

briefing

Burma

Visit to the Bangladesh-Burma Border

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CHRISTIAN
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I. Executive Summary

“A people at the brink of extermination.”

The military regime in Burma, the State Peace and Development Council (SPDC), continues to perpetrate gross violations of human rights, amounting to crimes against humanity, against all its citizens and particularly the ethnic nationalities.

Among the most persecuted and oppressed people groups in Burma are the Rohingya, a Muslim people residing primarily in northern Arakan State, western Burma, along the border with Bangladesh. In the words of one representative of the Arakan Rohingya National Organisation (ARNO), “We are a people at the brink of extermination”.

In addition to the widespread use of forced labour, rape and torture which all the ethnic nationalities in Burma suffer, including the Rohingya, they are denied full citizenship rights. The Rohingya are denied National Registration Cards (NRCs) or Citizenship Scrutiny Cards (CSCs), which are issued to all other Burmese citizens, and instead they are given Temporary Registration Cards (TRCs). The SPDC has imposed severe restrictions on freedom of movement, access to education, marriage and freedom of religion, specifically on the Rohingya. Mosques and religious institutions have been destroyed and permission to renovate, repair, rebuild or extend mosques is usually denied. Furthermore, Rohingyas are specifically targeted for extortion.

Thousands of Rohingyas have fled across the border to Bangladesh, where they find some security but little future. Only 27,258 refugees have been officially recognised by the UNHCR and live in two refugee camps. Thousands more live in dire conditions in temporary unregistered camps and settlements. Access to education and health care is extremely limited, and living conditions are very poor, especially in the rainy season.

The Rakhine people, the majority ethnic group in Arakan State, also face severe human rights violations including rape and forced labour. Furthermore, the SPDC pursues a deliberate divide-and-rule policy to stir up ethnic hostilities between the Rakhine and the Rohingya.

From 27-31 August 2008, CSW made its first fact-finding visit to the Bangladesh-Burma border. CSW interviewed Rohingya refugees, Rohingya and Rakhine political groups, and Buddhist monks who participated in the Saffron Revolution in September 2007 and fled to Bangladesh. CSW also visited two camps for unregistered Rohingya refugees. In addition, CSW interviewed recent defectors from the SPDC’s ‘Na Sa Ka’ (border security force), who confirmed many of the reports of human rights abuses targeted at the Rohingyas.

CSW calls on the international community, and particularly the United Nations Security Council, to take immediate and urgent specific action in response to the continuing deterioration of human rights in Burma and the dire and desperate humanitarian crisis unfolding in the country. CSW also urges the international community and the Government of Bangladesh to take steps to improve access to education, health care and livelihood for the Rohingya refugees in Bangladesh.

2. Recommendations

2.1. To the United Nations:

- To introduce a resolution at the UN Security Council setting out specific benchmarks for progress in Burma, with deadlines. Such benchmarks should be incremental, and should include the release of political prisoners, an end to the military offensive in eastern Burma, an end to the widespread and systematic violations of human rights, and the start of meaningful tripartite dialogue between the SPDC, the NLD and the ethnic nationalities;
- To introduce, through the UN Security Council, a universal arms embargo against the military regime in Burma.
- To seek a referral of a case to the International Criminal Court (ICC), or through an alternative judicial mechanism, against the SPDC's leaders on charges of war crimes and crimes against humanity;
- To investigate allegations of ethnic cleansing, genocide or attempted genocide, particularly relating to the human rights violations perpetrated against the Rohingya people.

2.2. To the EU, Japan and Singapore:

- To introduce targeted financial sanctions on the banking transactions and other financial assets of the top SPDC leaders, as well as state and private entities that support the military in Burma, as recommended by nine Nobel Peace Prize Recipients in a statement on 19 February.

2.3. To the Government of Bangladesh, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the European Commission's Humanitarian Aid Office (ECHO):

- To provide formal education for Rohingya refugees beyond Class 5, and up to the age of 18;
- To improve access to health care for refugees, and in particular to ensure adequate provision of emergency medical facilities;
- To work together to find an immediate and durable solution for the Rohingya refugees, including providing opportunities for settlement and integration into the local community, or resettlement to third countries;
- To clearly reject any consideration of forced repatriation for the Rohingya to Burma, until they can be assured of respect for human rights and democracy.

2.4. To the Government of Bangladesh:

- To conclude all false cases filed against Rohingya refugees who resisted or refused forced repatriation, and to release all Rohingya refugees currently in prison for resisting or refusing forced repatriation

2.5. To Burmese democracy groups and international human rights Non-Governmental Organisations (NGOs):

- To encourage representatives of Burma's democracy movement, particularly the National Council of the Union of Burma (NCUB), the National Coalition Government of the Union of Burma (NCGUB), and human rights NGOs to visit the Bangladesh-Burma border at the earliest opportunity.

- To engage with and include Rohingya, Rakhine and other Bangladesh-based Burmese groups in the wider struggle for democracy.
- To urge human rights and humanitarian NGOs to visit the Bangladesh-Burma border to provide training in documentation, reporting, advocacy, primary health care, education and other necessary and much-needed skills.

3. Introduction

Christian Solidarity Worldwide (CSW) is an international human rights organisation specialising in religious freedom. With advocacy staff based in London and Brussels, CSW has partners and affiliates in the UK, USA, Australia, New Zealand, Hong Kong, India, Sri Lanka, Norway, Denmark and France. CSW has been working on human rights issues in Burma for twenty years, making regular fact-finding visits to the Karen, Karenni and Shan ethnic nationalities on the Thailand-Burma border, the Chin on the India-Burma border and the Kachin on the China-Burma border. CSW funds two orphanages in refugee camps for Karen and Karenni, supports relief for the Internally Displaced People through the Free Burma Rangers, and helps to fund several human rights and humanitarian projects among the Chin people.

The military regime in Burma, the State Peace and Development Council (SPDC), continues to perpetrate gross violations of human rights, amounting to crimes against humanity, against all its citizens and particularly the ethnic nationalities.

In September 2007, tens of thousands of Burmese Buddhist monks and civilians took part in demonstrations calling for change, and the regime responded with a brutal crackdown in which thousands were arrested and many were beaten, tortured and killed.

In May 2008, Cyclone Nargis hit Burma, and at least 140,000 people died and 2.5 million were left homeless as a result of the regime's failure to prepare the people prior to the cyclone, or to provide assistance in the wake of the disaster. In addition, it is guilty of the deliberate denial, restriction and diversion of aid. On 10 May, 2008 the regime held a sham referendum on a new constitution, in which it threatened, intimidated and harassed voters throughout the country into voting in favour of the new constitution which will enshrine military rule. Numerous reports have also been received of blatant vote rigging.

The SPDC is conducting a full military offensive against civilians in eastern Burma, in which at least 3,200 villages have been destroyed since 1996 and a million people internally displaced. Over 1,200 political prisoners are in jail, subjected to regular torture, and Burma's democracy leader, Nobel Peace Prize winner Aung San Suu Kyi remains under house arrest. Burma has the highest number of forcibly conscripted child soldiers in the world, and rape, torture and forced labour are widespread and systematic. Religious minorities, particularly Christians and Muslims, face restrictions, discrimination and persecution, and Burma is listed as a Country of Particular Concern by the US State Department Office of International Religious Freedom.

A senior UN official, who has served in Darfur and other humanitarian crisis situations and who, in the words of a foreign diplomat, "knows human misery when he sees it", recently described the situation in northern Arakan as "as bad as anything he has seen in terms of the denial of basic human freedoms". Medecins sans Frontieres (MSF), which works in northern Arakan State and has also operated in the camps for Rohingya refugees in Bangladesh, has described the Rohingya as one of the ten world populations in danger of extinction.

The Rakhine people, the majority ethnic group in Arakan State, also face severe human rights violations including rape and forced labour. Furthermore, the SPDC pursues a deliberate divide-and-rule policy to stir up ethnic hostilities between the Rakhine and the Rohingya.

CSW therefore decided to conduct its first fact-finding visit to the Rakhine and Rohingya people on the Bangladesh-Burma border with the following objectives:

1. To obtain first hand information and evidence of human rights violations in Arakan State, affecting both the Rakhine and Rohingya peoples;
2. To obtain first hand, up-to-date information and evidence of human rights violations throughout Burma.

CSW visited Dhaka, Chittagong, Cox's Bazaar and Teknaf between 26 August and 1 September. In Dhaka, CSW interviewed defectors from the 'Na Sa Ka' (Burmese border security force), and had meetings with Naranjara News, the National United Party of Arakan (NUPA), the Arakan Project, the British High Commission and the Delegation of the European Commission. In Chittagong, CSW met leaders of the Arakan Rohingya National Organisation (ARNO), NUPA, Kaladan Press and Rohingya historian and former NLD candidate in the 1990 elections, AFK Jilani. In Cox's Bazaar, CSW interviewed five Buddhist monks who had participated in the Saffron Revolution in September 2007, and met the Head of the UNHCR Sub-Office. In Teknaf CSW visited the Leda Undocumented Refugee Camp and the makeshift camp of unregistered refugees surrounding Kutupalong camp, met officials from Islamic Relief, responsible for Leda Undocumented Refugee Camp, and interviewed Rohingya refugees.

4. The Rohingya

4.1. Background and Context

In the words of a representative of the Arakan Rohingya National Organisation (ARNO), the military regime in Burma is "poised to exterminate" the Rohingyas, and wants "Arakan land without Muslims". The Rohingya people are "just struggling to survive".

Ethnically, culturally and linguistically the Rohingyas are closely related to the Bengalis, and particularly the people of Chittagong area of Bangladesh. The Rohingyas are almost entirely Muslim. The regime prohibits the use of the term 'Rohingya', arguing it is the "creation of Bengali insurgents", and refers to them instead as "Bengali intruders". Many Rakhine, the majority ethnic group in Arakan State, also refuse to use the term 'Rohingya', referring to them simply as 'Muslims'. The Rohingyas, however, argue that they are an indigenous ethnic group that have lived in Arakan State since the seventh century. While the precise historical background may be debatable, there is no doubt that the Rohingyas have been in Burma for generations, whether or not they used the term, and should be regarded as full and equal citizens of Burma. Instead, under the 1982 Citizenship Act, the Rohingyas are excluded from the 135 recognised 'national races', and are therefore *de jure* stateless. Rohingyas are encouraged by the SPDC to leave Burma, and each year the Na Sa Ka carries out a population survey in Arakan State to establish whether the Rohingya population has decreased.

According to the Rohingyas, prior to 1942 Rakhines and Rohingyas lived peacefully with each other and experienced no problems. However, a large anti-Muslim riot occurred in 1942, and the Rohingyas believe it was stirred up by Burmans. In 1942, 300 Muslim religious centres were destroyed and thousands of Rohingyas fled their homes. The oppression of the Rohingyas intensified, however, after General Ne Win seized power in 1962. Prior to 1962, Rohingyas were treated as citizens of Burma. A Rohingya spokesman claims that from 1941-1962, for example, 90 per cent of teachers in northern Arakan State were Rohingya, and 80 per cent of positions in the police and judiciary were filled by Rohingyas in northern Arakan State. Rohingyas were issued with National Registration Cards (NRCs) in 1955, along with all other citizens of Burma. "During the democracy era [from 1947-1962], we did not feel discriminated," said one Rohingya leader.

In 1978, Ne Win launched “Operation King Dragon” (‘Nagamin’), an intense military offensive against armed Muslim ‘insurgents’ in Arakan State, which affected thousands of innocent Rohingya. During the course of three months, an estimated 200,000¹ Rohingyas fled Burma to Bangladesh, where the UNHCR established camps. A further exodus of 230,000 Rohingyas came into Bangladesh in 1991, fleeing severe human rights violations. In 1994, the armed Rohingya Solidarity Organisation (RSO) launched a failed attack by sea from Bangladesh, and the regime responded with severe reprisals against innocent Rohingya civilians.

The 1982 Citizenship Act was only implemented after the 1990 elections. The Rohingyas were able to vote in 1990, using their NRCs, but in 1994, the Rohingyas’ status was downgraded to that of “temporary resident”, and they were issued with new white Temporary Registration Cards (TRCs), at a charge of 2,500 kyats. All other citizens of Burma held red NRCs or new Citizenship Scrutiny Cards (CSCs). According to one Rohingya, “the regime claims we are mere residents, not citizens”. Possessing the TRC is essential to get permission to travel or marry, and without the TRC permission is impossible, but according to the Rohingya that is the only value of having a TRC.

4.2. Population

The total population of Arakan State is estimated to be between 2.5 and 3 million. The Rakhine ethnic nationality, who are predominantly Buddhist, are the majority population. The Rohingyas are believed to number approximately one million, and are primarily located in northern Arakan State. The UNHCR estimates the total population of northern Arakan to be 910,000, of which 725,000 are Rohingyas. In Maungdaw and Buthidaung, the two major townships in northern Arakan, Rohingyas amount to 96 per cent and 88 per cent of the population respectively. In Sittwe (Akyab), the capital of Arakan State, 50 per cent of the population are Rohingya. Other Rohingyas and Arakanese Muslims who choose not to describe themselves as Rohingyas are scattered through central and southern Arakan. Approximately one million are living in exile in Bangladesh, Malaysia, Thailand, Pakistan, Saudi Arabia, the United Arab Emirates and in Europe and the United States.

4.3. International humanitarian presence

Four UN agencies and at least seven international Non-Governmental Organisations (NGOs) are present in northern Arakan, mostly funded by the European Union. Travel in the area for the approximately 100 international staff is restricted and controlled. The agencies include the Office of the UN High Commissioner for Refugees (UNHCR), UN Development Programme (UNDP), the Food and Agriculture Organisation (FAO), the World Food Programme (WFP), Medecins sans Frontieres-Holland (AZG), Action contra la Faim (ACF), Malteser International, Aide Medicale International (AMI), Bridge Asia Japan (BAJ), CARE and Groupe de Recherche et d’Echanges Technologiques (GRET)². “If there was no international presence in northern Arakan, the situation would be even worse. It is of the utmost importance that the international community remain in the area, because to some extent they can protect us,” said one Rohingya.

¹ Martin Smith, *The Muslim Rohingyas of Burma*, Burma Centrum Netherlands, 11 December 1995

² Chris Lewa, *Northern Arakan/Rakhine State: A Chronic Emergency*, delivered at the Burma/Myanmar Forum, organised by the European Institute for Asian Studies (EIAS), Brussels, 29 March 2006

4.4. Human Rights Violations

Severe human rights violations continue to be perpetrated by the SPDC, and its border security force known as the 'Na Sa Ka', against the Rohingyas. The Burma Army reportedly maintains at least 44 battalions in Arakan State, 13 of which are stationed around Buthidaung, a Rohingya-dominated township in northern Arakan. Violations of human rights, summarised here, include restrictions on movement, marriage and religious activities; extortion; forced labour; rape; and arbitrary arrests, detention, torture and extrajudicial killings.

4.4.1. Restrictions

The SPDC has imposed several restrictions specifically on the Rohingyas. These restrictions do not apply to other citizens of Burma. Restrictions include:

- **Severe restrictions on freedom of movement.** For a Rohingya to travel from one village to another, they must obtain travel permission from at least three authorities – the village Peace and Development Council chairman, the Na Sa Ka and the township Peace and Development Council. Such permission is difficult to obtain and often takes at least five days. To travel to another nearby village, Rohingyas must also pay a bribe of at least 500 kyats, and to travel to a township, they must pay at least 1,000 kyats. Furthermore, Rohingyas travelling from one village to another face harassment at checkpoints on the way. This restriction impedes economic activity and access to education and health care. There is one large hospital in Sittwe, but travel to Sittwe is often denied.
- **Restrictions on marriage.** To get married, a Rohingya couple must obtain permission. In 2005, marriage permission was suspended entirely for several months, and it is claimed that at least 50,000 applications for marriage approval were pending as a result. Currently, at least 15,000 are still pending, and it can take several years to obtain approval. A couple seeking approval for marriage must pay between 5,000 and 500,000 kyats, depending on their economic status.
- **Restrictions on access to education.** Even when they obtain high marks, Rohingya students face discrimination and are often refused entry to higher education. For those who are able to secure a place, they can only follow distance education and need to obtain a travel pass to travel from their village to the only university in Arakan State, in Sittwe, to sit their exams. Since 2005, permission to travel to Sittwe has been systematically denied or provided after examinations had already taken place. In 2005, only 45 Rohingya students managed to sit for their exams in Sittwe. In regard to primary education, there are primary schools in every village, but in many schools 90 per cent of the teachers are non-Muslims, and only 5-10 per cent are Muslims. Rohingyas are regarded as non-citizens and are therefore not allowed to be employed as civil servants, teachers, nurses or in other public services. There are some Muslim teachers but they are supported by the community, or by NGOs, the UNHCR, or the WFP's food-for-education initiative. Rakhine teachers appointed to teach in government-run schools in Rohingya areas sometimes do not turn up to teach for an entire year, and when parents lodge a complaint no action is taken, so schools are abandoned. There are only 12 high schools in the three townships of Maungdaw, Buthidaung and Rathedaung. In the words of one Rohingya, "the education system is grim".
- **Restrictions on religious freedom:** It is almost impossible to obtain permission to renovate, repair, rebuild or extend mosques or other religious buildings. Since 1962, not a single new mosque has been built. The central mosque in Maungdaw, the major town in northern Arakan, is currently half-built and without a roof. In the past three years, 12 mosques and madrassas have been demolished. In July and August 2006, the authorities ordered the closure of a large number of mosques and

madrassas in northern Arakan, on the grounds that they had been built or renovated without official permission or were unable to provide evidence of their funding sources. In north Buthidaung, eight mosques were ordered to close in mid-2006, and another 17 mosques, madrassas and other religious institutions were ordered to be destroyed at the end of 2006. Eight mosques were demolished. In Rathedaung and southern Maungdaw, at least three mosques and madrassas were forced to close in February and March 2007. Some religious leaders have been jailed for the illegal renovation of mosques. At least 14 people, including two religious clerics, from north Buthidaung and south Maungdaw, are currently in jail for renovating a mosque or madrasa without official permission³.

4.4.2. Extortion

Extortion, looting and theft of money, livestock and property by local military, police and Na Sa Ka is a daily occurrence for the Rohingya. “Extortion is so serious that if we travel from one village to another, we have to bring money to give to the Na Sa Ka, and we have to send the money for our shopping separately,” said one Rohingya. “Economically, we are completely crushed.” If a Rohingya is found to possess a Bangladeshi mobile phone, they have to pay a bribe of at least 100,000-200,000 kyats or face arrest. On 27 August 2008, for example, a Rohingya man travelled to Bangladesh, with formal permission, and the authorities reportedly came to his home and demanded 50,000 kyats from family members after he had gone. The Na Sa Ka often come to villages at night, to demand money or livestock. Typically the Na Sa Ka arrest people and then demand at least 1,000-2,000 kyats for their release. “This is happening daily,” said one Rohingya. This practice of extortion was confirmed by three defectors from the Na Sa Ka (see Section 9: Interviews with Na Sa Ka defectors).

4.4.3. Forced Labour

Forced labour is widespread in Arakan State, and the Rohingyas are often the prime victims. In July 2008, for example, the road from Maungdaw to Buthidaung was destroyed by heavy rain, and so hundreds of Rohingyas from Ward No. 5 were forced to work on rebuilding the road. The most widespread form of forced labour is the forcible purchase and planting of physic nut saplings, cultivation of Na Sa Ka paddy fields during the monsoon, and the construction of model villages. In early 2008, forced labour was used for the construction of Nurullapara model village in south Maungdaw.

4.4.4. Rape and sexual violence

Rohingya women sometimes fall victim to rape and sexual violence. In some cases Rohingya women have been raped by Na Sa Ka soldiers, and in other cases by Rakhine civilians. However, experts believe rape is not used on a widespread and systematic basis as a weapon of war, as it is in Karen, Shan, Chin and other ethnic areas, although it is extremely difficult to obtain specific case testimonies and examples, because most Rohingya women are very reluctant to speak about their ordeal, due to social pressures. It is therefore unclear how widespread rape and sexual violence is in Rohingya areas.

4.4.5. Land confiscation and Burmanisation

As part of its campaign to eliminate the Rohingyas, the SPDC has reportedly introduced an initiative to re-populate northern Arakan with Burmans. At least 50 Burman-populated model villages, known as ‘Natala’, have been built in northern Arakan, and the regime continues to resettle Burman Buddhists, particularly in the 82 village tracts in Maungdaw Township, strategically located close to the Bangladesh border. Burmans are offered incentives to resettle to the area. It is expected that Burman Buddhists will then take

³ Chris Lewa, *Testimony to the US Commission on International Religious Freedom*, 3 December 2007.

positions of leadership in villages. Currently, in 120 villages, the Chairman of the Village Peace and Development Council is a Rohingya, but it is expected this will decrease. "Our land, which we have cultivated, is being confiscated. Muslims are gradually losing lands and becoming landless," said one Rohingya. In some cases, land belonging to Rohingya is confiscated and given to Buddhist settlers, and then the original Rohingya owner is invited to cultivate the land for the settlers, but has to pay 'rent' to the settlers in the form of 5.5 bags (one bag is 50kg) per 0.4 acres.

4.4.6. Arbitrary arrests, torture and extrajudicial killings

Arbitrary arrests, especially for the purpose of extortion, are common practice in northern Arakan. Torture and beatings occur regularly, sometimes leading to death, and extrajudicial killings also occur. Typically, cases go unreported and affect individuals or small numbers of people. In reprisals against the Rohingyas 1994, following the RSO's attempted attack, whole villages were punished with forced labour or torture, and it is reported that hundreds of Rohingyas from Maungdaw and Buthidaung were massacred in a military camp, although precise accounts have not been obtained. According to Rohingya sources, people were lined up in a row in front of mass open graves. Soldiers hit each person on the back of the head with a shovel, causing them to fall into the grave. Some were killed immediately, but many were buried alive. This operation was carried out by the military because they suspected a Rohingya insurgency being planned, but they treated all Rohingyas as suspected insurgents. An artist's impression of this massacre is available from CSW.

About 12 prominent activists in Maungdaw are currently in custody for "anti-State activities". They include Salim Ullah (U Than Htun), the Chairman of the district branch of the Myanmar Muslim Organisation, a legal organisation. He was hosting a meeting in his office, with some local people, when Military Intelligence arrived and arrested everyone, claiming they were planning insurgent activities against the SPDC. No evidence was found to substantiate the charge, but they are still in prison awaiting sentencing.

In July 2008, Asheraf Meah, 63, from Hatchurata village, 10 miles south of Maungdaw, died after 12 days in police custody. He was held without any formal charges, and tortured. The police arrested him in order to extort money, and when he was unable to pay he was beaten and tortured to death. His daughter, Hamida, who is a UNHCR employee, filed a complaint and met directly with the head of the local Burma Army battalion, the head of the local Na Sa Ka, and other officials, but no action has been taken against the police officers involved.

4.5. Refugees in Bangladesh

In 1978 and 1991, there were significant influxes of Rohingya refugees. Since then, at least 230,000⁴ were repatriated to Burma by the UNHCR, particularly in 2003, many against their will. The UNHCR claimed at the time that the situation had improved enough for the refugees to be repatriated. However, upon their return to northern Arakan many found the situation as bad, if not worse, than before. Large numbers found no way to survive in Burma, and returned to Bangladesh illegally.

It is believed that at least 200,000 Rohingyas live in Bangladesh, although there are only two official refugee camps on the Bangladesh-Burma border with a total population of 27,258 recognised by UNHCR. Nayapara camp has an officially registered population of 13,316 people from 2,863 families, while Kutupalong camp has 8,905 people from 1,782 families. Official registered refugees receive rations. In addition, there are unregistered refugees

⁴ Refugees International, *Bangladesh: Burmese Rohingya Refugees Virtual Hostages*, 5 September 2005, <http://www.refugeesinternational.org/content/article/detail/5752/>

surrounding these camps, known as 'Project Profile Registration' (PPR) refugees. In Nayapara there are 3,293 PPR refugees from 346 families, and in Kutupalong there are 1,744 PPR refugees, from 164 families. These refugees receive no rations at all. There are a further 15,000 from 2,763 families, in a makeshift camp outside Kutupalong camp. They previously lived among Bangladeshis in local villages, but left the villages during the voter registration exercise in early 2008 for fear of eviction. An eviction campaign led by the local Member of Parliament in Teknaf contributed to the establishment of the makeshift camp.

According to UNHCR, voluntary repatriation remains the "preferred" solution, and is still the official policy of the Government of Bangladesh. However, UNHCR acknowledges that the conditions in Burma are "not conducive to the promotion of repatriation," and there has been no repatriation programme during the past two years. UNHCR assured CSW that it has "no specific plans for repatriation," and instead its objective is to try to help the Rohingyas in Bangladesh become "more self-sufficient". UNHCR also aims to open up the refugee camps and reduce dependency on international assistance. While refugees are not officially permitted to leave the registered camps, there appears to be a degree of flexibility which UNHCR would like to encourage.

4.5.1. Leda Undocumented Refugee Camp

Furthermore, there is another camp, known as 'Leda Undocumented Refugee Camp', with a population of 9,646 people. This camp was previously located in reportedly appalling conditions beside the Naf River right on the border. After international pressure, the Bangladeshi Government agreed to provide a 20-acre site for the refugees to move to. The camp moved to the new site, 7km away, between 2–6 July 2008.

The new camp is funded by the European Commission's Humanitarian Aid Office (ECHO). The European Commission provided 1.5 million Euros for the purpose of relocating the refugees to the new site and providing food, water, protection and health care. Islamic Relief is the primary agency operating in the camp, with funding of 999,383 Euros from ECHO. Islamic Relief provided 1,972 shelters in 245 sheds, and built 360 latrines, as well as garbage bins and a water system. The Leda Undocumented Refugee Camp is by all accounts a significant improvement on the previous camp. According to UNHCR, the previous site, situated between rising water levels from the Naf River and a busy road, was "dangerous". UNHCR requested the international community and the Government of Bangladesh to secure a better location.

Islamic Relief also runs a clinic which includes out-patient, antenatal and post-natal services, emergency care, a pharmacy, laboratory, mental health care, hygiene promotion, immunisation services, tuberculosis diagnosis and treatment, and a therapeutic feeding centre for malnourished children. The clinic, staffed by four doctors, sees 200 patients a day, but unlike the clinic run by *Médecins sans Frontières* (MSF) in the previous site, the new clinic is only open until 4pm and closes on Fridays. The diarrhoea treatment centre is open 24 hours a day, and the therapeutic feeding centre is available until 9pm. Islamic Relief acknowledged that 24-hour emergency in-patient provision is required. According to Rohingya sources, 27 people have died in Leda Undocumented Refugee Camp since it was established in early July. The Rohingyas claim these 27 people died, including two mothers in child birth and one baby, due to lack of 24-hour emergency care. In one case, a pregnant mother going into labour came to the clinic just before 4pm on a Thursday, but was reportedly turned away and told to come back on Saturday. She died in child birth. Refugees also complain of poor medical supplies, claiming that the clinic only prescribes basic medicines such as paracetamol, antibiotics and painkillers.

Major challenges in the camp, according to Islamic Relief, include food deficiency, water shortage, education and security. At least 80 per cent of the refugees do not have jobs,

because the new camp is 15–16km from Teknaf and the bus fare is too expensive. As a result, the refugees, who are not entitled to official rations, struggle for food. The World Food Programme refuses to assist unless the refugees are recognised by the Bangladeshi Government. Water is in limited supply, because the earth is too rocky for digging, so Islamic Relief has set up a water tank to purify water pumped from a pond, and drinking water is provided twice a day. Education is extremely limited because the Bangladeshi Government has told Islamic Relief not to construct any school buildings, as the authorities are concerned that this would attract a new influx of refugees. No security for the camp is provided, so Islamic Relief has instituted a self-security programme in which the refugees themselves run security.

Two other NGOs are present in the camp: Handicap International, operating a project for the disabled, and Muslim Aid, which runs a livelihood support project, with a grant of 244,986 Euros from ECHO.

5. Interviews with Rohingya refugees

5.1. In the makeshift camp for unregistered refugees surrounding Kutupalong camp

This camp for unregistered refugees is just 100m from the official Kutupalong camp but the refugees here live in dire conditions. Malnutrition and disease were evident, and the refugees here are denied medical assistance from the UN-run clinic in the official camp. They can only receive treatment at clinics and hospitals in Cox's Bazaar, if they can find the money to pay for travel, treatment and pharmacy costs. In most cases, they are unable to travel for medical care, due to lack of funds. They survive by collecting wood to sell. CSW interviewed two refugees in this camp:

Ms A, 60

She came to Bangladesh in 1978, and was forcibly repatriated back to Burma in 1993. When she returned to her home village, she found that her house and land had been seized and given to Buddhists, and she had no land or house. For ten years she lived in a hut, but life became intolerable and in 2003 she fled again to Bangladesh. "I want peace, stability and equal rights for my people," she said.

Mr B, age unknown

He came from Taung Bru Left (Taung Pyo Let Wa), a border village, in 1978, and returned voluntarily a year later. He lived there until 1991, but then fled again to Bangladesh due to forced labour and other human rights violations. His daughter was killed in a protest due to a crush of people. From 1991-2007, he lived among Bangladeshis in a local village, but moved to the temporary camp on 5 June 2007. "Please tell the world about the conditions facing refugees living outside the official camps in Bangladesh. We have no schools, no medical treatment, we are struggling to survive. And concerning the situation in Burma, tell the world we just want equal rights. We are treated as foreigners in Burma. But if we are foreigners, please show us which country we belong to, and we will go there."

5.2. In Leda Undocumented Refugee Camp

In Leda Undocumented Refugee Camp, CSW interviewed the following refugees:

Mr C, 48, from Mimbya Township

He fled his village on 23 July 1994 along with 200 families, and moved to Inn Dinn village tract, in south Maungdaw, northern Arakan State, where he lived for eight years. In 2002, he crossed the border to Bangladesh, because of the growing persecution inside Burma. Restrictions on movement, lack of employment opportunities, continuous demands for

forced labour from the Na Sa Ka, and the denial of citizenship rights contributed to his decision to flee to Bangladesh. Initially, he lived in a local Bangladeshi village, but then moved to the temporary camp after Operation Clean Heart. He said that forced labour is particularly widespread. “The Na Sa Ka routinely demanded forced labour, by rotation. They would go to our village and demand forced labour, and then move to another village, and a few weeks later they would come again to our village. They did this the whole time. We had to work in the army camps, cutting the grass, building fences, collecting wood, carrying food supplies and bricks. They treated us very rudely. I was often kicked and punched. Sometimes, if a village headman was unable to provide people for labour, he would be beaten. Everyone, including women and children, had to do forced labour,” he said. “The Bangladesh authorities say we are from Burma. The Burmese regime says we are Bengali. Where should we go?”

Ms D, 45, from Buthidaung

She came to Bangladesh in 1996, and was never repatriated. Her husband was shot dead by the Burma Army, and she does not know why. Her husband was a religious teacher, and was falsely accused of working with the NLD. He was taken from their home after midnight one night in 1995, arrested, tortured and shot dead. Her husband told her, as he was taken away: “I don’t believe I will come back, so I give you authority to look after the family”. She has seven children. “I just want a stable democracy in Burma, with human rights,” she said.

Mr E, 27

He came to Bangladesh in 1991, but was repatriated by UNHCR in 1994. He was assured that there would be no human rights abuses and that life would be better in Burma than it had been previously. “UNHCR said we would be well-treated, but when I went back, the situation was even worse than it was before,” he said. His elder brother had died in Bangladesh, but the authorities in Burma refused to believe that, and falsely accused his elder brother of involvement in armed struggle, because he had not returned with the family. This led to continuous harassment of the family, and so he returned to Bangladesh in 2000.

5.2.1. Interviews with refugees from the official registered camps

Mr F, 30, a teacher from the refugee camp

He came to Bangladesh in 1992, at the age of 14. “My family fled Burma because of the human rights situation. Every human right is violated by the military junta,” he said. “The Rohingya cannot move from place to place, and they face marriage restrictions and religious persecution. Students who pass standard 10 cannot go on to college freely.” At the age of 10, in Class 4, he was on his way to school when a group of soldiers stopped him and ordered him to carry their belongings. “I told them I was on my way to school, and that if I carried their luggage I would be late for school. They got angry, and told me they would beat me if I did not do what they said. Again I refused, and they kicked me and forced me to carry their things.” His family came to Bangladesh because “we hoped to find safety”. However, “we face difficulties here as well”. In 1993, the Government of Bangladesh negotiated a repatriation plan with the SPDC and began a process of forced repatriation. Those refugees who refused to comply were arrested, and many were jailed. False charges were filed against many. “There are now 200 refugees in jail, and 500 on bail,” he said. “I went to jail twice – the first time for seven months, the second time for 10 months. My case has still not been concluded. A case was filed against me in 2001 and is still going. I have to appear in court in Cox’s Bazaar regularly, but do not have enough money for the bus fare.” He urged the international community to put pressure on the Government of Bangladesh to conclude false cases filed against refugees, and to work for an “immediate durable solution”. He said: “As long as human rights abuses continue in Burma, we cannot go back. We are caught

between a crocodile and a snake. Where can we go? We would like to be settled in a country where we can get safety.

Ms G, from Thamai Chaung village, on the Buthidaung/Maungdaw border

She came to Bangladesh in 1991. She had three children, and her husband had already run away. Her cousin had been killed by the Burma Army in 1991, because they wanted his property. She fled because of an operation by the Burma Army. Soldiers were carrying out checks on the outposts and sentries in the area. “At night soldiers came to our village, house by house, and pulled out the women to rape them. I screamed out when I heard the soldiers, and local people rushed to help. The soldiers did not rape me, but they demanded a goat. The next day, I left everything and crossed the border.” She said that on one occasion, a Captain in the Burma Army ordered the men in the village to provide women for him. One man refused to give his daughter, and was severely beaten.

Mr H, from Inn Dinn village, south Maungdaw

He came to Bangladesh in 1991. In his village, he was well-known and comparatively wealthy. In the elections in 1990, he actively campaigned for the NLD, and as a result faced harassment from the authorities. Out of 40 people working for the NLD in the area, ten were arrested and his name was found on a list of targets for arrest. The authorities tried to arrest him, and so he ran away. His family followed him, and then went directly to the refugee camp. Commenting on his support for the NLD, he said: “I trust Aung San Suu Kyi on the Rohingya issue. I believe in her.”

Mr I, 18, a school teacher in camp

He came to Bangladesh in 1991, when he was just one year old. He has spent almost his entire life in the refugee camp in Bangladesh. A major problem in the camps, he said, is that there is no formal education beyond Class 5 (aged about 12), and the Bangladesh Government prohibits it. There is some informal education, in the form of private tuition, available, but no formal schooling. “In the camps, many young people post-Class 5 have nothing to do, so they just spend their time playing and gossiping. They play chess, football, cards. They cannot go out of the camp. This sometimes leads to problems, including fighting,” he said. There are nine schools in the camp up to Class 5, with a total of 54 teachers. The schools are run by a UNHCR-supported agency called Technical Assistance Incorporated (TAI). He has become a teacher in one of the schools, teaching classes of 43 children, aged 8–10 years old, in two sessions, from 9am–12noon and 12.15–2.15pm every day. “I am compelled to teach, but I would prefer to learn first. If I stay like this, with no further education, my future life will be ruined. If I can be resettled in another country I can get more scope for education.”

Mr J, 30, a community worker in camp

He works with UNHCR and Technical TAI as a community worker, dealing with issues such as early marriage, polygamy, trafficking, domestic violence and HIV/AIDS in the refugee camps. Every Saturday and Monday he visits each block in the camp, to meet with refugees and discuss problems. In 2008, the number of early marriages, and the level of domestic violence and polygamy, previously very common in camp, has reduced. Illiteracy remains very high.

6. The Rakhine

The Rakhine people face less overt targeted discrimination than the Rohingya, and are treated as full citizens of Burma, but nevertheless human rights abuses remain widespread, including forced labour, rape, forced marriage, and the forcible recruitment of child soldiers. Forced conscription into the Burma Army and Na Sa Ka is widespread (see Section 9: Interviews with Na Sa Ka defectors). Recently, an order was issued for every village to provide 100 young men to join the military, for arms training, although it is unclear whether this is for the Burma Army, the police or the Na Sa Ka.

In schools, teachers use Burmese and the Rakhine language is prohibited. The regime is carrying out “an attack on our language, identity and culture,” said one Rakhine. There are no refugee camps for Rakhine refugees in Bangladesh, and only 64–68 officially recognised Rakhine refugees, living in urban areas, according to NUPA. However, there are believed to be hundreds of unrecognised Rakhine refugees.

In terms of relations between the Rakhine and the Rohingya, there are tensions but these are fuelled by the SPDC. “The SPDC uses the Rakhine against us as part of a divide-and-rule policy,” a Rohingya leader said. “The SPDC is trying to assimilate the Rakhines and eliminate us”. While some Rakhine political groups have refused to engage with the Rohingya, the National United Party of Arakan (NUPA) has established an alliance with ARNO and recognises Rohingyas as citizens of Burma. According to one NUPA representative, “when a people have been living this long through history, why should they be deprived of their citizenship rights?” There is, however, a dispute over the term ‘Rohingya’. According to one Rakhine, there would be no problem if the Rohingyas referred to themselves simply as “indigenous Bengalis of Burma”, “Arakanese Muslims”, or “Burmese Muslims”.

7. The Constitutional Referendum

Although denied their identity as full citizens, the Rohingyas were given the vote in 1990 and again in the referendum on 10 May, 2008. In 1990, four Rohingyas were elected to Parliament from the National Party for Democracy and Human Rights (NDPHR), and participated in the NLD’s Gandhi Hall conference in July 1990.

However, according to Rohingya sources, in the referendum on 10 May 2008, on polling day local authorities in northern Arakan State summoned only one person from each family to cast votes on behalf of their entire family. When voters came to the polling station to cast a vote, they were presented with an already completed ballot paper, voting for the new constitution, and were then ordered to place the ballot paper into the ballot box. If they refused they would face punishment – in some cases they were threatened with seven year jail sentences. Voters were also told before the referendum that their names, addresses and TRC numbers would be taken down at the polling station, in an attempt to intimidate them. The authorities also offered incentives to Rohingyas, especially to women, including promising to issue TRC cards to those who did not have them, and to ease marriage and travel restrictions. The official result in all of Arakan State was declared to be 97 per cent in favour of the new constitution.

The regime’s tactics for rigging the referendum varied. According to a Rakhine student from Kyee Dwe village in Sittwe Township, the chairman of his village Peace and Development Council simply tried to replace ‘no’ votes with ‘yes’ votes. This student eventually fled to Bangladesh, because he had challenged this tactic and as a result the authorities were trying to arrest him. He said: “During the referendum on 10 May, the chairman of the village Peace and Development Council tried to convert ‘no’ votes into ‘yes’ votes. He had plenty of extra

ballot papers, and so replaced 'yes' votes with ballot papers marked 'no'. Another villager and I opposed this. We dared to advise the chairman to submit the results according to how people had actually voted. The chairman said that he had been ordered by higher authorities to ensure a high 'yes' vote, and had been warned that if there were many 'no' votes he would be fired. He was afraid. After I opposed his action, he informed the police, and the police came to my village looking for me. I hid in another village, waiting for the situation to return to normal, but my parents told me to flee, and so I came to Bangladesh on 26 July."

8. The Saffron Revolution

Hundreds of thousands of people in different parts of Burma took part in protests which began in Sittwe on 28 August 2007 and continued until the end of September, when the regime launched a brutal crackdown. Rohingyas participated in protests in Sittwe, and had intended to join a planned demonstration in Maungdaw on 26 September. The protest was scheduled to start at 1pm, but at 11am that day the local authorities arrested all the organisers, having received information from an informer.

Several monks who took part in the Saffron Revolution subsequently fled to Bangladesh. CSW met with representatives of the All Burma Monks Representative Committee and the International Burmese Monks Organisation (Bangladesh Branch), and interviewed five monks who participated in the Saffron Revolution in August and September 2007⁵. All five monks confirmed, from their own experiences, the regime's brutal suppression of peaceful protests, including the fact that the Burma Army had orders to shoot unarmed monks and civilian demonstrators. The following is a summary of the interviews:

Interview with U Pyin Nyar Disa

U Pyin Nyar Disa was the Organisational Principal responsible for discipline in the All Burma Monks Representative Committee (ABMRC). On 17 September 2007, he joined the protests, and two days later, on 19 September he helped establish the ABMRC in Sule Pagoda.

On 22 September, he participated in the march down University Avenue, past the home of Burma's democracy leader Daw Aung San Suu Kyi, who is under house arrest. Initially, the soldiers at the checkpoint at the end of University Avenue refused to allow the monks to march down the street, but the monks persuaded them to open the checkpoint and when Aung San Suu Kyi heard the noise of the monks' chanting and shouting, she came out. "When Daw Aung San Suu Kyi came out of her house, many monks were crying and she was also crying. But she looked very strong. Her expression showed she would never give up. The SPDC can arrest Aung San Suu Kyi physically, but they can never arrest her spirit and her mind," said U Pyin Nyar Disa.

On 25 September, several thousand monks and civilians marched from Shwe Dagon pagoda to the Kaba Aye Sangha University temple. "We had to cross in front of the Ministry of Religious Affairs. We knew the authorities might shoot, but we carried on. In fact, that day they did not shoot. We delivered speeches at Kaba Aye temple," he recalled. "Then we went to protest, peacefully, outside the radio station. We gave speeches for 30 minutes, urging officials to listen to the people, not to the SPDC." On 26 September, U Pyin Nyar Disa went to the Shwe Dagon pagoda early in the morning, alone, and arrived at 9am. A notice had been distributed calling all monks to gather at the Shwe Dagon pagoda, but when he arrived, no other monks had come because armed soldiers had blocked every entrance and junction. However, he met with some other leaders on the steps of the pagoda, and

⁵ Names used with permission

they moved to a monastery to discuss their next steps. In the meeting, one monk pointed out an article in a State-run newspaper announcing that the SPDC would invoke Section 144 of the Penal Code, prohibiting “disturbance of the public tranquility, or a riot, or an affray” and banning gatherings of more than five people, and would shoot to kill. Despite this, the monks decided to continue their protests, and after an emergency meeting, they marched to the east entrance of the Shwe Dagon pagoda. “Many people requested the monks not to go,” said U Pyin Nyar Disa. “They had seen many tragedies in 1988, they had seen many people die. But the monks explained that we are the sons of Buddha, we work for our country and our people, not for our own interests.”

Another group marched to the Maha Wizaya temple (built by General Ne Win). Many people brought food for the monks, but the soldiers would not allow the food to be given. The monks gathered and began making speeches, and then Major-General Khin Yi, the police chief, arrived. The police took many photographs of the protestors. Then two trucks carrying soldiers, with guns and ammunition, arrived. The monks moved to the middle of Shwe Dagon pagoda, which was surrounded by soldiers and riot police. General Khin Yi ordered the monks to disperse and return to their monasteries, but the monks refused to move until their four demands were met: that the SPDC engage in national reconciliation efforts with all the ethnic nationalities of Burma; that it engage in tripartite dialogue with the NLD and the ethnic nationalities; that it reduce commodity prices; and that it release all political prisoners, including Aung San Suu Kyi, unconditionally. “The police said these are not your concerns. They told us to go back to our monasteries, and if we do not move, they said, they would shoot. We moved to the middle of the Shwe Dagon pagoda. The authorities planned to shoot us there, but then decided it was not a suitable place. They opened the east gate, and many monks came out. However, at the end of the street, soldiers with their guns ready, were blocking the way,” he describes. Approximately 700–800 monks in total were hemmed in by soldiers in front, led by General Myint Shwe, the Rangoon Division commander, and the police behind. “All the roads were blocked. We requested the authorities to allow us to go back to our monasteries, and we promised to withdraw the rest of the day’s programme, but the authorities refused. We then sat down and prayed. Another 1,000 monks tried to march to the Shwe Dagon pagoda to rescue us, but they were blocked by the army. Then the soldiers began to beat us, and four or five monks collapsed. Monks then started to jump the 7–8ft walls nearby, to escape, and many people were crushed. The army began firing teargas, and disorder broke out. I was injured on my nose and hand in the crush. The soldiers started beating and kicking people. The weather became cloudy and there was lightning. A rumour spread that four monks had been killed, and so over 2,000 monks gathered in the street in anger. We marched then from Shwe Dagon pagoda to the NLD office in Bahan Township, and from there to Sanchaung Township. We saw three foreigners. Two of them took photographs; one of them was crying. There were many journalists at the NLD office. The army blocked the way at Bagara, at the intersection near the Nine-Steps Buddha Statue. The army ordered the monks to go home within five minutes, or they would shoot. The monks refused. The soldiers began to fire into the air, and then ordered the monks to leave one by one. After 70 or 80 monks had already left, the remaining monks asked that the civilians be allowed to leave too, but the soldiers refused, and warned the monks they would shoot them if they tried to help the students and other civilians.”

The monks then dispersed to Sanchaung Township fire department office, where many were arrested by the army. “At that point, I escaped. I fled into a building, where a resident helped me to get a taxi, and I went directly back to my monastery,” he explained. “When I reached the monastery, I put my monk’s robes in a box, and moved to another monastery, but it was impossible to stay there because the army were searching every monastery and many monks had already fled. So I looked for a place to hide and found a bush beside a lake. I spent the night of 26 September hiding in the bush, and the next morning, I went with another monk

to downtown Rangoon to see what had happened. I heard many gunshots. I took a bus, and when I wanted to get off the bus, many people tried to stop me, for my own protection, but I continued and got off the bus. I was hit by a rubber bullet in my neck.”

He reached 37th Street, and entered a building owned by a Muslim family. “The Muslim family helped me to hide. Then I heard soldiers come rushing in, searching for monks. Soldiers asked the Muslims: ‘Where are the monks?’, but the Muslims replied: ‘We are Muslims – how can a monk enter here?’. The soldiers left, and I then escaped. The authorities had taken many photographs, so there was no way to leave Rangoon. I hid for four days, from 26–30 September, and then on 1 October I went to Hlaingthaya Township, and fled to Irrawaddy Division. I had to cross many towns one by one, alone. Then I met another monk, the Secretary of the ABMRC, in Irrawaddy Division and we travelled to Arakan State hiding among the vegetables in a lorry. We reached Toungub Township, and I was hiding in rural areas for two months. Then the authorities received information that I was there, and were searching for me. Toungub NLD helped me to escape again. They rescued my life. Some people arranged to send me to Bangladesh in a timber smuggling boat, and on 24 February I arrived in Bangladesh. Now I have received UNHCR recognition.”

Interview with U Tiloka, 22

U Tiloka came from a monastery in South Dagon Township, Rangoon. On 18 September, he joined the Saffron Revolution, and took part in protests on 18, 19, 23, 24 and 26 September. On 18 September, he marched to Shwe Dagon Pagoda along with 250 monks. When they arrived, the entrance was blocked by soldiers who refused admission. On 19 September, he estimates approximately 2,500 monks marched from Sule Pagoda, and on 23 September at least 5,000 monks took part in demonstrations starting at the Shwe Dagon Pagoda. On 24 September, the SPDC announced an order to shoot protestors. U Tiloka heard the announcement, but decided to join the march that day from Shwe Dagon to the Kaba Aye Pagoda, along with 100,000 monks. Two days later, on 26 September, he marched from Shwe Dagon again. This time the army fired teargas and bullets. “I saw nearly 80 soldiers shooting at us. I saw two girls beaten to death by rifle butts. I saw another monk wounded in his left arm, and I am not sure if he died. I saw a young student beaten with a stick,” he recalls. “I ran away, with two others, and we took a taxi back to our monastery.”

On 28 September, 16 trucks full of soldiers came to the monasteries at night. “We heard from another monastery that the soldiers were coming, and so we arranged our security – five monks served on look-out duty, so we could know in advance when the soldiers were coming, how many, and where we could hide. I hid in a water tank along with two other monks. All the monks fled from our monastery. I heard one monk tell everyone to flee.”

On 29 September, the military came to the monastery again, and he escaped. He ran to a paddy field and hid in a hut, along with six other monks. Two days later soldiers came again, and he escaped and hid for 13 days. On 13 October, he then travelled to Tong Gouk, a border town in Arakan State, and stayed in a hotel. “Two soldiers came and searched us, and asked if we were demonstrators. They asked why we left Rangoon. We told them we were not demonstrators, we had simply travelled to our home town on a visit, with the permission of the head of our monastery.” He then travelled to Sittwe, and then by boat to Maungdaw and hid for one day in a village. On 27 October, he changed out of his monk’s robes and crossed the border to Bangladesh, arriving on 28 October. “I feel very sad. I can no longer see my parents, and I cannot continue my studies.”

Interview with Viro Sana, 30

Viro Sana is from a monastery in Tamwe Township, Rangoon. He took part in demonstrations on 22, 24, 25 and 26 September. On 22 September, he marched along with 500 others from Sule pagoda to Shwe Dagon pagoda. On 24 and 25 September, he started

at a monastery in Tamwe Township, and marched, along with an estimated 100,000 monks, to Shwe Dagon and Sule pagodas. On 26 September, the monks went to the Shwe Dagon pagoda, but were prohibited from entering. The road was blocked with barbed wire. When the monks tried to enter, soldiers fired teargas at them. "I saw two motorcycles burning. I told the monks and civilians not to run hurriedly. I said that the army has no authority to shoot us. We marched to Myenegone and Sanchaung areas, but on the way, at Thiri Mingla, we met the army. There were five trucks, and the soldiers said, through loudspeakers, 'We have orders to shoot, under Section 144'. They ordered us to stop marching, but we continued. Then the soldiers opened fire. I saw four people – a girl and three monks – wounded. I don't know if they were dead or not. I ran away, down a small road, and then took a taxi along with four other monks. At 4pm we arrived at our monastery. We were afraid that the army would come, and so we put two monks on duty as sentries." He escaped, and after one month he reached his home town in Arakan State on 27 October. The township authorities searched him twice, and took down his identity card number and other personal details, so he fled to another village and hid for a month. On 27 March, he escaped to Bangladesh. He said: "I joined the protests because I received a pamphlet about the demonstrations, and I felt very sorry for the people of Burma, especially with commodity prices so high. I would like to ask the international community to please help the people of Burma achieve democracy."

Interview with Khemin Da, 29

Khemin Da is from Myoma Kyung monastery in Sittwe, Arakan State. He says there were nine days of demonstrations in Sittwe, and he took part in protests on three of those days: 28 August and 9 and 18 September. On 28 August, he helped organise a monks demonstration, starting from the monastery and marching to a Buddhist statue. But the protest only lasted half an hour, before it was stopped by the military. On 9 September, 1,000 monks gathered at the stadium, and marched to a pagoda and then to government offices. On 18 September, he joined another protest, involving about 10,000 people. The protestors chanted the 'Metta Sutta' ('Loving Kindness') as they walked down Mayu Road. They then marched to the Arakan State Police Chief's office, where they concluded the protest. That evening, at 7pm, police raided the monastery, searching for the demonstrators, and he fled. He hid in a location ten miles from Sittwe, and then escaped to Bangladesh on 20 September.

Interview with Rakha Vantha, 26

Rakha Vantha is from a monastery in Rathidaung, 16 miles from Sittwe. He joined the protests after receiving a leaflet from Sittwe, on 5 September, calling people to protest. He made photocopies of the leaflet and delivered them around the town. On 24 September, he organised a demonstration at the Sasana Jatibla monastery, with 50 monks and 20 civilians. Soon, more than 100 people joined. The police took photographs of the participants. On 25 September, at noon, almost 150 monks gathered again for a protest, and marched to the Township Administration Office. The police stopped them from entering, and so they marched around the town. That night, the authorities went to every monastery, and ordered monks to leave for their home villages. They warned them that if they did not go they would be arrested. He escaped because he knew that the authorities were searching for the leaders of the protests, and after several months hiding, he crossed by boat to Bangladesh on 27 March.

9. Interviews with 'Na Sa Ka' defectors

The Na Sa Ka is the SPDC's border security force. CSW interviewed three Na Sa Ka soldiers who defected and fled to Bangladesh on 5 August 2008, just three weeks earlier⁶. All three defectors confirmed to CSW that extortion is widely used by Na Sa Ka, and is specifically targeted at Rohingyas. The defectors also gave accounts of forced conscription, forced labour, arbitrary arrest and torture. The following is a summary of the interviews:

Interview with Zaw Myo Htun, 24, from Yitashay township

Zaw Myo Htun joined the Na Sa Ka on 10 February 2006. He was forced to join, after the Na Sa Ka ordered every village to send ten young men for Na Sa Ka service. "I had no interest in joining the Na Sa Ka," he said. Three days after he joined, he was sent to Mergui Division for six months training. "I had to cut bamboo and trees, and work very hard. I was given very little food, because the authorities thought that if they gave enough food, we would not be able to work! We were just given one can (1.4kg) of rice twice a day, and some vegetables. We were given meat only once a week. The officers treated us very badly. They spoke to us rudely, and beat us, with sticks and with their fists. They kicked us with their boots, and boxed our faces," he said. "We were given arms training. We learned how to handle guns and weapons such as M1, M16, G3, Type 64 rifles, Type 72 machine guns, mortars and grenades."

After six months training, he was sent to the Na Sa Ka headquarters in Maungdaw, where he was ordered to work on repairing the road in front of the headquarters. He said that many recruits were sent to the mountains to work on castor oil plantations. He spent six months in the Maungdaw headquarters, and was then sent to Na Sa Ka Area No. 1 based in Aung Tha Pray, close to the Bangladesh border. He was dispatched to serve in various outposts. He described his experiences in Area No. 1: "At night time, our Na Sa Ka battalion went to Muslim villages to look for Muslims who visit Bangladesh. We kicked open all the doors of people's homes, and arrested all Muslims, demanding money – whether they had been to Bangladesh or not. We did this every day – one village one night, the next night another village. Many Muslims are suffering. After arresting Muslims, the Na Sa Ka tortured them. They forced them to give money. The Muslims had to sell their livestock – cows, goats, chickens – to get the money to give to the Na Sa Ka. We released them only after getting money. It was a cycle – a month, or six months later, we would arrest them again. People have nothing there. If they cannot give money to the Na Sa Ka, they would be beaten. Usually there were four Na Sa Ka soldiers in one group, and we spent the whole night on duty, in the ready-position. We could not sleep. We walked along the border, sometimes without food. Sometimes, when Na Sa Ka saw Bangladeshi woodcutters on the Burmese side of the border, we arrested them for entering Burma, and demanded money. If they could not pay, we would send them to Maungdaw jail."

Six months later, he was transferred to Na Sa Ka Area No. 7 in southern Maungdaw. "There are many outposts along the Naf River. In Area No. 7 there were five outposts. I was sent to one outpost, not far from St Martin's Island in Bangladesh. Many people crossed the river from St Martin's Island to Burma regularly. We often arrested them and sent them to jail. Sometimes we arrested traders who went to Bangladesh. They would cross the river to an island half-way across, to transfer their goods from Bangladesh to Burma, and we would demand money from them." Villagers were sometimes forced to help build the Na Sa Ka outposts. "We used Muslim villagers to dig bunkers. Every village had to provide 10–15 people. They were not given pay or food. Some families could not eat at all, because they were forced to work all day for the Na Sa Ka. At night, Na Sa Ka soldiers patrol the Muslim villages, looking for anyone who is rich. We would enter villages, and falsely accuse people of

⁶ Names used with permission.

owning a Bangladeshi mobile phone. Even if they denied the charge, we would arrest them. They had to pay the Na Sa Ka a lot of money to be released. If the amount is large, the Na Sa Ka officers would share some of the money with junior soldiers, but if it is a small sum of money they did not.”

He was aware that Na Sa Ka troops raped Rohingya women. “Sergeants and Corporals especially raped Muslim women,” he said. “They would gather all the men of one village in one place, and we junior soldiers would have to guard them at gunpoint while the officers abused the women. In one village, Shin Kha Li, I had to watch over the men while a Na Sa Ka Sergeant and some corporals abused their wives.”

Stealing livestock was common. “On one occasion, six of us – three privates and three sergeants – went to a Muslim village, and took goats and chicken from the villagers, by force. Later, when the senior Na Sa Ka officers asked why we had brought the goats and chickens, we lied, saying that the goats and chickens were eating castor oil plants from the government plantations. So the Na Sa Ka officers were angry with the Muslim villagers, and arrested some of them. They were tortured and forced to give money.”

After six months in Area No. 7, he was transferred to Taung Zu village in Na Sa Ka Area No. 2, and sent to Sa Lay outpost. One platoon was patrolling in the area, led by a Na Sa Ka private from Sa Lay outpost camp. “Again, when we saw Muslims, we would arrest them, accusing them of going to Bangladesh illegally. After arresting them we forced them to work for us at the outpost.”

Three or four days after arriving at the outpost, the senior Na Sa Ka officer ordered him to transfer to the Na Sa Ka headquarters to learn boxing. “I refused, claiming that I had a broken finger, but they forced me to go. The training was torture. Every morning I had to run five miles, eat bricks, climb mountains and jump from big heights. I did not understand how to do boxing, and so when the trainer hit me I did not know what to do. There were 25 trainees, mostly Rakhine. The Burman trainer shouted at me abusively, insulting my Rakhine ethnicity. I requested him not to use abusive words, and he kicked me. My nose was broken. Every day I was beaten and kicked. So on 5 August 2008, I decided to escape. I arrived in Teknaf, Bangladesh, three days later.”

He said he saw “many” child soldiers in the Na Sa Ka camps. “Some of my friends were just 15 or 16 years old. The Na Sa Ka pay is very small, and so there are many deserters and therefore a shortage of manpower – so the authorities forcibly conscript people. In Area No.2 I met two soldiers who were less than 16, and in Area No.1 I met three. I asked them why they joined and they told me they were forced to by their village Peace and Development Council.”

Every weekend, he was forced to clean weapons, and he noticed some weapons were unusual. “I was told they were chemical weapons and to be careful cleaning them,” he said. He did not know any more details about these weapons.

“I did not want to torture and beat Muslim people, but I was ordered to do so. I feel very sorry for what I did. I feel happier now that I have escaped,” he said.

Interview with Thwe Hlang, 29

He joined the Na Sa Ka on 13 February 2007, having been lured by a Na Sa Ka sergeant who promised him money and opportunities. “I had no interest in joining the Na Sa Ka,” he said. After passing two blood tests, he was sent to Mergui Division for five months’ training. “I thought of escaping during the training,” he said. “I was forced to do a lot of labour. I had to cut firewood for months.”

The Na Sa Ka has nine areas. After completing training, he was sent to Na Sa Ka headquarters and then to Area No.8 in Myane Lwet village, southern Maungdaw. “When I arrived, I was sent to an agricultural site owned by the Na Sa Ka Area No.8 Commander, Major Kyaw Ong. I was forced to work on his land for six months, cultivating paddy, collecting rice. After six months, I was transferred to Area No.2, where Major Kyaw Ong rented a farm. I was forced to do the same work on his land there, for another six months. Then I was sent to Area No.7, and was stationed at an outpost. The Na Sa Ka officer in charge ordered us to arrest anyone who passes the outpost after 6pm. At night I was on patrol. One night, I was with another Na Sa Ka soldier, and we met some Muslims. We arrested them, and brought them to the outpost. We beat them, and asked for money. Na Sa Ka officers forced them to lie on the ground, and beat them. We gave their families ten days to give us money, and if not, they would continue to be held. Throughout my life in the Na Sa Ka, I was used to this system, of arresting Muslims, asking for money, torturing them – every day. We only arrested Muslims, not Rakhines”

After several months in Area No.7, he was chosen to be sent for boxing training. “The trainer was Aung Aung. He kicked and punched me every day. I could not tolerate it, and so on 5 August I escaped, along with two others.”

During his time in the Na Sa Ka, he saw many child soldiers. “The Burma Army does not allow soldiers under the age of 18, but the Na Sa Ka local officials forced under-age soldiers to lie about their age. I saw some soldiers in the Sittwe army recruitment centre who were aged about 13 or 14, and I knew a 16 year-old in the Na Sa Ka headquarters.”

Interview with Aung Than Win, 20

He joined the Na Sa Ka in 2006, but he does not know the month. He did not want to join, but he decided to join because his family could not support him financially. He was not forcibly conscripted. After joining, he was sent to a training centre in Minbya township, Arakan State. “I learned how to use arms for battle. I learned how to use landmines, and M1, G3, G4, Type 64 rifles, Type 63 rifles – only small guns, not mortars or big guns,” he said. “I was also ordered to cut wood, clean the compound and do other labour. I was very tired every day. If I got sick, I was not given any treatment. Even if I was sick, I was forced to go to the training.”

After four and a half months’ training, he was sent to the Na Sa Ka headquarters for two and a half months. Then he was transferred to Na Sa Ka Area No.7, where he spent a month, before being sent to Shin Ka Li outpost. “At the outpost, we got money from local Muslims. We collected fish from local fishermen, and sold them in the market. Through the fish sales, we earned 15,000 kyats every day. There were 15 men at the Na Sa Ka outpost, and six at the smaller outpost. I was on duty at the smaller outpost. We shared the 15,000 kyats among us. Within 15 days, I earned 100,000 Taka⁷ (\$1,450). I sent this money to my parents. Every 15 days, we were sent back to the big outpost, and then out again to another small outpost.” In Area No.7, he worked on a military-run rubber plantation and castor oil plantation.

After six months, he was transferred to Na Sa Ka Area No.6, where he worked on rebuilding a road near the Na Sa Ka area headquarters. “The senior Na Sa Ka officers had been provided with money for road reconstruction, but they kept it for their own use, and used Na Sa Ka soldiers to do the work instead,” he said.

⁷ Taka is the Bangladeshi currency

“In Area No.6, when Muslim people crossed the outpost, we would ask them if they had permission. If they did not, we would force them to give us money. If they could not pay, we beat them,” he said. “Sometimes I would be patrolling with another Na Sa Ka soldier, and we would ask Muslims for chicken, food, or money. If they refused, we would arrest them and their family, and bring them to the headquarters, where we kept them until they could pay. Every parent loves their son or daughter, so if we arrested a person, their parents – or relatives – would usually come to give us money. We demanded 300,000-500,000 kyats for their release. Some Muslims had relatives working in the Middle East, so they would get money from their relatives. I never saw the Na Sa Ka ask for money from Rakhine. We thought the Muslims were foreigners, not from Burma, and so we thought we had a right to ask for money from them.”

While in Area No.6, he was selected for boxing training. On 22 July 2008 he was sent to the training. “Every day, when I woke up, I had to run five miles, and then run 20 times around the compound. If I could not run fast, I would be beaten. As part of the training, the trainer forced two people to fight each other, but I did not understand how to do boxing. The trainer was dissatisfied, and so he came and beat us. I suffered from this, and decided to flee. Four of us together asked for permission to visit a teashop downtown. We were given permission, and so we ran away. I knew that if I was caught escaping, I would be killed. On 4 August, at sunset, we hid in a hut. We were completely wet with rain. We slept in the hut, and the next morning at 5am we went to the Naf River, to take a ferry boat. We saw a rowing boat crossing in front of us, and called out to the boatman to help. The boatman told us he could not cross the Naf River, because he was afraid the Bangladeshi authorities would arrest him, but we requested several times and explained our situation, and eventually he agreed to take us. He took us to a Bangladeshi fishing boat. We waited on board from 8am–12 noon while they continued fishing, and then they took us to the Bangladesh side. When we arrived on the Bangladesh side, another boatman – not the one who had helped us – demanded money, as a bribe. I only had 500 kyats. I gave it to him, but he said it was not enough. We gave our watches to him, and he let us go. We arrived in Teknaf, where a Rakhine tried to send us to a Bangladesh Rifles (BDR)⁸ camp. Some Muslims helped us, however, and took us to a house where we claimed to be cattle smugglers. The people there gave us food and 800 Takas, thinking that we would be going back to Burma to bring them cattle. Then we left and were taken to the Buddhist monastery.”

10. Conclusions

Burma’s illegal military regime continues to suppress democracy and commit gross violations of human rights amounting to crimes against humanity and, in the case of some of the country’s ethnic nationalities, attempted genocide. The SPDC persists in ignoring the expressed will of the people of Burma, as shown in the deliberate rigging of the constitutional referendum in May 2008, the brutal suppression of the Saffron Revolution in September 2007, and the failure to recognise the results of elections held in 1990, in which the National League for Democracy (NLD) won 82 per cent of the parliamentary seats but has never been permitted to take up its rightful place in government.

The regime also continues to ignore the stated will of the international community, expressed in more than 30 resolutions by the UN Human Rights Council and General Assembly combined, two UN Security Council Presidential Statements, and in statements by 14 UN rapporteurs, a dozen Nobel Laureates, 59 former Presidents and Prime Ministers, the European Union (EU), the Association of South-East Asian Nations (ASEAN) and the United States. Since 1990 there have been 37 visits by UN envoys to Burma, yet the regime continues to violate international human rights and humanitarian law. The recent visit to

⁸ The BDR are a border security paramilitary force in Bangladesh

Burma by UN Special Envoy Ibrahim Gambari was described as a “failure” by many Burmese pro-democracy activists and other observers.

From the evidence received by CSW during this visit, it is clear that the SPDC is continuing to perpetrate gross violations of human rights in Arakan State, as it is throughout Burma. The evidence provided by the Buddhist monks who participated in the Saffron Revolution is entirely consistent with interviews CSW conducted in November 2007 and February 2008 with Buddhist monks who fled to the Thailand–Burma border following the regime’s crackdown. However, while the regime is severely oppressing all its citizens, and perpetrating crimes against humanity throughout Burma, it is overwhelmingly clear that the Rohingyas in particular are singled out for even more extreme discrimination and oppression, and are rendered exceptionally vulnerable by their second-class status and denial of full citizenship rights.

Furthermore, the Rohingya refugees in Bangladesh survive in precarious conditions. Although CSW welcomes the decision by the Government of Bangladesh to provide a new site for undocumented refugees at Leda, we remain extremely concerned by the conditions in which many undocumented and unregistered Rohingya refugees are living.

The testimonies of the Na Sa Ka defectors confirm the accounts given by Rohingya refugees of the severe persecution the Rohingyas face. It is therefore incumbent upon everyone in the international community who cares about the values of human rights and democracy to do everything possible to ensure that the Rohingyas are treated no differently from any other human being, and accorded equal rights in Burma. To summarise their plight, one Rohingya leader remarked:

“The regime is trying to take away our identity. We will not be there in the very near future. The disintegration of our society will take place. Our prime concern is that we must not be eliminated. This is our land and we want to live there with full rights and dignity. We must find a way to compel the junta to enter into dialogue with the NLD and the ethnic nationalities. We need international help.”

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