

Testimony for House Foreign Affairs Committee, Asia and the Pacific Subcommittee: Burma's Brutal Campaign Against the Rohingya

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Thank you, Chairman Yoho and Ranking Member Sherman, for convening this hearing on such an urgent matter. The commission of crimes against humanity and ethnic cleansing, as well as the mounting evidence of genocide by Burma's security forces against the Rohingya minority in Burma demand an immediate response, from both local authorities and the international community. Thank you for pressing for solutions to halt the current atrocities and prevent future ones.

I speak on behalf of the United States Holocaust Memorial Museum's Simon-Skjodt Center for the Prevention of Genocide. We draw upon lessons learned from the Holocaust, and the failure to prevent genocide then, in order to inform policy decisions today. It is with great alarm that we gather here to discuss yet another situation of mass atrocities that the world is failing to prevent and local authorities are refraining from halting.

Failure to Prevent

The Simon-Skjodt Center sounded the alarm about early warning signs of genocide against the Rohingya two years ago, after conducting an on the ground investigation in Rakhine State into state-led acts of persecution and other crimes against humanity that targeted the Rohingya population. Even then, the warning signs were clear – including the denial of citizenship, segregation between Rohingya Muslims and Buddhist Rakhine, and impunity for violence against Rohingya. The Rohingya population has been singled out for restrictions on everyday aspects of daily life, including limitations on freedom of movement that restrict access to health care, education, and the ability to pursue livelihoods. These were all stark warnings of the likelihood of increased targeted violence in the future. In fact, Burma has been listed as one of the top three countries most likely to experience a state-led mass killing in the Museum's early warning project, in every year since the project began.

The warnings signs were known, yet not heeded, by leaders within Burma and others around the world. During this period, governments, including our own, have employed a strategy of engagement, dropping sanctions and other forms of leverage--in the belief that long term democratic change would be the most effective response to the persecution and targeting of Rohingya. However, that engagement has largely occurred without the Burmese government having met clear human rights benchmarks. During this period of renewed international engagement, the Rohingya minority remained subject to state-led persecution and violent attacks. The Burmese government perpetuated an enabling environment for mass atrocities by continuing policies of persecution, failing to hold security forces accountable for past crimes against the Rohingya, and failing to prevent the spread of hate speech. In fact, unchanged policies matched with rising anti-Rohingya sentiment in the country contribute to the risk of further mass killings in Rakhine State not just by the security forces, but by local Rakhine civilians who appear to be increasingly committing crimes against their neighbors. The inclusion of Rakhine civilians in crimes

targeting Rohingya is a worrisome development that signals a heightened risk to those Rohingya who remain in northern Rakhine State.

Mass Atrocities

Earlier this year, the Simon-Skjoldt Center worked with the Bangkok-based human rights group Fortify Rights to gather testimony from Rohingya who have fled northern Rakhine State in recent weeks. Deadly attacks by a group known as the Arakan Rohingya Salvation Army (ARSA) were followed by the Burmese military's so-called "clearance operations" – operations that the government stated were to address the threat of militants, but in practice were brutal and disproportionate attacks against Rohingya civilians. Those who survived military attacks shared stories that consistently describe the brutality of the Burmese military and their associates, how they attack entire villages and kill men, women, and children, and employ barbaric tactics such as rape and torture, under the guise of countering militants. I spoke to Rohingya refugees in Bangladesh earlier this year after the first round of these "clearance operations," and people shared with me horrific stories of witnessing soldiers murder their family members, of fleeing for their lives not knowing of the fate of their loved ones. While the threat posed by ARSA and any militant group should be taken seriously and not be underestimated, the greatest risk to civilians in Rakhine state today is coming from the Burmese military. The Burmese government has the responsibility to respond to ARSA, but it cannot cast all Rohingya as threats nor respond so disproportionately.

Crimes Against Humanity, Ethnic Cleansing, and Mounting Evidence of Genocide

With estimates of displaced Rohingya over the past year nearing 500,000, which would represent approximately half of the Rohingya population before the so-called "clearance operations," we are witnessing the commission of crimes against humanity and ethnic cleansing on a horrific scale. Without an immediate end to atrocity crimes and the creation of safe conditions so that those displaced can voluntarily return in the future, we will witness a brutally effective campaign to rid all Rohingya from Burma.

There is mounting evidence that genocide is happening in Burma. There needs to be additional investigation on the intent in order to make a definitive legal declaration of genocide. The Burmese government is currently blocking efforts to investigate the crimes. The U.S. has the ability to support such an investigation in order to bring the full truth to light. The U.S. can support an international independent investigation into the mass atrocities against the Rohingya, and it can also commission its own. The U.S. government conducted such an investigation regarding genocide in Sudan, for example, when in 2003 the State Department deployed staff from its Democracy and Human Rights Bureau and its African Affairs Bureau to interview Darfuri refugees in Eastern Chad. These testimonies informed the decision by the Bush Administration to determine the intent of the Sudanese government and to term that violence a genocide.

Though, while investigations should move forward, by the time an investigation can be made into genocidal intent, it may be too late. We should not wait for a formal finding of genocide before taking action.

The Way Forward

The situation before us is complex and dire, and therefore requires a strong response that acknowledges the power structure within Burma. The military is the primary perpetrator of mass atrocities, and should be pressed with all of our available diplomatic resources to cease its illegal campaign against Rohingya civilians. While the most urgent demand is for mass atrocities to cease, we must also address the underlying policies and institutions that allowed such crimes to occur.

There remains a long road ahead of the Burmese people and its government to address the decades of persecution and exclusion that created the conditions for the military to commit these crimes. Burma's leaders should dedicate themselves to the recommendations put forth by the Advisory Commission on Rakhine State, led by former U.N. Secretary-General Kofi Annan, to address the policies and institutions that leave Rohingya so vulnerable to abuse. The Commission's recommendations, including those regarding the restoration of citizenship, freedom of movement, and access to justice should be efficiently adopted. Burma's civilian-led government has the ability to lead on implementing many of those recommendations, and the international community should press Burma's leaders to do so. As Kofi Annan remarked during the issuance of the Commission's final report, addressing these long-standing underlying problems would be necessary to avert violence in the future. Even though we find ourselves in the middle of violence on a massive scale, measures can still be taken to protect the remaining Rohingya in the country who are still at a high risk of future atrocities.

Burma's military is the primary perpetrator of the recent atrocities against Rohingya, aided by a growing number of ethnic Rakhine civilians participating in the attacks as well. Yet, the ultimate responsibility for de-escalating the current cycle of violence and protecting the lives and freedom of Burma's minority populations – from the military as well as non-state groups like ARSA – rests with the country's de facto leader, Aung San Suu Kyi.

As a basic principle, we should not fear pressing democratically elected leaders to squarely confront mass atrocities within their country. We can understand the nature of Burma's democratic transition and the outsized role the military continues to play in national politics, while at the same time expecting moral and uncompromising responses from its civilian-led government. The U.S. Congress does not need to choose between stopping mass atrocities and supporting a democratic government; in Burma, our government can take immediate steps to address the urgent issue of mass atrocities against the Rohingya while laying the groundwork for a democratic future. After all, a democracy in which mass atrocities, even genocide, are occurring is still unacceptable.

In 2012, the United States Holocaust Memorial Museum awarded Aung San Suu Kyi the Elie Wiesel Award, its highest honor, reserved for those prominent individuals whose actions advance the Museum's vision of a world where people confront hatred, prevent genocide, and promote human dignity. Today, these ideals appear absent in the defense of Burma's Rohingya population. We expect her to use her position in government and her even more powerful voice to uphold those very ideals and work to stop the longstanding persecution and violence that threaten the very existence of Rohingya in Burma.