



## To Members of the Association of Southeast Asian Nations

The Association of Southeast Asian Nations (ASEAN), of which Burma is a member, has traditionally refrained from intervening in member-state situations. The violence in Burma, however, is not solely a domestic issue but has significant regional ramifications. The persecution of Rohingyas, for example, is affecting neighboring countries as those fearing violence flee Burma. ASEAN should therefore:

- Press the Government of Burma through bilateral relations, ASEAN bodies, and international forums to establish fair and transparent accountability mechanisms to address violence against minority groups and reform discriminatory laws and practices.
- Use regional and international bodies, including the United Nations Human Rights Council, to press for an independent international investigation of anti-Muslim violence in Burma.
- Protect all Rohingyas and others fleeing Burma and adhere to the principle of non-refoulement by refusing to return people to Burma if they would face violence or persecution there.



*A woman fleeing anti-Muslim violence in Meiktila, located in central Burma, takes refuge in an IDP camp outside of town.*

*Photo Credit: Heim Aung*

## Historical Timeline of Burmese Muslims

**1430** – Upon his return from exile in Bengal, Buddhist King Naramaikhla of Arakan reportedly imports aspects of the Muslim political economy from the Sultanate of Bengal. Muslim soldiers from Bengal settle in Arakan.

**1600s** – Muslims first settle in what is now Mrauk U area in Arakan.

**1650s–1850s** – Muslims of south Indian and Persian descent serve in the Burmese army.

**1784** – Burman forces under King Bodawpaya conquer Arakanese Kingdom.

**1852** – The Second Anglo-Burmese War. Britain annexes “Lower Burma,” a region that includes the Irrawaddy Delta and the entire coast of Burma.

**1871–1911** – Bengali Muslims in Arakan Kingdom reportedly increase from 58,255 in 1871 to 178,647 in 1911, accounting for 94 percent and 84 percent of the population in the townships of Maungdaw and Buthidaung, respectively.

**1878** – Burmese King Mindon Min dies, and his son, Thibaw Min, assumes the throne.

**1885** – The Third Anglo-Burmese War breaks out in Burma. Britain conquers the rest of the country, resulting in the total annexation of Burma.

**Late 1800s** – British colonial administrators facilitate the immigration of Bengalis, Indians, and Arabs for their cheap labor.

**1937** – Britain makes Burma a separate colony from India.

**1939–1945** – World War II divides the country along ethnic lines; Burmans in the central region give support to Japanese forces, while ethnic groups in mountainous regions support the Allies.

**1940** – The Burmese Independence Army (BIA) is organized by the Japanese government. The BIA served as Burma’s National Army (BNA) during World War II.

**1943** – In August, after the Japanese declare nominal independence for Burma, U Nu, a leader of the People’s Revolutionary Party (PRP; it later evolved into the Socialist Party), is appointed foreign minister by Burma’s provisional civilian government led by Ba Maw.

**1944** – The BIA; the Communist Party of Burma (CPB), led by Thakin Soe; and the PRP, led by U Nu, join together to become the Anti-Fascist Organization (AFO), which seeks to resist Japanese occupation.

U Nu is appointed minister of information of Burma’s provisional government.

**1945** – Japan is defeated, and the AFO is renamed the Anti-Fascist People’s Freedom League (AFPFL), led by Aung San. The AFPFL was the main political party in Burma from 1945 to 1962.

**1947** –  
*January* – Britain promises Burmese independence within a year; ethnic groups are excluded from negotiations.

*February* – Panglong Conference between Aung San and the Shan, Kachin, and Chin groups expresses solidarity and support for a united Burma. Karen are present as observers.

*July* – Aung San is assassinated on July 19; U Nu assumes leadership of the AFPFL.

# Historical Timeline of Burmese Muslims

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**1948** – Burma achieves independence from Britain.

**1947–1961** – Mujahid rebels in Arakan seek to annex the Mayu frontier district to then-East Pakistan (now Bangladesh). Failing this, the mujahids and/or other Muslims call for a Mayu frontier state, distinct from a future Rakhine State.

The mujahids heighten their call for jihad, displacing Arakan Buddhists who had been resettled in the once majority-Rohingya areas (now townships) of Buthidaung and Maungdaw in the Mayu region. The mujahids claim that Muslims were prohibited after World War II from returning to most areas of Arakan, denied government jobs, given little socioeconomic support, and treated as illegal immigrants.

Moderate Rohingya leaders assert that the majority of Arakan Muslims initially did not support the rebels.

Large-scale Burmese military operations are directed against the mujahids, culminating in “Operation Monsoon” in October 1954. By 1961, the last sizable group of mujahid rebels had surrendered.

**1958–60** – Burmese General Ne Win forms a new government as the AFPL party splits.

**1960s** – The Burmese Army begins the “Four Cuts” policy, a counterinsurgency strategy aiming to cut off ethnic insurgent groups’ access to food, funding, information, and recruits from the local population. This results in forced evictions of civilians and other human rights violations, including travel restrictions, rape, torture, summary executions, and the destruction of villages, crops, and livestock.

**1960** – U Nu pushes Buddhism as the state religion.

**1961** – U Nu establishes a Mayu Frontier Administration, including Buthidaung, Maungdaw, and western Rathedaung, under the administration of army officers, and prepares to establish a separate Rakhine State.

**1962** – General Ne Win stages a coup and begins “the Burmese Way to Socialism,” which results in economic collapse. General Ne Win stifles minority demands for autonomy and/or greater rights.

**1963** – Ne Win expels people of Indian descent from Burma, including many Muslims. Others observe that Ne Win’s nationalization of foreign and minority-owned businesses leads to the outward migration of approximately 300,000 Indians, largely Muslim, and 100,000 Chinese between 1963 and 1967.

**1967** – Thousands die from famine caused by the government’s high demands for rice.

*August 13* – Tens of thousands of Buddhist Arakanese/Rakhines protest in Sittwe against rice quotas demanded by the government. Government forces kill over 100 civilians. August 13 is now a local holiday in remembrance of those killed.

**1970s** – Separatist Muslim militancy resurges in Buthidaung under the banner of the Rohingya Patriotic Front (RPF) as access to arms increases during the 1971 Bangladesh Liberation War.

**1974** – A new constitution transfers power from the armed forces to a People’s Assembly headed by Ne Win and other former military leaders.

**1977** – Government begins *Nagamin* (“King Dragon”) operation against Rohingyas; persecution results in 200,000 fleeing to Bangladesh.

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**Late 1970s** – Armed forces continue the “Four Cuts” policy against Buddhist Arakanese rebel groups. As a result, roughly 2,000 civilians die, 1,500 villages are destroyed, and 10,000 people are unlawfully detained.

**1980s** – Radical RPF members form the Rohingya Solidarity Organization (RSO). By the late 1980s, the RSO is said to be receiving training from external jihad groups.

**1981** – Ne Win relinquishes the presidency to San Yu, a retired general, but continues as chairman of the ruling Socialist Program Party (BSPP).

**1982** – Draconian “citizenship laws” are passed that discriminate against ethnic minorities, and many Muslims lose their citizenship.

**1987** – Currency devaluation causes anti-government riots.

**1988** – A nationwide pro-democracy “8888” movement by students is violently put down by government troops. In Sittwe alone, 50,000 people demonstrate in September. By the end of 1988, approximately 10,000 die countrywide in the crackdown.

The State Law and Order Restoration Council (SLORC) is formed.

**1989** – SLORC arrests thousands of dissidents, changes Burma’s name to Myanmar, and places Aung San Suu Kyi—National League for Democracy (NLD) leader and daughter of Aung San—under house arrest. SLORC also changes “Arakan” to “Rakhine” and the state capital “Akyab” to “Sittwe.”

All Burmese are required to apply for new citizenship cards stating ethnicity and religion. Rohingyas are not able to obtain cards, based on their ethnicity.

**1990** – NLD wins a landslide victory in the general election, but the government ignores the results.

**1991** – Aung San Suu Kyi is awarded the Nobel Peace Prize.

The government initiates “Operation Pyi Thaya” (“Clean and Beautiful Nation”), dramatically increasing the number of military personnel in Rakhine State.

**1991–1992** – More than 260,000 Rohingyas flee to Bangladesh from human rights abuses committed by the Burmese military, including the confiscation of land, forced labor, rape, torture, and summary executions.

**1992** – Than Shwe becomes SLORC chairman.

By April, up to 250,000 Rohingyas are displaced from Rakhine State, owing to the large-scale counter-insurgency operation directed at the expanding RSO.

Government of Burma repatriates Rohingyas from Bangladesh between September and December; some repatriation is reportedly forced.

**1995** – Doctors Without Borders reports that a survey of returned Rohingya refugees finds that 63 percent did not want to return to Burma and 65 percent were unaware of the principle of non-refoulement.

Aung San Suu Kyi is temporarily released from house arrest and attends first NLD congress since her release.

Burma is admitted to Association of South East Asian Nations (ASEAN); SLORC is renamed State Peace and Development Council (SPDC).

**2001** – Clashes between Muslims and Buddhists are reported in Rakhine State.

**2002** – Aung San Suu Kyi is released in May after nearly 20 months of house arrest. She is taken into “protective custody” after clashes between her supporters and those of the government.



**2003** – Khin Nyunt becomes prime minister, initiates “roadmap to democracy.”

Prominent Buddhist monk Wirathu is arrested and sentenced to 25 years in prison for distributing anti-Muslim pamphlets that incited communal riots in his birthplace of Kyaukse, a town near Meiktila. At least 10 Muslims are killed in Kyaukse by a Buddhist mob.

*May* – Near Deepayin, Sagaing Division, 70 NLD supporters are killed at a rally for Aung San Suu Kyi, allegedly by a government-sponsored mob. Suu Kyi is placed under house arrest after the incident.

**2004** – Khin Nyunt arrested.

**2007** – Sharp rise in fuel prices sparks nationwide “Saffron Revolution” led by Buddhist monks. In Sittwe alone, more than 10,000 demonstrate. Government forces use tear gas and arrest and beat demonstrators, including monks.

**2008** – Cyclone Nargis hits Burma, killing over 138,000 people. The government prevents aid from reaching those in need and moves forward with a constitutional referendum directly after the cyclone wreaked devastating destruction. Activists claim the chaos of the typhoon prevented many from voting.

**2010** – Country holds general election, which is widely criticized by the international community. SPDC becomes Union Solidarity and Development Party (USDP) and “wins” control of the parliament.

*October* – Aid workers are reportedly prevented from accessing the worst-hit areas of Rakhine State in the wake of Cyclone Giri.

**2011** – Former General Thein Sein is sworn in as new president.

*June* – Fighting erupts between Burma’s Army and the Kachin Independence Army; civilians are displaced and human rights abuses by the Burma Army are recorded.

*October* – General prisoner amnesty results in the release of some political prisoners.

Laws are passed permitting the formation of labor unions and holding of peaceful demonstrations.

**2012** – Wirathu is released from jail in an amnesty for political prisoners. As head abbot of the Masoyein Monastery in Mandalay, Wirathu spearheads the nationalist 969 movement that (re)surfaces sometime around April 2012.

*January* – Following an earlier attempt at consolidation in 1998, Muslim militant groups, including the RSO and the Arakan Rohingya National Organization (ARNO), join forces as the Arakan Rohingya Union (ARU).

*May* – Power cuts throughout the country spark large-scale protests. In Pegu Division’s Pyay Township, 100 riot police stop some 300 protesters. At least five are arrested; according to multiple accounts, police assault protesters as they try to continue their march.

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2. In this report, the term "Rakhine" refers to Buddhist people of Rakhine ethnicity, and "Rohingya" refers to Muslim people of Rohingya ethnicity. Because of marriage or personal preference, some Rakhines and Rohingyas may have converted to different religions. However, in Western Burma, these cases are uncommon and—for the purposes of this report—we will assume Rohingyas are Muslim and Rakhines are Buddhist unless otherwise noted. Similarly, the report uses the term "Burman" to describe the majority Burman ethnicity, which is Buddhist. The term "Burmese" refers to anyone living in the country of Burma.
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111. Thomas Fuller, *Myanmar Struggles to Put Down Buddhist Attack on Muslims*, New York Times, 29 May 2013, [http://www.nytimes.com/2013/05/30/world/asia/religious-violence-myanmar.html?\\_r=0](http://www.nytimes.com/2013/05/30/world/asia/religious-violence-myanmar.html?_r=0).
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126. Aye Nai, *Mob ignores curfew, sets fire to Muslim home in Arakan state*, DVB, 2 Jul. 2013, <http://www.dvb.no/news/mob-ignores-curfew-sets-fire-to-muslim-home-in-arakan-state/29131>.
127. *Thandwe 'Stable' After Anti-Muslim Attack*, *supra* note 119.
128. "Law enforcement officials shall at all times fulfill the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession." UN Code of Conduct for Law Enforcement Officials art. 1, U.N. Doc. A/34/46 (17 Dec. 1979); "Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them." *Id.* at art. 8.
129. Interview with key informant no. 53, *supra* note 23.
130. Interview with key informant no. 58, in Rakhine State (23 Mar. 2013); Interview with key informant no. 61, in Rakhine State (24 Mar. 2013); Interview with key informant no. 62, in Rakhine State (24 Mar. 2013); Interview with key informant no. 56, in Rakhine State (23 Mar. 2013); Interview with key informant no. 65, in Rakhine State (24 Mar. 2013); Interview with key informant no. 57, in Rakhine State (23 Mar. 2013); Interview with key informant no. 63, in Rakhine State (24 Mar. 2013); Interview with key informant no. 66, in Rakhine State (24 Mar. 2013); Interview with key informant no. 59, in Rakhine State (23 Mar. 2013); Interview with key informant no. 68, in Rakhine State (24 Mar. 2013).
131. Interview with key informant no. 59, *supra* note 125; Interview with key informant no. 60, in Rakhine State (23 Mar. 2013); Interview with key informant no. 01, in Mandalay Division (26 Mar. 2013); Interview with key informant no. 03, in Sagaing Division (28 Mar. 2013).
132. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125; Interview with key informant no. 56, *supra* note 125; Interview with key informant no. 65, *supra* note 125; Interview with key informant no. 57, *supra* note 125; Interview with key informant no. 63, *supra* note 125; Interview with key informant no. 66, *supra* note 125; Interview with key informant no. 59, *supra* note 125; Interview with key informant no. 68, *supra* note 125.
133. Interview with key informant no. 53, *supra* note 23; Interview with key informant no. 64, in Rakhine State (24 Mar. 2013); Interview with key informant no. 05, in Mandalay Division (24 Apr. 2013).
134. Interview with key informant no. 53, *supra* note 23; Interview with key informant no. 64, *supra* note 128; Interview with key informant no. 05, *supra* note 128.
135. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125; Interview with key informant no. 04, in Mandalay Division (24 Apr. 2013).
136. Interview with key informant no. 59, *supra* note 125; Interview with key informant no. 60, *supra* note 126; Interview with key informant no. 67, in Rakhine State; Interview with key informant no. 02, in Mandalay Division (28 Mar. 2013).
137. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125; Interview with key informant no. 59, *supra* note 125; Interview with key informant no. 60, *supra* note 126; Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 64, *supra* note 128; Interview with key informant no. 66, *supra* note 125; Interview with key informant no. 02, *supra* note 131.
138. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 65, *supra* note 125; Interview with key informant no. 66, *supra* note 125; Interview with key informant no. 68, *supra* note 125; Interview with key informant no. 80, in Rangoon (24 Mar. 2013).
139. Interview with key informant no. 59, *supra* note 125.
140. Interview with key informant no. 67, *supra* note 131.
141. Interview with key informant no. 09, in Rakhine State (24 Mar. 2013).
142. Interview with key informant no. 60, *supra* note 126.
143. Interview with key informant no. 01, *supra* note 126; Interview with key informant no. 03, *supra* note 126.
144. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125.
145. Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125.
146. Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125.
147. Interview with key informant no. 58, *supra* note 125.
148. *Id.*
149. *Id.*; Interview with key informant no. 62, *supra* note 125.
150. Interview with key informant no. 62, *supra* note 125.
151. Interview with key informant no. 58, *supra* note 125.
152. *Massacre in Central Burma: Muslim Students Terrorized and Killed in Meiktila*, *supra* note 78, at 19.
153. Interview with key informant no. 14, *supra* note 76.
154. *Id.*



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155. Interview with key informant no. 22, *supra* note 73.
156. Interview with key informant no. 81, *supra* note 75.
157. KK, *A Mosque and an Islamic School of Orphans Torched: Eastern Burma*, M-Media, 28 May 2013, <http://m-mediagroup.com/en/archives/7918>; AP, *Anti-Muslim Violence Hits Lashio, Mosque, Shops Burned*, Irrawaddy, 29 May 2013, <http://www.irrawaddy.org/archives/35705>; *Sectarian Violence Erupts in Myanmar*, Al Jazeera, 29 May 2013, <http://www.aljazeera.com/news/asia-pacific/2013/05/201352952410553862.html>; *Myanmar Struggles to Put Down Buddhist Attack on Muslims*, *supra* note 106.
158. UN Code of Conduct for Law Enforcement Officials, *supra* note 123, at art. 1.
159. Lawyers Network and Justice Trust, Submission of Evidence to Myanmar Government's Letpadaung Investigation Commission 15 (28 Jan. 2013), available at <http://www.humanrights.asia/news/press-releases/pdf/2013/AHRC-PRL-007-2013.pdf>; Thomas Fuller, *Myanmar Troops Used Phosphorous on Protestors, Lawyers Say*, New York Times, 31 Jan. 2013, [http://www.nytimes.com/2013/01/31/world/asia/myanmar-troops-used-phosphorus-on-protesters-lawyers-say.html?\\_r=0](http://www.nytimes.com/2013/01/31/world/asia/myanmar-troops-used-phosphorus-on-protesters-lawyers-say.html?_r=0); *Letpadaung Farmers Beaten, Shot at for Plowing Fields*, Irrawaddy, 25 Apr. 2013, <http://www.irrawaddy.org/archives/32995>; *Hundreds Protest Pipeline in Burma's Rakhine State*, RFA, 18 Apr. 2013, <http://www.rfa.org/english/news/burma/pipeline-04182013175129.html>; *Ten to Face Charges of Organizing Illegal Protest of Shwe Gas Project*, Irrawaddy, 24 Apr. 2013, <http://www.irrawaddy.org/archives/32835>; *Riot police attack, arrest protestors*, DVB, 24 May 2012, <http://www.dvb.no/news/riot-police-attack-arrest-protestors/22150>; *Myanmar activists arrested in eve of crackdown anniversary*, Reuters, 7 Jul. 2013, <http://www.reuters.com/article/2012/07/07/us-myanmar-arrests-idUSBRE86605B20120707>; *Arrested student activists freed*, Mizzima, 9 Jul. 2013, <http://www.mizzima.com/news/prisoner-watch/7475-arrested-student-activists-freed.html>; *Violent Raid Breaks Up Myanmar Mine Protest*, Shwe Gas Movement, 22 Dec. 2012, <http://www.shwe.org/violent-raid-breaks-up-myanmar-mine-protest/>; TSYO, *Pipeline Nightmare: Shwe Gas fuels civil war and human rights abuses in Ta'ang community in northern Burma* (2012), [http://www.burmalibrary.org/docs14/Pipeline\\_Nightmare-en-red.pdf](http://www.burmalibrary.org/docs14/Pipeline_Nightmare-en-red.pdf).
160. The United Nations defines arbitrary execution as the killing of a person perpetrated by an agent of the State or any other person acting under government authority or with its complicity, tolerance, or acquiescence, but without any or due judicial process. Arbitrary executions (to be distinguished from executions after a fair trial) often are killings under suspicious circumstances with the following characteristics: 1) The death occurred when the victim was in the hands of law enforcement officials (e.g., police custody), or other state authorities. 2) An official inquiry following the death (e.g., autopsy or medical report) did not occur. UN OHCHR, *Training Manual on Human Rights Monitoring*, Professional Training Series No.7 43–44 (2001), <http://www.ohchr.org/Documents/Publications/training7part24en.pdf>.
161. Interview with key informant no. 58, *supra* note 125.
162. Interview with key informant no. 08, in Rakhine State (24 Mar. 2013).
163. *Id.*
164. *Id.*
165. *Id.*
166. Interview with key informant no. 57, *supra* note 125.
167. Interview with key informant no. 66, *supra* note 125.
168. Interview with key informant no. 60, *supra* note 126.
169. Interview with key informant no. 68, *supra* note 125.
170. Jethro Mullen, *Myanmar police fire rubber bullets at police*, CNN News, 28 Mar. 2013, <http://www.cnn.com/2013/03/27/world/asia/myanmar-unrest>.
171. "Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty. (a) This provision emphasizes that the use of force by law enforcement officials should be exceptional; while it implies that law enforcement officials may be authorized to use force as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used... (c) The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms," UN Code of Conduct for Law Enforcement Officials, *supra* note 123, at art. 3.
172. "Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life." Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, art. 9 U.N. Doc. A/CONF.144/28/Rev.1 (18 Dec. 1990).
173. Burma has acceded to international human rights treaties that guarantee the right to be free from being forcibly displaced from one's home. For example, the Convention on the Rights of the Child stipulates that "[n]o child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, [or] home. . . ." UN Convention on the Rights of the Child art. 16 (1), 20 Nov. 1989, 1577 U.N.T.S. 3 (acceded 15 Jul. 1991). "The child has the right to the protection of the law against such interference or attacks." *Id.* at art. 16(2). The Government is also legally bound to "accord men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile." UN Convention on the Elimination of All Forms of Discrimination against Women, art. 15(4), 18 Dec. 1979, 1249 U.N.T.S. 13 (acceded 16 May 1989). In addition, all States "shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons." Guiding Principles on Internal Displacement, Principle 5, U.N. Doc. E/CN.4/1998/53/Add.2 (1998), noted in Comm. Hum. Rts. res. 1998/50.
174. Brookings-Bern Project on Internal Displacement, *Protecting Internally Displaced Persons: A Manual for Law and Policymakers* 66-67 (Oct. 2008), available at <http://www.refworld.org/docid/4900944a2.html>; UN High Commissioner for Refugees, UNHCR's Operational Experience With Internally Displaced Persons 56-57 (Sep. 1994), available at <http://www.refworld.org/docid/3ae6b3400.html>; see generally Report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, U.N. Doc. A/HRC/23/44 (18 Mar. 2013), <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/121/12/PDF/G1312112.pdf?OpenElement>.
175. Interview with key informant no. 64, *supra* note 128; Interview with key informant no. 01, *supra* note 126; Interview with key informant no. 05, *supra* note 128.
176. The BBC refers to Rohingya refugees as "inmates" in Rakhine camps, "barred from traveling freely," Jonathan Head, *The unending plight of Burma's unwanted Rohingyas*, BBC News, 30 Jun. 2013, <http://www.bbc.co.uk/news/world-asia-23077537>.
177. Interview with key informant no. 10, in Mandalay Division (25 Apr. 2013).
178. "Everyone has the right to freedom of movement and residence within the borders of each state." Universal Declaration of Human Rights, art. 13, G.A. res. 217A (III), U.N. Doc A/810 (1948); "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence." International Covenant on Civil and Political Rights, art.12, G.A. res. 2200A (XXI), U.N. Doc. A/6316 (16 Dec. 1966).

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179. Numerous other human rights organizations and media outlets have documented restrictions on freedom of movement of Rohingya civilians in Rakhine State and of Muslims more broadly throughout Burma. See Human Rights Watch, *The Government Could Have Stopped This: Sectarian Violence and Ensuing Abuses in Burma's Arakan State* 40, 41, 42 (Jul. 2012), available at [http://www.hrw.org/sites/default/files/reports/burma0812webwcover\\_0.pdf](http://www.hrw.org/sites/default/files/reports/burma0812webwcover_0.pdf); Refugees International, *Rohingya in Burma: Spotlight on Current Crisis Offers Opportunity for Progress* (30 Oct. 2012), [http://www.refintl.org/sites/default/files/103012\\_Rohingya\\_In\\_Burma%20letterhead.pdf](http://www.refintl.org/sites/default/files/103012_Rohingya_In_Burma%20letterhead.pdf); Trapped inside Burma's refugee camps, the Rohingya people call for recognition, *supra* note 54; Buddhist monks incite Muslim killings in Myanmar, *supra* note 17; Ma Kyi, displaced by Myanmar violence: "Everything was on Fire," IRIN News, 25 Mar. 2013, <http://www.irinnews.org/Report/97722/Ma-Kyi-displaced-by-Myanmar-violence-Everything-was-on-fire>; Burma Campaign UK, *Burma Briefing No. 19* (25 Mar. 2013), [http://www.burmacampaign.org.uk/images/uploads/An\\_international\\_task\\_force\\_is\\_needed\\_to\\_help\\_tackle\\_growing\\_religious\\_violence\\_in\\_Burma.pdf](http://www.burmacampaign.org.uk/images/uploads/An_international_task_force_is_needed_to_help_tackle_growing_religious_violence_in_Burma.pdf).
180. Interview with key informant no. 58, *supra* note 125.
181. *Id.*
182. OHCHR, *Myanmar/Rakhine Commission: "Positive starting point but Government must address impunity" – UN Expert*, 1 May 2013, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13280&LangID=E>.
183. Interview with key informant no. 53, *supra* note 23.
184. Interview with key informant no. 78, in Rakhine State (22 Mar. 2013); Interview with key informant no. 79, in Rakhine State (22 Mar. 2013).
185. Interview with key informant no. 53, *supra* note 23.
186. Interview with key informant no. 56, *supra* note 125; Interview with key informant no. 57, *supra* note 125; Interview with key informant no. 58, *supra* note 125; Interview with key informant no. 61, *supra* note 125; Interview with key informant no. 62, *supra* note 125; Interview with key informant no. 63, *supra* note 125; Interview with key informant no. 64, *supra* note 128; Interview with key informant no. 65, *supra* note 125; Interview with key informant no. 66, *supra* note 125.
187. Interview with key informant no. 60, *supra* note 126.
188. Interview with key informant no. 57, *supra* note 125.
189. Interview with key informant no. 56, *supra* note 125.
190. Interviews with key informants no. 69-77, in Rakhine State (24 Mar. 2013).
191. *Id.*
192. Interview with key informant no. 80, *supra* note 133.
193. Interviews with key informants no. 69-77, *supra* note 185.
194. Interview with key informant no. 53, *supra* note 23; Interview with key informant no. 79, *supra* note 179.
195. Interviews with key informants no. 83-86, in Mandalay Division (27 Mar. 2013).
196. Press Release, UN OCHA, *Situation remains bleak one year on for 140,000 people displaced in Rakhine State by inter-communal violence* (17 Jun. 2013), <http://reliefweb.int/sites/reliefweb.int/files/resources/Rakhine%20one%20year%20press%20release.pdf>.
197. UN Country Team in Myanmar, *Inter-Agency Preparedness/Contingency Plan - Rakhine State, Myanmar* 10 (Mar. 2013), available at [http://reliefweb.int/sites/reliefweb.int/files/resources/Ref%20Doc\\_Rakhine\\_Inter-Agency\\_Contingency%20Plan\\_5\\_April\\_2013.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Ref%20Doc_Rakhine_Inter-Agency_Contingency%20Plan_5_April_2013.pdf).
198. Vivian Tan, *Race for roofs as rains start in Myanmar's Rakhine state*, UNHCR News, 3 Jun. 2013, <http://www.unhcr.org/51acad449.html>.
199. *Id.*
200. *Flood misery looms for IDPs in Myanmar's Rakhine State*, IRIN, 29 May 2013, <http://www.irinnews.org/report/98110/flood-misery-looms-for-idps-in-myanmar-s-rakhine-state>.
201. Situation remains bleak one year on, *supra* note 191.
202. AFP, *After Cyclone Mahasen, Myanmar camps face monsoon threat*, New Straits Times, 20 May 2013, <http://www.nst.com.my/latest/after-cyclone-myanmar-camps-face-monsoon-threat-1.282569>.
203. Interview with key informant no. 60, *supra* note 126.
204. Interview with key informant no. 61, *supra* note 125.
205. Interview with key informant no. 67, *supra* note 131.
206. Interview with key informant no. 68, *supra* note 125.



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