

**Human Rights of the Rohingya People**  
**Tom Lantos Human Rights Commission Hearing**  
**March 17, 2017**

*Written Testimony of John Sifton, Asia Advocacy Director, Human Rights Watch  
Submitted for the Record*

Co-Chairmen Representatives McGovern and Hultgren and members of the committee, thank you for the opportunity to submit a written statement for today's hearing on the Human Rights of the Rohingya People.

[Human Rights Watch](#) has conducted research on the human rights situation in [Burma](#) for more than 25 years, focusing on abuses against political dissidents and media, laws-of-war violations in the armed conflicts in ethnic minority areas, and [longstanding violence](#) against Burma's Muslim population, including [rampant](#) and [systemic](#) violations against the ethnic Rohingya.

About 120,000 Rohingya are currently displaced in camps in Rakhine State as a result of violence in 2012, and nearly 100,000 displaced persons live in squalid, prison-like conditions in camps within Sittwe, the capital of Rakhine State. The humanitarian situation for both remaining internally displaced persons (IDPs) and newly resettled persons remain dire due to restrictions on movement and lack of access to livelihoods and basic services. The Burmese government refuses to use the term Rohingya, which the group self-identifies as but is rejected by ultra-nationalist Buddhists in favor of the term "Bengali," implying illegal migrant status in Burma. Burma's de facto leader Aung San Suu Kyi refers to the group as the "Muslim Community in Rakhine State."

Renewed violence broke out after an [October 9, 2016 attack](#) by Rohingya militants on border guard posts in northern Rakhine State. In the wake of the attack, the Burmese military initiated a series of "clearance operations," locking down the area and denying access to humanitarian aid groups, independent media, and rights monitors. The United Nations estimates that more than one thousand people died in the crackdown. More than 450 Rohingya are being held in Buthidaung prison on charges linked to the attacks on the border posts.

Human Rights Watch documented numerous abuses associated with the military operations, including widespread arson, extrajudicial killings, and systematic rape and other sexual violence.

[Satellite imagery analyzed](#) by Human Rights Watch identified at least 1,500 buildings that were destroyed in Maungdaw township in October and November. The burn scars were consistent with arson attacks, while the pattern of destruction strongly suggested that the buildings were destroyed as part of a military operation. Eyewitness accounts placed accountability for the burnings squarely with the military.

In late 2016 and early 2017, Human Rights Watch researchers in Bangladesh interviewed 40 Rohingya refugees who had fled Rakhine State. The villagers [described](#) to Human Rights Watch seeing Burmese military personnel burn their homes, drag family members outside and shoot them, and rape women and girls. Human Rights Watch [documented](#) 28 incidents of rape and

other sexual assault, some of which involved several victims. Burmese army and Border Guard Police personnel took part in rape, gang rape, invasive body searches, and sexual assaults in at least nine villages in Maungdaw district between October 9 and mid-December. Survivors and witnesses, who identified army and border police units by their uniforms, kerchiefs, armbands, and patches, described security forces carrying out attacks in groups, some holding women down or threatening them at gunpoint while others raped them. Many survivors reported being insulted and threatened on an ethnic or religious basis during the assaults. The sexual violence did not appear to be random or opportunistic, but part of a coordinated and systematic attack against Rohingya, in part because of their ethnicity and religion. A report by the UN Office of the High Commissioner for Human Rights also provided detailed accounts of atrocities and concluded that the abuses “seem to have been widespread as well as systematic, indicating the very likely commission of crimes against humanity.”

Massive displacement has been an enduring product of the recent violence and deteriorating conditions. As of January 31, the UN estimates that at least 92,000 have fled their homes—69,000 to neighboring Bangladesh, while 23,000 remain displaced within Maungdaw township.

The humanitarian crisis in northern Rakhine State is worsening each day that access to highly vulnerable and food insecure populations is not fully restored. It is crucial that international stakeholders such as the US government publicly press for the resumption of regular and uninterrupted aid deliveries. The Burmese government has failed to fulfill its promise to allow for the full resumption of aid to impacted areas, deepening the crisis for an already vulnerable population. The World Food Programme (WFP) reported on December 29 that “severe food insecurity appears highly widespread.” On January 13, the delivery of emergency food assistance was permitted to 158 affected villages in Maungdaw township, with some 35,000 reportedly reached by January 30. International staff has not been allowed to conduct distributions. Neither the WFP nor the UN Office for the Coordination of Humanitarian Affairs (OCHA) has been able to conduct a comprehensive needs assessment across the impacted areas in Maungdaw, and thus can only estimate the number of people currently in need of humanitarian assistance.

The Burmese government has failed to adequately or effectively investigate abuses against the Rohingya, and has not acted on recommendations to seek UN assistance for an investigation into the violence. It established various [committees to investigate](#) the situation in Rakhine State, but the investigations have consistently lacked independence and credibility. The government’s national investigation commission has announced that the military clearance operations were conducted “lawfully,” denied all rape allegations, and rejected evidence of serious abuses and religious persecution.

Burma’s government should immediately allow unfettered humanitarian access to all parts of northern Rakhine State as the [United Nations](#) and others have urged, in order to reach people without adequate access to food, shelter, health care, and other necessities. The US government and others with influence in Burma should press the military and civilian authorities to urgently end abuses and grant access to the area.

In light of the Burmese government’s failure to carry out credible investigations of its own, it is clear that the UN Human Rights Council in Geneva, which is currently in session, should create

an independent, international investigation body to look into recent abuses. Yanghee Lee, the UN special rapporteur on the situation of human rights in Myanmar, has [called for the establishment of a commission of inquiry](#) at the session.

The US government should work with the European Union, the Organization of Islamic Cooperation, and others to support a Human Rights Council resolution creating an independent, international fact-finding mission to investigate abuses in Rakhine State, and press the Burmese authorities to cooperate with the probe and provide investigators access to key areas. The US government, which has contributed significant development aid to Burma throughout its democratic transition, should signal that unchecked abuses of the Rohingya will impair the growing US-Burma relationship.

Beyond addressing immediate human rights and humanitarian concerns, the US government should also call on Burma's union and state governments to cease persecution of the Rohingya population. The 1.2 million Rohingya in Burma have long been targets of government discrimination, facilitated by their effective denial of citizenship under the 1982 Citizenship Law, which should be amended to meet international standards or repealed. The Rohingya have faced enduring rights abuses, including restrictions on movement; limitations on access to health care, livelihood, shelter, and education; arbitrary arrests and detention; and forced labor. Travel is severely constrained by authorization requirements, security checkpoints, curfews, and strict control of IDP camp access. Such barriers compound the health crisis caused by poor living conditions, severe overcrowding, and limited health facilities. The extension and long-term maintenance of curfew orders in northern townships such as Maungdaw and Buthidaung are also a matter of significant concern, and should be rescinded.