

Widespread and Systematic

Violence against the Rohingya in Myanmar

August 2018





Introduction

In the final weeks before the massive 2017 Rohingya exodus from Myanmar, reports indicate that the vast majority of Rohingya settlements suffered violence, often extreme, at the hands of Myanmar security forces and civilians. As part of a large-scale and unique research effort to determine the scope, scale, and patterns of these attacks, Physicians for Human Rights (PHR) surveyed leaders from 604 Rohingya hamlets in Myanmar's Rakhine state encompassing more than 916,000 people. The findings, coupled with in-depth interviews and forensic medical examinations of Rohingya survivors, point to a widespread and systematic pattern of targeted violence – including rapes and killings of women, men, and children – that drove more than 720,000 Rohingya into neighboring Bangladesh.

PHR's previous research indicates that the grave human rights violations committed against the Rohingya in August 2017 should be investigated as crimes against humanity (namely murder and enforced disappearances, torture, rape and other sexual violence, and forcible transfer of populations). While parts of additional data PHR has collected are still being analyzed, this report shares select preliminary findings to support international efforts for the creation of an independent, impartial, and effective mechanism to collect, preserve, and analyze evidence for criminal investigations that can bring those responsible to justice.

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Cover: A Rohingya refugee carries his injured relative after crossing the river into Bangladesh in October 2017.

Photo: Munir Uz Zaman/AFP/Getty Images

Methodology

By using its medical expertise and working with Rohingya survivors in Bangladesh, PHR has applied three main research methods to document the scope, scale, and patterns of attacks that took place against the Rohingya in late August 2017.

Epidemiological Survey

PHR surveyed leaders from 604 Rohingya hamlets in the townships of Maungdaw, Buthidaung, and Rathedaung in northern Rakhine state to gather data on the morbidity and mortality rates resulting from the events of late August 2017. To this end, the survey covered events in these hamlets from the end of Ramadan (June 24, 2017) to the time when the Rohingya residents of these hamlets fled to Bangladesh. Ninety-two percent of the hamlets surveyed were solely Rohingya, encompassing an estimated 136,320 Rohingya households and 916,399 Rohingya people.¹

Qualitative Research

To complement the quantitative survey data, PHR conducted qualitative interviews with a select 40 hamlet leaders who reported mass killings, rapes, and/or mass graves. These in-depth interviews provided additional context to document the scale and nature of the attacks and the experiences of the Rohingya people during flight.

Forensic Evidence Casework

PHR medical teams conducted forensic medical evaluations by examining more than 85 Rohingya survivors to corroborate the survey and qualitative findings. The breadth and geographical diversity of this forensic casework points to the widespread and systematic nature of human rights violations faced by the Rohingya. Moreover, drawing upon its forensic evidence casework, PHR published an in-depth study of the village of Chut Pyin as an emblematic case to illustrate how the systematic campaign against the Rohingya was carried out by the Myanmar state and the effect that it has had on a Rohingya community and its members.

To produce forensic evidence, PHR used an adapted version of the UN Office of the High Commissioner for Human Rights (OHCHR)'s "Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment," known as the Istanbul Protocol. PHR's forensic evidence casework draws exclusively on testimonies that demonstrate a high degree of consistency between described events and physical forensic examination findings, and with overall information reported by other credible sources.

*A 25-year-old Rohingya woman at Bangladesh's Kutupalong refugee camp shows PHR's Dr. Satu Salonen where she was shot during an attack on her village in Myanmar that killed her sister-in-law and two other family members.
Photo: Salahuddin Ahmed for Physicians for Human Rights*



Preliminary Key Findings

For decades, the Rohingya in Myanmar have been stateless and subjected to a wide range of human rights violations, including the denial of the right to health and education, limited political participation, restrictions on freedom of movement, forced displacement, arbitrary detentions and killings, forced labor, and trafficking, among other abuses.² In recent years, Myanmar has increasingly pressured Rohingya communities to register for National Verification Cards (NVCs), a citizenship identification process that did not offer participants the option to self-identify ethnically as Rohingya. As a result, many people refused to participate for fear of being registered as “illegal” and then expelled from Myanmar.³

PHR’s survey across 604 hamlets showed that in the weeks leading up to August 2017, Myanmar authorities held meetings with over 91 percent of these hamlets. Almost all of the hamlets (93 percent) noted that they were asked about the NVC during the meetings, which were largely convened by Border Guard Police (89 percent), Myanmar military (84 percent), and civil government officials (56 percent). More than two thirds of the hamlets reported that the meetings included threats of violence or reports of violence and restricted mobility in neighboring Rohingya hamlets.

PHR’s forensic research on the village of Chut Pyin exemplifies how this systematic practice unfolded. Rohingya leaders in Chut Pyin reported that their last meeting with officials took place on August 22, when they were given 24 hours to reach a collective decision on whether the Rohingya would accept the NVC and were warned that they would die if the community did not agree.⁴ When the Rohingya villagers rejected the NVC the following day, the Myanmar officials said to them “Do not leave your houses, and if we see you on the road, we will shoot you.”⁵ Three days later, Chut Pyin was destroyed by Myanmar security forces and Rakhine Buddhist civilians, leaving some 400 Rohingya, including 99 children, dead or missing.

International law defines deportation or forcible transfer as the “threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power against such person or persons or another person.”⁶ PHR’s survey shows that the majority of hamlets within which meetings were convened during this time (81 percent) perceived the meetings as threats, and over half of the respondents from the affected areas reported that this was one of the reasons why they fled. This demonstrates the coercive nature of a widespread and systematic policy that seemed designed to ensure Rohingya communities left Myanmar.

Screen shot of a video showing the graves of Rohingya victims of the August 2017 massacre in Chut Pyin. One witness said he saw 10-20 bodies hastily buried two to three per grave in these fields of a neighboring village.



Violence and Injuries across Northern Rakhine State

PHR's survey indicates that Chut Pyin was an emblematic case, as these threats turned into violence in subsequent weeks across many hamlets in northern Rakhine state: from the end of June to early September 2017, 88 percent of the survey respondents reported incidents of violence directly perpetrated against their hamlets, which led to a vast array of human rights violations. Ninety-one percent of the hamlets that reported violence noted blunt force trauma such as beatings, hitting, kicking, punches or biting, or penetrating injuries using weapons such as machetes, knives, and sticks. Hamlet leaders also reported that villagers were shot (55 percent) and that rape and sexual assault (28 percent) and gang rape (nine percent) took place during this period. Moreover, 88 percent of those who reported violence within their hamlet also described that the Rohingya's right to freedom of movement had been affected with travel restrictions.

Of 604 surveyed Rohingya hamlets, **534 reported violence**



Violence Committed against the Rohingya

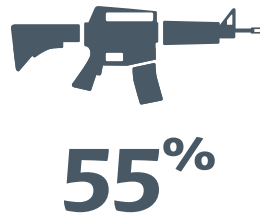
Leaders from 534 of 604 Rohingya hamlets (88%) in Rakhine state surveyed by PHR said violence had occurred in their hamlets between June and September 2017. These are the types of violence they reported.



Said people were beaten or injured with weapons



Said religious leaders were targeted



Said people were shot



Said people were tied to buildings/structures



Said people were raped/sexually assaulted



Said people were hurt/killed by landmines



Said people were hit by mortars/RPGs/grenades



Said people were gang-raped

Source: Physicians for Human Rights survey of leaders from 604 Rohingya hamlets in Myanmar's Rakhine state encompassing more than 916,000 people.

Violence and Injuries across Northern Rakhine State

continued

This survey data is supported by PHR's forensic evidence casework. Ranging from 3.5 to 74 years of age, the 85 survivors whom PHR medically examined sustained several different kinds of injuries, with some survivors sustaining multiple injuries. These included gunshot wounds (56 percent); injuries from explosives or fragmented projectiles (23 percent); blunt force trauma, including kicking and beating (13 percent); and penetrating injuries such as stabbings and mutilations (nine percent). Out of these 85 survivors, almost a quarter now have a permanent disability and screened positive for post-traumatic stress disorder.

Three quarters of the surveyed leaders said that violence in their hamlet or a neighboring hamlet was the primary reason why the Rohingya in their community fled to Bangladesh. Other reasons leaders reported ranged from extortion (75 percent)⁷ and arbitrary arrests (71 percent) to health issues (38 percent) and lack of food

(29 percent), which speak to the range of human rights violations faced by the Rohingya. The effect on key sources of survival is evident, as more than 75 percent of hamlets reported fields or farms burned and/or homes torn down or destroyed, causing displacement by directly affecting the Rohingya's livelihood in Myanmar. It is also worth noting that almost two thirds of the respondents (65 percent) reported that mosques in their hamlets were destroyed or burned, indicating a persecution based on ethnic and religious grounds.

PHR's research shows that 64 percent of hamlet leaders reported that the Rohingya continued to face violence as they fled to Bangladesh: blunt force trauma such as beatings, hitting, kicking, punches, or biting, or penetrating injuries using weapons such as machetes, knives, sticks (82 percent); gunshot wounds (65 percent); mortars/RPGs/grenades (35 percent); rape (27 percent); and gang rape (11 percent).

Destruction of Rohingya Hamlets

Percentage of Rohingya leaders interviewed by PHR who said destruction occurred in their hamlet in Myanmar between June and September 2017, by type of destruction reported.



50%

Said homes were set on fire



65%

Said mosques were destroyed or burned



75%

Said homes were torn down or destroyed



79%

Said fields or farms were burned

Perpetrators of Violence against the Rohingya

The percentage of Rohingya leaders interviewed by PHR who identified attackers of Rohingya hamlets in Myanmar between June and September 2017, by type of perpetrators identified.



46%

Identified Civil Government Perpetrators



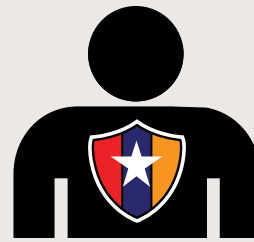
67%

Identified Civilian Extremist Perpetrators



87%

Identified Military/Tatmadaw Perpetrators



90%

Identified Border Guard Police Perpetrators

Source: Physicians for Human Rights survey of leaders from 604 Rohingya hamlets in Myanmar's Rakhine state encompassing more than 916,000 people.

Conclusion and Recommendations

PHR's forensic evaluations indicate that 85 percent of Rohingya survivors who were medically examined identified the Myanmar military as perpetrators of attacks on their villages. This is supported by the survey results, which show that 77 percent of hamlets that reported violence had observed helicopters overhead. Leaders also observed special military trucks (70 percent) and tanks (22 percent) in their hamlets, demonstrating the widespread presence of Myanmar security forces in Rohingya communities during this time.

A quarter of these hamlets reported that the violence took place on August 25, which marked the beginning of the military-led offensive on Rohingya villages, allegedly in response to attacks by the insurgent Arakan Rohingya Salvation Army (ARSA). More than two-thirds (69 percent) of the reported violence directly perpetrated against Rohingya hamlets took place from August 15 to September 4, when the military announced the end of its "clearance operations" against ARSA.

To date, Myanmar authorities have failed to conduct a full and independent investigation into the violence perpetrated against the Rohingya around August 2017 and have not fully cooperated with others seeking to do so. In June 2018, the Myanmar government announced the creation of an "independent commission of inquiry" to investigate further allegations of human rights abuses in Rakhine state. Given Myanmar's limited past efforts on justice and accountability, there are reasonable grounds for concern about whether these investigations will be carried out effectively.⁸

PHR calls for an independent, impartial, and effective mechanism that can collect, preserve, and analyze evidence for criminal investigations, which in turn can establish individual responsibility for these crimes under international law. To this end, this mechanism must be given appropriate mandate, staff, resources, and overall capacity to monitor the human rights situation of the Rohingya and to assist in the building of criminal cases before appropriate judicial mechanisms.

This report can be found online at phr.org/widespread.

Endnotes

1. The remaining eight percent of villages also included 8,255 people of other ethnicities (Mro, Rakhine, Hindu) residing in the affected areas.
2. UN Office of the High Commissioner for Human Rights (OHCHR), "Report of OHCHR Mission to Bangladesh: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016," (3 February, 2017): <https://www.ohchr.org/Documents/Countries/MM/FlashReport3Feb2017.pdf> (p.7-13).
3. Physicians for Human Rights, "'Please Tell the World What They Have Done to Us' – The Chut Pyin Massacre: Forensic Evidence of Violence against the Rohingya in Myanmar," July 20, 2018: <https://phr.org/chut-pyin> (p.10).
4. Ibid, p.12.
5. Ibid, p.13.
6. International Criminal Court (ICC), Elements of Crimes, 2011, ISBN no. 92-9227-232-2, available at <https://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf> (p. 6).
7. Amnesty International documented that Myanmar security forces routinely extorted money from the families of Rohingya men and boys prior to and following the August 25 attacks: Amnesty International, "'We Will Destroy Everything' Military Responsibility for Crimes against Humanity in Rakhine State, Myanmar," June 29, 2018: <https://www.amnesty.org/download/Documents/ASA1686302018ENGLISH.PDF> (p.30).
8. Physicians for Human Rights, op cit, p.4.



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change is possible.



Nobel Peace Prize
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