

Executive
Summary

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*



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

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.



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 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 Muslims 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 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 that analyzes such examples of extreme violence in a country-wide context, assessing patterns from sites of violence across the country, which indicate that the government has consistently failed to properly address attacks driven by hate speech and racism. More 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 of difference 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 is an abhorrent and unsustainable response that has devastating consequences on 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. PHR's field team included Richard Sollom, MA, MPH, former PHR director of emergencies; and Holly Atkinson, MD, FACP, PHR volunteer medical advisor, and past PHR president.

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.

Policy Recommendations

In documenting the extreme persecution of Burma's Muslim population and other ethnic minorities, frequently spurred by some Buddhist leaders, PHR's aim 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 human beings. 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 the 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.
- Move forward with the planned establishment of a country office of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to provide more consistent documentation and protection efforts in Burma and to ensure compliance with international human rights norms.



A formerly functioning mosque that was reduced to rubble during the violence in Meiktila, Burma in March, 2013. Photo: Richard Sollom

Policy Recommendations

continued

- Immediately repudiate the two-child policy that has been invigorated 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 by 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.

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 the 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.

Policy Recommendations

continued

- 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.

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.

The full report can be found at:

[physiciansforhumanrights.org/
burma-violence-2013](http://physiciansforhumanrights.org/burma-violence-2013)



Physicians for Human Rights was founded in 1986 on the idea that health professionals, with their specialized skills, ethical duties, and credible voices, are uniquely positioned to stop human rights violations. Today, our expertise is sought by governments, United Nations agencies, international and local courts, and other human rights organizations. The power of our investigations allows us to raise awareness and press for change to put an end to the most severe human rights violations of our time.



Nobel
Peace Prize
Co-laureate
1997

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