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**TO:**

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The Burma Action(SA) wishes to thank those who joined in calling for the UN General Assembly to address the Human Rights abuses of the Military Government of Burma. Worldwide attention on human rights abuses in Burma has led the UN to call the harshest ever resolution on Burma <sup>1</sup>.

SLORC has shown signs of restraint in committing further abuses on its own population: start accepting Rohingya refugees on Bangladesh-Burma border; the offensive on Karen minorities, held annually in the dry season(Dec-May), postponed to date. SLORC is portraying it is serious about the constitution and transfer of power and claims to be creating peaceful environment for the National Convention on January-9. The international community is doubtful of this claim. It appears that the strong condemnation by the UN General Assembly and, perhaps, the desertion of various oil-companies after their disappointing results are attributed to this.

Burma's conflict was addressed by some as the military oppression on its own civilian population while the others as the Burmans repression on the minorities. Whatever the reasons, it is necessary to bring an end to the human tragedy and help the Burmese peoples strive for freedom and social justice. The Burma Action (SA) again urges the international community to keep constant attention on the conflict in Burma and maintain pressure on SLORC. We call your attention to the conflict between SLORC and the Rohingyas. The following are a summary of events since the conflict began in January-1992.

**INTRODUCTION**

In early 1992, the refugees from the Arakan state of west Burma, which is also known as the Burma-Rohingyas, crossed the Naaf river and enter into Bangladeshi territory. Rohingyas report of torture, killing and rapes. Persecution over the Rohingyas are not isolated incidents, but are consistent with the same pattern of atrocities on the unarmed civilian population throughout the country. These human rights abuses have been well documented by Amnesty International and other Human Rights groups.

**THE PATTERN OF REPRESSION ON ROHINGYAS**

Amnesty International conducted over 100 interviews in Bangladesh and has documented details in its May 1992 publication <sup>2</sup>. The forms of Human Rights abuses consists of:

Forced Labour by Armed forces for porters and road constructions: Men (and often-women) are forcibly conscripted from villages for porter duty. During porter duty, the villagers are given little or no food. Those who become weak and cannot carry out their duties are beaten and sometimes killed <sup>3</sup>.

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<sup>1</sup>Reuter, Dec 4.

<sup>2</sup>AI Index:ASA 16/06/92, Human Rights violations against Muslims in the Rakhine (Arakan) State.

<sup>3</sup>AI Index:ASA 16/06/92. A 39-year old refugee told the AI " I was taken as a porter and after four days with no food I was not able to carry my load. I fell down and the soldiers beat me viciously with a large bamboo stick. Then they threw a large rock at me and it hit me on the hip. I was left there

Rape by soldiers: This often occurs during porter duty for women or at the time of conscription for porter duty. When men are unavailable for conscription women from villages are held hostage in return for men and are raped <sup>4</sup>.

Arbitrary detention and torture: Most commonly committed by Military Intelligence Service (MIS) and *Lonhteins* for suspected connection with opposition groups <sup>5</sup>.

Extrajudicial executions: Persons accused of association with rebels are executed on sight, with no trial or explanation given <sup>6</sup>.

There are also reports of looting and confiscation of properties by the security forces.

#### RELIEF OPERATION FOR ROHINGYAS

Despite recent changes in its conduct with Rohingyas, it is evident that authorities in Bangladesh have carried out the best available relief effort. From October 1991 to February 1992, when there was just a trickle of refugees, the relief operation was carried out internally. International assistance was called for when the new waves of refugees arrived in February 1992. A number of NGOs have been involved in the relief effort to date <sup>7</sup>.

#### PRESSURE ON BANGLADESH GOVT. TO REPATRIATE REFUGEES

Bangladesh is very limited in its resources. The presence of refugees means the deprivation of jobs, firewood and hunting and fishing for the locals. In mid 1992, the people from Cox's Bazaar area set up the Rohingya Repatriation Action Committee <sup>8</sup>, forcing the government to repatriate refugees. There are also reports of blocking roads so that the Rohingyas are deprived of assistance from NGOs.

In addition to such a strong pressure from the local community, the Government of Bangladesh seems concerned with a possible outbreak of armed conflict between the

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for 3-days.....". Another refugee described his experience, "I was in a group of 300 people as porters, taken 50 to 60 miles northeast from Taungbazaar to military bases...In the last three months more 50 men died. I saw 20 men who were kicked and died like this. It was impossible to help...."

<sup>4</sup>Another refugee told AI, "I was fishing in the river when the army came to get the men. When they found that everyone had gone they went into 30 houses and took the women. I saw them taking them off in a motor boat. They were taken to Dahdam army camp. I was nearby and they called to me and asked me to help by getting their husbands to come back. All 30 of them were kept in the camp and raped." In some incidences, the army is evidently out of control: "Another woman from Buthidaung township was dragged from her home early in the morning by soldiers from a Light Infantry Division. She then saw the soldiers drag her two younger sisters outside and tear off their clothes. She was left behind, but her sisters are taken away for 24 hours and then returned home. They had evidently been gang-raped, and were immediately taken to the hospital. As soon as they had recovered, the family left for Bangladesh" (AI, *ibid.* Page 20).

<sup>5</sup>One refugee who was suspected of connection with RSO by MIS told, "One day MI-18 came and dragged me from my house and beat me with a stick stuck with two nails. They accused me of having contact with insurgents and ....". Another refugee who witnessed the torture of a National League for Democracy (NLD) supporter described, "They start shouting at him, beating him, accused him of supporting Suu Kyi (NLD Leader) and all. He was very badly beaten up, he couldn't walk. They just left him on the bridge and his family had to come and get him so that he could be treated. They weren't able to take him to the hospital though, and he was treated by the local quack. I doubt if he is alive now."

<sup>6</sup>One refugee who witnessed MI-18 execute a fellow villager told AI as "There was one man from my village, Abdul Rahman, who was about 30-years old. One day he was sitting outside his house when the MI-18 came and shot him, they just shot him there, in the street. They said that he was RSO insurgent, but he was just a normal farmer, he'd never been to Bangladesh, not even in 1978."

<sup>7</sup>There are a number of NGOs operating at Burma-Bangladesh border: Gonoshasthaya Kendra (GK), a Dakha-based NGO; Medicin SansFrontiers, a French medical relief team and UNHCR. Australian Government assistance to Rohingyas are also channelled through NGOs: Adventist Development and Relief Agency, Australian Council of Churches and Archbishop of Sydney's Oversea Relief and Development Program.

<sup>8</sup>Burma Update, 25-September 1992.

Rohingyas and the Burma Military<sup>9</sup>. There are reports that the Rohingyas are enjoying increasing sympathy from the oil rich Middle Eastern countries and are said to be receiving financial support. There is a prospect of long term instability if the crisis is not resolved.

#### INITIATIVES FROM BURMESE GOVT. FOR A VOLUNTARY RETURN

The Rohingyas claim they are the descendents of Arab and Persian traders who settled in the Arakan state of west Burma a few centuries ago. On the other hand SLORC refuses to recognize the status of Rohingyas, and charged them as illegal aliens mingled between Burma and Bangladesh<sup>10</sup>.

On April 1992, the Bangladeshi and Burmese Government signed an agreement for Rohingyas repatriation. However SLORC insisted that only those who have a National Registration Card (NRC) will be accepted<sup>11</sup>.

#### RECENT DEVELOPMENTS

There were reports of conflicts arising between Rohingya refugees and the local Bangladeshi community by mid 1992. There have been reports of conflicts between Bangladesh Security forces and Rohingyas<sup>12</sup> and among refugees<sup>13</sup>. Burma Action(SA) received warning of the refugees will be forced to their return in early November. In December, there are reports of violence between the Bangladeshi security forces and Rohingyas against forced repatriations<sup>14</sup>. It is evident that some refugees have been sent home against their will<sup>15</sup>.

On the other side of the border, the Burmese Govt. was showing a soft stand on Rohingyas, pledging them safety and also the issuing of the NRC on their arrival. This concession follows the attention by the UN, US State Department and British Home affairs<sup>16</sup>. It appears that SLORC is trying to improve its image due to the criticism of the international community.

The conduct of the Government of Bangladesh in the repatriation process is coerced the refugees to return. The underlying reason seems that its unwillingness to promote the conflict to a level of a direct UN involvement.

#### OTHER POLITICAL GROUPS AND ROHINGYAS

There are two main political group for Rohingyas; the Rohingya Solidarity Organization (RSO) and Arakan Rohingya Islamic Front (ARIF). Despite Rohingyas undergoing the very same repression as other minorities, they are not going along in politics with other groups such as NCGUB or DAB<sup>17</sup>. The NCGUB refers to Rohingyas in its press statement in the UN last November as "displaced people at Bangladesh-Burma border" and not as an "ethnic group". It is evident that NCGUB and DAB consider Rohingyas as non-indigenous Burmese, and sharing the same view as SLORC !

<sup>9</sup>Far Eastern Economic Review, 28-January-92.

<sup>10</sup>On February 1992, The Foreign Minister of SLORC stated in a press release that Rohingyas are not one of Burma's 135 national races. These (Rohingyas) people of Muslim faith have illegally entered Burma since 1824, are not able to show their National Registration Card(NRC) to routine security check and therefore fled the country.(AI Index:ASA 16/06/92 )

<sup>11</sup>SLORC means that those who can present their NRC are Burmese citizens and will be accepted. Justice Einfeld in his report comment " most dubious concession" since most refugee fled with little possessions and their NRC being confiscated by security forces in some cases. (National Refugee week presentation by the Hon. Justice Marcus Einfeld, AUSTCARE, June 1992)

<sup>12</sup>Burma Update, 25-September-92

<sup>13</sup>Working People's Daily (*Burmese*), 3 October 1992.

<sup>14</sup>Reuter, Dec 7.

<sup>15</sup>Reuter, Dec 20, Dec 31.

<sup>16</sup>Reuter, January 7.

<sup>17</sup>National Coalition Government of the Union of Burma(NCGUB) and Democratic Alliance of Burma(DAB)

On the other hand, unlike other minority groups, which have been fighting the Rangoon central government for decades, there have been no revolts of Rohingyas in western Burma within the last two decades. Therefore, it is likely that Rohingyas formed RSO and ARIF as a resolution to their problem after a series of military repression and may not constitute permanent political ambitions.

CONCLUSION

Elsewhere in the world, the UN is consistent in enforcing compliment to its resolution in recent years, its attention to Burma's situation in general is rather uneffectual. On the other hand, the UN enforcement on the resolution on armed conflicts or the relief efforts usually associated with military operations. This seems to be the main reason of concern in not agreeing by SLORC and not cooperating by the Government of Bangladesh.

Understandably, Rohingyas repeatedly request UN to supervise their repatriation process. Though SLORC appears to hold the central power, the general situation of justice system in Burma is no different to Somalia, with the total collapse of the administration. The pattern of violence against Rohingyas stems from the inhumane practice of the armed forces, the lack of observant of the law and due process by security forces in detention and executions. Although recent response from SLORC seems favourable, it must be pointed out that no absolute safety can be guaranteed unless there is a popular government which practices a proper rule of law. Therefore UN should consider all possible measures of monitoring Rohingyas prevent further abuses by the Military.

Rohingyas had a long history of repression by Burmans. The present alleged charges against Rohingyas that they are illegal immigrants. Although some refugees in the camps seems to have NRC cards, all the refugee should be treated as stateless persons. The issuing of NRC to Rohingyas approving them as citizens by SLORC must, in principle, be opposed, since SLORC is not a legitimate Government. Rohingyas should be treated as "stateless" and placed under the protection of the United Nations upon their repatriation. With the proper international pressure being applied, the mere presence of UN personnel in western Burma will prevent further ill-treatment by security forces on Rohingyas.

**Action:** Please write letters to Ms Ogata, The United Nations High Commission for Refugees and H.E. Mr Richard Butler, the Australian Ambassador to the United Nations, advocating United Nations to ensure Rohingyas safety upon their return. Writing to the Prime Minister of Bangladesh for a humane treatment of Burma-Rohingyas may also helps.

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Attached with this letter are collected news items concerning situation of Rohingyas. We appreciate you contacting our secretary, Miss Kribo Ackerman, for your action and also further informations.