

Executive Summary

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Where There is Police, There is Persecution

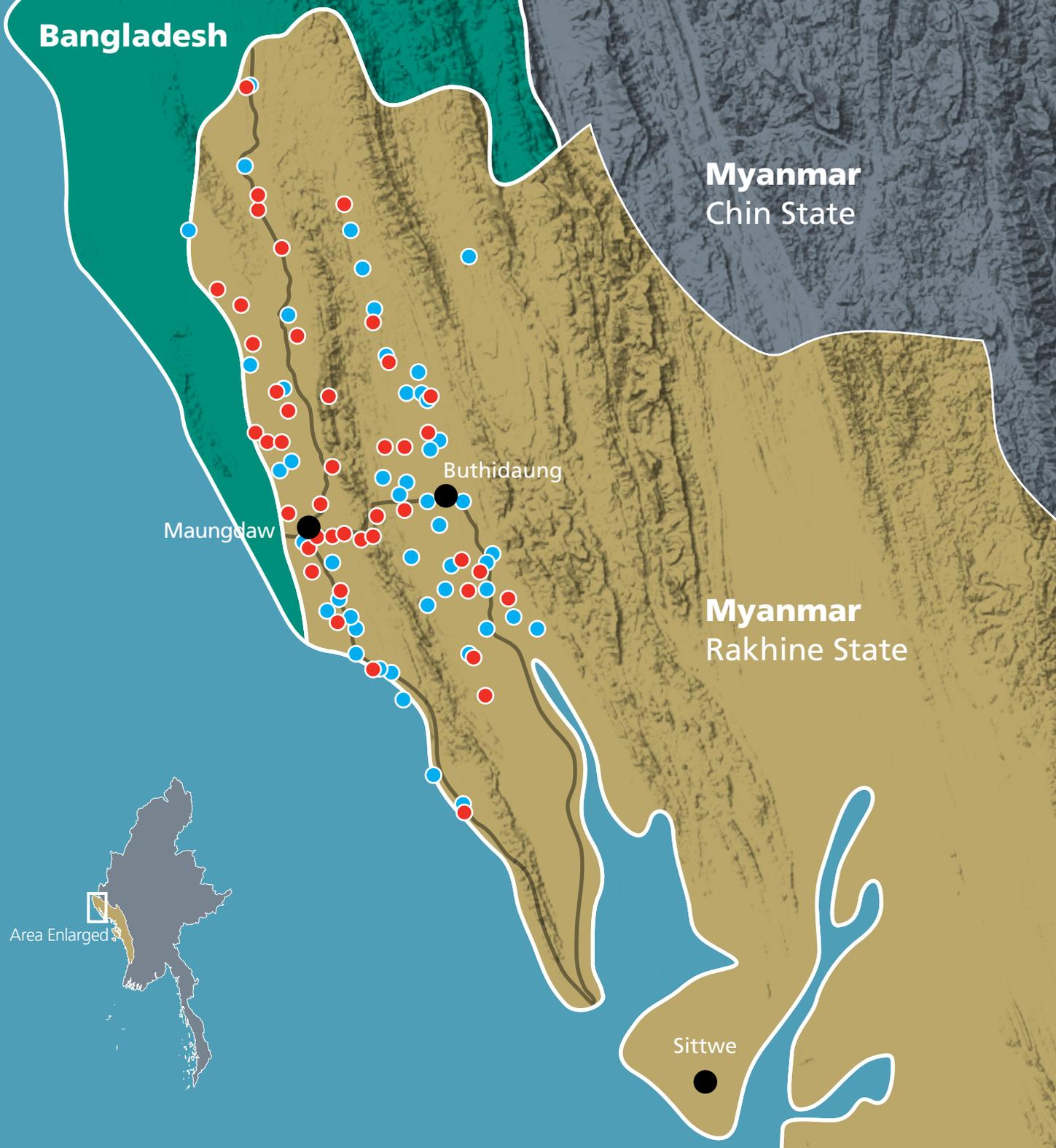
Government Security Forces and
Human Rights Abuses in
Myanmar's Northern Rakhine State

PHR

Physicians for
Human Rights



*An immigration officer inspects Rohingyas' paperwork
at a checkpoint in Rakhine State.*



Key

- Checkpoint
- City
- Government Clinic

In Myanmar's northern Rakhine State, ethnic Rohingyas have been subjected to decades of government-perpetrated human rights abuses which have severely impacted their ability to survive, to access health care, and to provide for their families. Security forces have penetrated into nearly all parts of the state and Rohingyas cannot travel far without encountering a security post, where they routinely risk assault, detention, and extortion. As this map illustrates, security posts are positioned on most of the access routes to government clinics, and many of the Rohingyas surveyed by Physicians for Human Rights said that they had often decided not to seek advanced medical care because of fear of passing through these checkpoints.

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In Rakhine State, in western Myanmar, the government has committed human rights violations against the population for decades, including forced evictions, arbitrary detention, restrictions on freedom of movement, denial of the right to citizenship, and discrimination in access to health care, work, housing, and basic amenities. These violations have continued after the transition to the current democratically-elected government, and they have affected all ethnic minorities in the state. Human rights violations perpetrated by the government are an often-overlooked root cause of the anti-Muslim violence that wracked the region in 2012, and they continue to be an obstacle to reconciliation and economic development.

Between November 2015 and May 2016, Physicians for Human Rights (PHR) documented the manner in which the minority Rohingya population in the state are particularly targeted for these violations, and charted the effect the violations have on the health and livelihood of an already impoverished population. PHR found that restrictions on movement, forced labor, nighttime raids, land confiscations, and the consequential extortion, taxation, and bribes have severe impacts on households in Rakhine State. Land confiscations from the predominantly agrarian population take away a resource that is crucial for generating income and producing food. Extortion (being forced to pay bribes to security forces) can remove a significant proportion of this needy population's income. As a result, households may not be able to afford to buy enough food, send children to school, or



A checkpoint in northern Rakhine State.

travel for medical care. The onerous restrictions on movement further limit people's ability to access medical care and to transport crops to sell in the market. Moreover, these rights abuses cause poor health outcomes. At a fundamental level, Rohingyas are subjected to such systematic denial of rights on discriminatory grounds that it pervades nearly every aspect of daily life.

The population studied for this report – the Rohingya – are a Muslim ethnic group of about one million people and one of the world's largest stateless populations. In Myanmar, they have rarely been free from government scrutiny. Village administrators, informers, and the high number of security outposts scattered across Rakhine State, where most Rohingyas live, ensure that Rohingyas' daily lives are closely monitored. This surveillance dramatically increases the chances of rights violations and extortion – Rohingyas cannot do anything without the government knowing about it. In other conflict-affected ethnic areas of Myanmar, the presence of state security forces, most often the Tatmadaw

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(Myanmar Armed Forces), is associated with increased rights abuses and impacts on health and livelihoods. In a 2012 household survey in Karen State, PHR found that for each hour's hiking distance closer to a military outpost that a village was located, households in that village had a 23 percent increased risk of having experienced a human rights violation and a seven percent increased risk of food insecurity.¹ In Rakhine State, too, any encounter with state security personnel brings the risk of rights abuses. The high presence there of security outposts means these encounters are common.

But the Rohingya are not the only group to have suffered from government repression in Myanmar. The narrative of abuses against Rohingyas often overshadows reports of abuses against

“The intention of the checkpoint is to discriminate against us and humiliate us.”

Rohingya man, 37

another ethnic group, the Buddhist Rakhines, when, in fact, Rakhine people have also suffered human rights violations such as forced labor, forced displacement, arbitrary arrests and killings, and theft of food and other basic amenities.² Around the tourist destinations of Mrauk U and Ngapali, the military has repeatedly seized Rakhine villagers’ land over the last two decades to make room for hotels. Rakhines have also had their land taken by the military to expand bases as well as for officers’ personal use. Land confiscations around the Kyauk Phyu Special Economic Zone and the China-Myanmar pipeline have not been resolved. The military also abuse Rakhine people by confiscating food and using them for forced labor and to serve as porters in conflict areas in the central part of the state. Two thousand Rakhines fled their homes in 2015 and 2016 around the towns of Kyauk Taw and Ponnagyun to escape these abuses. A 2015 report identified more cases of land confiscation among the ethnic Rakhine population in southeastern Rakhine State than in any other ethnic state in the country.^{3,4}

Furthermore, government health and education services across Rakhine State have suffered decades of neglect from military regimes; northern Rakhine State in particular is largely overlooked by international humanitarian aid groups, and was for decades mostly off-limits to foreigners.⁵ The poor health and economic situation in Rakhine State increases vulnerability to the impacts of human rights abuses, as documented in this report.

The primary goal of the research presented here was to identify the extent to which government entities – including the Myanmar military – employ discriminatory policies and practices to curb freedom of movement and access to health care, housing, and work in Rakhine State. To this end, the

research documented human rights violations committed against Rohingya people living outside of internally displaced person (IDP) camps, in two townships in northern Rakhine State.

To investigate abuses, PHR investigators surveyed 112 Rohingya migrants in Bangladesh and interviewed 58 other people, including Rakhines, international aid workers, and Rohingyas in both Bangladesh and Myanmar about the situation in Rakhine State.

PHR’s findings show that, in northern Rakhine State, Rohingyas are subjected to a wide range of abuse, restrictions, and penalties which severely impact their ability to survive, to access health care, and to provide for their families. PHR found evidence of routine and severe violations of the rights to freedom of movement, to choose one’s residence, and to be free from discrimination of any kind. We also found evidence of abuse and extortion perpetrated by security forces with impunity, in violation of the rights to privacy, security of person, and equal protection under the law.

To contextualize the findings, the report also summarizes two decades of corroborating studies that document abuses against both Rakhines and Rohingyas in Rakhine State.

There is little hope for efforts to promote peace and development in Myanmar as long as government policies and practices targeting specific populations for exclusion continue. Understanding the wider scope of past and ongoing violations, and the role of the government in perpetrating them, is important for peacebuilding, development, and humanitarian aid programming, as well as to inform efforts aimed at supporting international human rights standards in Rakhine State.

Rakhine State

Rakhine State is in western Myanmar, on the Indian Ocean and bordering Bangladesh. Ethnic conflict in Rakhine State started decades, if not centuries, before the outbreak of fighting in Sittwe in 2012, which left hundreds dead and displaced 140,000 Rohingyas and Rakhines into IDP camps. Ethnic Rakhine people – who number about 2.1 million and are the most populous group in the state – trace their roots to the Arakan and Dynawaddy kingdoms that ruled the region starting in about 300 AD. Although Rakhines are Buddhist, they have a different language and culture from the Burman people who inhabit the central part of the country and have tended to control the government and military. The Rohingya number about 1.1 million in Rakhine State, tend to be Sunni Muslim, and trace their roots to merchants and soldiers who served the Arakan kingdoms starting in the 1400s. Conflict between ethnic groups and the government after World War II shifted the distribution of ethnic groups across Rakhine State; the population in the northern part of the state now comprises 90-95 percent Rohingya, while the southern part of the state is mostly Rakhine. Although Buddhists and Muslims have lived in Rakhine State for centuries, since the colonial period waves of migration, forced displacements, fighting between Rohingya and Rakhine insurgent groups and the government, and periodic bouts of violence between the communities, as well as government abuses, have driven tensions between the two groups.

Recommendations

Human rights violations are pervasive across Myanmar's Rakhine State. These violations, including severe limits on freedom of movement, impact people's ability to survive in northern Rakhine State. Existing initiatives on reconciliation and peacebuilding – largely funded by external governments and institutions – do not adequately acknowledge the role of the Myanmar government in perpetrating these violations and its responsibility for the devastating human rights impact of such actions.

Physicians for Human Rights makes the following recommendations to address the dire human rights situation in Rakhine State:

To the government of Myanmar:

- Reverse local orders enabling abuses in northern Rakhine State.
- Denounce advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence ("hate speech"), and investigate crimes based on such advocacy ("hate crimes") thoroughly.

- Allow more humanitarian aid groups to access northern Rakhine State, and lift travel authorization requirements for foreigners.
- Continue to engage Rakhine and Rohingya groups in dialogue on how best to resolve statelessness issues.
- Acknowledge and condemn all past and ongoing abuses in Rakhine State as a step toward reconciliation and transitional justice.
- Move to rescind or review discriminatory local orders which perpetuate human rights violations.
- Remove ethnicity and religion documentation from national identification cards. This would help to circumvent the Rohingya identity issue that continues to block progress toward citizenship verification.
- Revise or repeal the 1982 Citizenship Law to ensure that it cannot be used to discriminate or to enable rights abuses. Modify or remove all national legislation, including the recent race and religion laws, and sections of the Constitution that do not follow international human rights standards.
- Support independent investigations into rights violations in Rakhine State.

To the military defense services of Myanmar:

- Instruct military forces to immediately:
 - Follow international guidelines on security checkpoints.
 - Cease nighttime raids.
 - Lift travel restrictions on Rohingyas.
 - Lift the permit system for fishing, fixing houses, and slaughtering livestock.
 - Cease land confiscations and the use of forced porters in all of Rakhine State.
- Initiate human rights trainings for security forces stationed in Rakhine State.
- Disallow discriminatory stops at checkpoints, including racial profiling or basing stops on religion or ethnicity information on national identification cards.
- Maintain checkpoints for security purposes only.
- Investigate and sanction military commanders who are profiting from ongoing violations, including Border Guard Police, police, immigration, and military personnel.



A Rohingya Muslim elder speaks during a September 2016 meeting with former UN secretary-general Kofi Annan at an IDP camp in Sittwe, Rakhine State. Annan is leading a multi-sector advisory commission on Rakhine State to find a lasting solution for the stateless Rohingya people. Photo: Romeo Gacad/AFP/Getty Images

Recommendations

continued

To international development organizations and corporations:

- Reconciliation efforts led by outside organizations must include efforts to acknowledge government abuses in Rakhine State and to obtain assurances from the government that these abuses will stop.
- Humanitarian and development programs must include human rights monitoring mechanisms, including integrating indicators for human rights violations into their performance measurement matrices in order to identify barriers to the success of projects.
- Monitor human rights indicators as key to the successful implementation of development projects, and obtain assurances from the government that human rights abuses will stop before further investment can go forward.

To the diplomatic community:

- The diplomatic corps must visit Maungdaw and other places in Rakhine State outside of IDP camps in order to better understand the human rights situation there.
- Support increasing numbers of international non-governmental organizations to work in Rakhine State, especially in the north.
- Raise the issue of abuses in northern Rakhine State during meetings with government and military officials.

To the Advisory Commission on Rakhine State led by former UN secretary-general Kofi Annan:

- Examine the impacts of past and ongoing government human rights abuses on the economy, food security, health, and education as one of the drivers of unrest in northern Rakhine State.
- Include a complete assessment of government abuses against Rohingya, Rakhine, and other groups in Rakhine State as part of the Advisory Commission's research.
- Document government-imposed limitations on research, especially those that include limits on access to locations and people in northern Rakhine State.

The full report can be found at: phr.org/myanmar-rakhine-state

**“Where there is police,
there is persecution.”**

Rohingya man, 35



A Rohingya man talks to a census worker at his house compound in Rakhine State. The government of Myanmar views Rohingyas as migrants from Bangladesh and refuses them citizenship; they have required them instead to register as “Bengali.”

Photo: Soe Than Win/AFP/Getty Images

Endnotes

1. William W. Davis, Luke C. Mullany, Matt Schissler, Saw Albert, Chris Beyrer, “Militarization, Human Rights Violations and Community Responses as Determinants of Health in Karen State, Myanmar: Results of a Multistage Cluster Survey,” *Conflict and Health* 9, no. 32 (2015).
2. J. Roos, *Conflict Research in Rakhine State*, Danish Refugee Council, Yangon, Myanmar, 2013, pp. 5, 10; International Crisis Group, *Myanmar: The Politics of Rakhine State*, 2014, pp. 3, 14, <https://d2071andvip0wj.cloudfront.net/myanmar-the-politics-of-rakhine-state.pdf>.
3. 88 Generation, *Land and Tears in Ethnic Regions*, November 2015.
4. Asean Parliamentarians for Human Rights, *Disenfranchisement and Desperation in Myanmar's Rakhine State – Drivers of a Regional Crisis*, October 2015, http://www.burmalibrary.org/docs21/2015-10-DISENFRANCHISEMENT_AND%20DESPERATION_IN_MYANMAR-RAKHINE_STATE-en-red.pdf; UNHCR, “Southeast Asia Mixed Maritime Movements,” April-June 2015, <http://www.unhcr.org/53f1c5fc9.pdf>.
5. According to the Myanmar Information Management Unit, only about 20 national and international groups are working in Maungdaw and Buthidaung, compared with 37 in Sittwe and hundreds nationally, despite northern Rakhine State having some of the worst poverty, nutrition, and health indicators in the country. See <http://www.themimu.info/3w-dashboard>.



For 30 years, Physicians for Human Rights (PHR) has used science and medicine to document and call attention to mass atrocities and severe human rights violations. PHR is a global organization founded on the idea that health professionals, with their specialized skills, ethical duties, and credible voices, are uniquely positioned to stop human rights violations. PHR's investigations and expertise are used to advocate for persecuted health workers and medical facilities under attack, prevent torture, document mass atrocities, and hold those who violate human rights accountable.

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