



Statement of

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Chairman Yoho, Ranking Member Sherman, and Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the current crisis in Burma's Rakhine State, and the situation of the Rohingya, both those who have fled to Bangladesh, as well as those remaining in Burma. My name is Michael F. Martin, and I am testifying today in my capacity as an analyst for the Congressional Research Service.

The events unfolding in Burma's Rakhine State – entailing an estimated 430,000 predominately Sunni Muslim Rohingya have fled into Bangladesh, tens of thousands of Rohingya, Rakhine and other ethnic minorities who have been displaced from their villages into temporary camps within Rakhine State, and possibly more than a thousand people who have been killed – is not the first such crisis for the region. Mass displacements of Rohingya from Rakhine State have occurred periodically dating back at least to 1978. Nor is Rakhine the only state in Burma in which conflict is forcing farmers out of their villages and into temporary camps. Burma's 70-year old civil war continues in Kachin and Shan State, where Burma's military, or Tatmadaw, and various ethnic armed organizations, or EAOs, fight for control of land and valuable mineral resources.

The current displacement of Rohingya began after a new EAO, the Arakan Rohiungya Salvation Army (ARSA) reportedly attacked 30 security outposts along the border with Bangladesh on August 25, 2017, killing over a dozen Burmese police officers and at least one Tatmadaw soldier. In response, ARSA was officially declared a terrorist organization, the first time Burma used such a declaration for an insurgent group. In addition, the Tatmadaw deployed more than 70 battalions, or an estimated 30,000-35,000 soldiers, into Rakhine State. The ensuing "clearance operation" in the townships of Buthidaung, Maungdaw, and Rathedaung in northern Rakhine State has contributed to the large-scale displacement of Rohingya, as well as the displacement of other ethnic groups, such as the Rakhine, Hindi, Dyna, Magyi, Mro, and Thet.

Some of the Rohingya who have made it to informal refugee camps in Bangladesh claim that Tatmadaw soldiers entered their villages, and proceeded to shoot civilians, rape women, and then burn down the entire village. International medical teams treating the Rohingya in these camps report that some people bear gunshot wounds consistent with being shot from behind, while some women have injuries consistent with sexual assault. The Tatmadaw has denied that its soldiers are killing civilians, raping women, and burning villages. According to the Tatmadaw, the only casualties are "ARSA terrorists" and the villages are being destroyed by ARSA and its sympathizers. In her televised speech of September 19, 2017, State Counsellor Aung San Suu Kyi stated:

We condemn all human rights violations and the unlawful violence. We are committed to the restoration of peace, stability, and the rule of law throughout the state. The security forces have been instructed to adhere strictly to the code of conduct in carrying out security operations, to exercise all due restraint, and to take full measures to avoid collateral damage and the harming of innocent civilians. Human rights violations and all other acts that affect the stability and harmony and undermine the rule of law will be addressed in accordance with the strict norms of justice.

It is difficult to know for certain what has taken place in the townships of northern Rakhine State as media and humanitarian assistance access to the region has been largely cut off by the Tatmadaw for security reasons. Satellite imagery of the region shows evidence that dozens of villages in Maungdaw Township have been partially or totally burned down, and a smaller number of villages in Buthidaung and Rathedaung townships display varying degrees of fire damage. One BBC reporter who obtained access to the area witnessed the looting and destruction of a Rohingya village by what appeared to be a group of Rakhine men. The Tatmadaw soldiers escorting the reporter took no measures to interrogate or detain the Rakhine men.

Although the pace has slowed, the number of Rohingya entering Bangladesh increases every day. Over the past year, approximately half of the estimated 1.1 million Rohingya residing in Burma have fled to Bangladesh. To understand why Rohingya exoduses of this sort repeatedly happens in Rakhine State, one

has to know about the history of the Rohingya and of past large scale displacements, the competing narratives in Burma about the Rohingya, the Burmese government's policies regarding the Rohingya, and the attitudes and culture of the Tatmadaw with regard to the Rohingya, and ethnic minorities in general.

Recent Mass Displacements of Rohingya

The history of recent large-scale exoduses of Rohingya from Rakhine State dates back at least to February 1978, when Burma's ruling military junta, under the leadership of General Ne Win, launched Operation Naga Min, or Operation King Dragon, ostensibly designed to expel a group of Rohingya insurgents, the Rohingya Patriotic Front (RPF), from northern Rakhine State. Over a period of three months, Tatmadaw soldiers swept through northern Rakhine State, and an estimated 200,000 – 250,000 Rohingya fled to Bangladesh, where they found shelter in temporary camps near Cox's Bazar. The United Nations High Commissioner for Refugees (UNHCR) recognized the Rohingya as refugees, and was able to secure Bangladesh's support for the establishment of two official refugee camps. Most of the Rohingya were able to return to Burma following negotiations between Bangladesh, Burma and the United Nations.

The Tatmadaw conducted another counter-insurgent campaign in northern Rakhine State in the winter of 1992 against the Rohingya Solidarity Organization, an offshoot of the RPF. By April 1992, more than 250,000 Rohingya had fled to Bangladesh to escape the military operations. As happened in 1978, many of the Rohingya returned to Burma after the military campaign was over, but some remained in the refugee camps in Bangladesh.

From June to October 2012, approximately 200,000 Rohingya fled to Bangladesh, and another 120,000 ended up in internally displaced persons (IDP) camps in Rakhine State after rioting erupted between the Rohingya and largely Buddhist Rakhine population in Rakhine State. The Tatmadaw responded by bringing in troops to restore law and order. While many of the Rohingya in Bangladesh were eventually able to return to Burma, those in IDP camps have been unable to return to their villages.

In the spring of 2015, an estimated 25,000 people – many of whom were Rohingya from Rakhine State – took to boats in the Andaman Sea in hopes of reaching Malaysia and Thailand. Hundreds died along the way. A small number of the surviving emigres returned to Burma, but most have chosen to remain in exile.

In late 2016, following the alleged attacks on three border outposts by the Arakan Rohingya Salvation Army (ARSA), approximately 87,000 Rohingya crossed into Bangladesh to escape the ensuing "clearance operation" conducted by the Tatmadaw. The media, human rights organizations, and international humanitarian organizations accused the Tatmadaw of serious human rights abuses during the "clearance operation." The Tatmadaw denied these allegations.

State Counsellor Aung San Suu Kyi responded to the 2016 events by forming an international commission, the Advisory Commission on Rakhine State, headed by former UN General Secretary Kofi Annan, to "identify the factors that have resulted in violence, displacement, and underdevelopment" in Rakhine State. On August 24, 2017, the Commission released its final report, cautioning that "a highly militarized response is unlikely to bring peace to the area." Among the Commission's recommendations are to promote greater economic development in Rakhine State, to align Burma's 1982 Citizenship Law with international standards and enable the Rohingya to obtain citizenship, and make arrangements for the resettlement of IDPs. In March 2017, the UN Human Rights Council approved a fact-finding mission to investigate alleged human rights violations in Rakhine State, but Aung San Suu Kyi has so far refused to permit the mission entry into Burma, stating that their presence "would have created greater hostility between the different communities."

With the exception of the 2015 exodus, the mass displacements of Rohingyas has corresponded with large-scale deployments of Tatmadaw soldiers into northern Rakhine State. In each case, the media,

human rights organizations, and international humanitarian assistance organizations have reported evidence of serious human rights abuses of the Rohingya by the Tatmadaw soldiers. The Tatmadaw has repeatedly denied these allegations.

Competing Narratives

Historical evidence shows that a Muslim community has lived in northern Rakhine State for centuries, although not initially identified as Rohingya. Muslim merchants and traders settled in what is now eastern Bangladesh and Burma's Rakhine State as early as the 8th Century. The Kingdom of Mrauk-U ruled this region from 1429 to 1785, as a joint Buddhist-Muslim society, under the protection of the Islamic Bengal Sultanate, and with a significant Muslim population. In 1785, the Bamar Konbaung Dynasty conquered the Kingdom of Mrauk-U, and ruled the area until the British extended the British Raj into Burma in 1824. During the time of British rule over Burma, an unknown number of Muslims migrated into northern Rakhine State in what the British considered an internal resettlement, but which the Tatmadaw and much of the Burmese population now consider illegal immigration.

It is uncertain when a portion of the Muslim community of Rakhine State began identifying itself as Rohingya (There is a separate Muslim community in Rakhine State known as the Kamar, which is considered an indigenous ethnic group by the Burmese government.) According to the Rohingya narrative, the notion of a Rohingya ethnic group dates at least as far back as Burma's independence in 1948. During the period of civilian rule in Burma (1948-1962), Rohingya were Members of Parliament, served in the Tatmadaw, and worked as civil servants. This ended after the Tatmadaw took control of the government in 1962, and began its anti-Rohingya campaigns.

Most people in Burma – including the majority ethnic Bamar and the various ethnic minorities – tell a different narrative about the origins of what they refer to as the “Bengalis” of Rakhine State. Most people in Burma do not consider the Rohingya a legitimate ethnic community that has lived in Rakhine State for centuries. Instead, they assert that the Bengalis are illegal immigrants from Bangladesh or India that entered Rakhine State during the time of British rule or more recently across the porous border with Bangladesh. In addition, Burma's Buddhist nationalist movement, Ma Ba Tha, and its outspoken leader, Ashin Wirathu, portray the “Bengalis” as the point of a spear of an effort by global Islam to transform Burma from a predominately Buddhist nation into an Islamic state. As a result, the Rohingya are widely seen as a threat to Burma's identity as a Buddhist nation of Southeast Asia.

This popular narrative has translated into popular support for the Tatmadaw's clearance operation in northern Rakhine State and approval of the resulting large-scale displacement of the Rohingya. Many people in Burma believe the Tatmadaw's assertions that its troops have not engaged in human rights abuses during the various clearance operations, and think the international media is intentionally spreading false stories about such matters. Commander-in-Chief Senior General Min Aung Hlaing is reportedly popular in most of Burma, even in some ethnic minority areas, because of his strong response to the “ARSA terrorist threat” and the resulting return of the so-called “Bengalis” to Bangladesh.

Burmese Government Policies on the Rohingya

The Burmese government – whether under military-rule or under the current mixed civilian-military government – has established a number of discriminatory policies specifically toward the Rohingya. Among these policies are:

- **Denial of Citizenship** – In 1982, Burma's military junta replaced the 1948 Union Citizenship Act with a new law, the 1982 Citizenship Law, that effectively revoked the citizenship of most of the Rohingya in Burma, rendering them stateless.

- **Denial of Suffrage and Representation** – In 2015, then-President Thein Sein invalidated the temporary identification cards (“white cards”) possessed by many Rohingya that had permitted them to vote in past elections. As a result, Union Election Commission did not allow the Rohingya to vote in the 2015 parliamentary elections, and prohibited Rohingya political parties and candidates from running for office in the elections.
- **Denial of Education and Employment** – Because they are not citizens, most Rohingyas cannot attend public universities, work for the government, or join the military or the Myanmar Police Force.
- **Restrictions on Movement** – Rohingya in rural areas are prohibited from moving out of their home villages without the permission of local authorities.
- **Restrictions on Marriage, Religious Conversion and Procreation** – In 2015, Burma’s Union Parliament passed the four “Race and Religion Protection Laws” that seemingly targeted Burma’s Muslim population and, in particular, the Rohingya. The laws banned cohabitation with someone who is not one’s spouse (to ban de facto polygamy), prohibited interfaith marriages and conversion to Islam within a marriage without government approval, and required that women living in certain regions – regions with a high percentage of Muslim households – space pregnancies at least 36 months apart.

Tatmadaw Attitudes toward the Rohingya

After the Tatmadaw seized power from an elected civilian government in 1962, Burma’s military junta engaged in a series of activities that demonstrated an apparent antipathy toward the Rohingya. In particular, junta leader General Ne Win seemingly harbored a strong animosity toward the Rohingya. Under General Ne Win’s command, Burmese forces conducted several military operations in northern Rakhine State targeted at the Rohingya community, including Operation King Dragon in 1978. General Ne Win reportedly supported the 1982 Citizenship Act that stripped most Rohingya of their citizenship, and implemented government policies designed to restrict their civil liberties. The Tatmadaw has been one of the most consistent advocates of the idea that the Rohingya are illegal immigrants from Bangladesh, and are not an indigenous ethnic minority in Burma.

The various military operations in northern Rakhine State have consistently resulted in the forced displacement of thousands of Rohingyas, and usually have involved credible allegations of serious human rights violations of Rohingya by Tatmadaw soldiers. Some Tatmadaw officers have defended their soldiers accused of raping Rohingya women by stating that Rohingya women are too dirty and ugly for their soldiers to even consider raping. In general, the Tatmadaw speak of and seemingly consider the Rohingya as inferior to the Bamar majority, and by extension, seem to tolerate discrimination and maltreatment of Rohingya.

One lingering question is the goal or objective of the Tatmadaw’s treatment of the Rohingya. Some observers, including U.N. High Commissioner for Human Rights Zeid Ra’ad Al Hussein, think the Tatmadaw’s activities constitute “ethnic cleansing” of Rohingya from Burma, and the ultimate goal is the removal of all Rohingya. Others maintain the objective is to reduce the percentage of Rohingya in northern Rakhine State by forced displacement plus the immigration of Bamar, Rakhine and other ethnic minorities into the region.

One possible indication of the Tatmadaw’s goal may be how the Burmese government manages the return of the displaced Rohingya. Aung San Suu Kyi has indicated that the return will be managed in accordance with a 1992 agreement between Bangladesh and Burma on a previous case of mass displacement. That agreement stipulated that Burma would accept the return of anyone who could provide evidence of their

prior residence in Burma. One Burmese official has stated that this may mean proof of eligibility for Burmese citizenship, which would significantly reduce the number of Rohingya who would be permitted to return to Burma.

Issues for U.S. Policy

The current crisis in Rakhine State raises a number of questions regarding U.S. policy toward Burma and Bangladesh. The following list of questions is not meant to be exhaustive, but more indicative of the breadth and scope of factors that Congress may wish to bear in mind when examining U.S. policy toward Burma and Bangladesh.

- The State Department has announced an additional \$32 million in humanitarian assistance in response to the situation in Rakhine State, with most of the funds going to help refugees in Bangladesh. What efforts are being made to obtain similar commitments from other nations? How long will this assistance last? How much additional assistance will be needed? Is the amount being provided for assistance within Rakhine State sufficient to address current needs?
- The Burmese government has said it will lead the humanitarian response in Rakhine State and will continue to avail the support of the Red Cross Movements. What international efforts are being made to obtain greater access to the IDPs in Rakhine State? Is the Tatmadaw intentionally hindering the provision of assistance in Rakhine State? If so, what can be done to obtain access to the internally displaced people, regardless of ethnicity?
- Stories of serious human rights abuses continue to be reported from the Rohingya refugees in Bangladesh, while the Tatmadaw claim to have found a mass grave of Hindus allegedly killed by ARSA. How legitimate are these claims?
- So far, the Tatmadaw has denied its troops have engaged in human rights abuses during the clearance operations, and that any casualties are ARSA terrorists. As a result, the Tatmadaw refuse to permit any independent international investigation of the alleged human rights abuse. What effect have these allegations and the Tatmadaw's refusal to permit independent investigation had on U.S. relations with the Tatmadaw and Aung San Suu Kyi's government?
- What is the Tatmadaw's objective in Rakhine State – the total displacement of the Rohingya, a major reduction in the Rohingya population, or the reestablishment of law and order? How might the answer to this question influence U.S. policy in Burma and relations with the Tatmadaw?
- In response to the situation in Rakhine State, the United Kingdom has cut off its assistance programs with the Tatmadaw. China, India, Israel, and Russia provide the Tatmadaw with arms and military training. Commander-in-Chief Min Aung Hlaing recently traveled to Europe seeking closer military-to-military relations with several nations. What steps, if any, should the United States take with regard to Defense and State Department relations with the Tatmadaw?
- Aung San Suu Kyi has repeatedly stated that international coverage of the situation in Rakhine State is biased, inaccurate, and incomplete. Is there any merit to her claims? If so, in what respect? What impact might this have on U.S. relations with her government?
- Aung San Suu Kyi recommitted her government to the implementation of the Annan Commission recommendations in her speech last week. What, if anything, can the United States do to assist in the implementation of those recommendations?
- Little is known for certain about ARSA. What do we know about its origins, funding, size, and alleged relations with international Islamic fundamentalist organizations? What are the implications for U.S. counter-terrorism efforts in South and Southeast Asia?

- What impact has the recent outbreak of violence had on the ongoing conflict in Kachin and Shan State, as well as efforts to advance the political dialogue to resolve that conflict? Is there any evidence that the various EAOs are concerned that the Tatmadaw is emboldened by the popularity of its activities in Rakhine State and may extend such an approach to eastern Burma? What are the possible implications for U.S. efforts to promote a peaceful resolution of Burma's civil war?
- China sees both economic and strategic value in its relationship with Burma. China recently completed an oil and gas pipeline that runs from China's Yunnan Province, across the conflict area in northern Shan State, and ending in the deep-water port of Kyaukphyu, near the city of Sittwe in Rakhine State. China hopes to build a rail line and highway along the same corridor, providing China with direct freight access to the Indian Ocean. What effect could and should China's economic and strategic interests in Burma have on U.S. policy?
- How might the events in Rakhine State influence U.S. relations with the Association of Southeast Asian Nations (ASEAN), as well as other nations in the region, including India, Indonesia, Malaysia, and Thailand?

Mr. Chairman, this concludes my testimony. Thank you again for the opportunity to testify, and I am most willing to respond to any questions you or other Members of the Committee may have pertaining to the subject of this hearing.

