

Rohingya

GENOCIDE DAY



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From the Editor

As we launch this special edition of Rohingya Genocide Remembrance Day, the Arakan Rohingya National Alliance (ARNA) reaffirms its commitment to advocating for the rights and dignity of the Rohingya people. Founded to achieve the “right of self-determination” and the “right of return” within a Federal Democratic Union of Burma/Myanmar, ARNA also seeks to unify the Rohingya under a single platform with a cohesive policy agenda. This magazine serves as both a reflection on the tragedies of the past and a call to action for justice, accountability, and international intervention to end the ongoing persecution.

This inaugural edition features articles such as "Never Again is Happening Again Against Rohingya in Arakan", emphasizing the recurrence of genocidal violence, and "An Unconstitutional Operation in North Rakhine", detailing the military's unlawful operations. "Arakan Army Aids in Completing Myanmar Military's Unfinished Business" exposes local complicity in Rohingya persecution, while "Inaction and Silence of the International Community" highlights the global failure to act.

Ronnie @rohingya

Never Again is Happening Again Against Rohingya in Arakan

BY NURUL ISLAM



Never Again is Happening Again Against Rohingya in Arakan

BY NURUL ISLAM

It is now almost 76 years since the United Nations passed the genocide Convention in 1948. If there was one single idea behind the convention, it was encapsulated in two words – Never Again, which expressed many people's reaction to the Holocaust. Yet today genocide is happening again and again due to failure of the international community to prevent and to stop it.

On 11 December 1946 the U.N. General Assembly passed unanimously Resolution 96(1), which identified genocide as 'a crime under international law' and called on Member States both to 'enact the necessary legislation for the prevention and punishment of the crime' and to 'cooperate speedily to prevent and punish it'.

Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, 1948, clearly defines genocide as the act of destroying in whole or in part, a national, ethnical, racial or religious group --such acts are held to include: killing, seriously injuring or causing mental harm to members of such groups, inflicting upon such groups adverse living conditions so that physical destruction of the group is threatened, deliberate attempts to prevent members of the groups from having children, and forcibly transferring children from one group to another.

The Rohingya genocide is a series of ongoing persecutions and killings of the Muslim Rohingya people by the Myanmar military, its partners and accomplices with intent to destroy this ethnic Muslim community on grounds of ethnicity and religion. They are experiencing almost all definitions of the genocide mentioned in Article II of the Convention.

The destruction of Rohingya people in Myanmar began decades ago, particularly when dictator General Ne Win's takeover of the government in 1962. He was highly suspicious of non-Buddhists and Muslims, specifically the Muslim Rohingya were made main targets. Ne Win and his cronies have had designed a series of armed operations to victimize and exterminate Rohingya.

The popular slogan in the country is "to be a Burmese is to be a Buddhist". In Arakan, the Rakhine ultranationalists have been harping on the tune of "Arakan is for Rakhine only, Bengali or Rohingya have nothing to do in Arakan." The military dictatorships have put the two communities of Rakhine and Rohingya at loggerheads and divided them on racial and religious lines. Despite boomerang to them, the Rakhine are instrumental in the 'Rohingya annihilation' plan of the military junta. In 1979, despite his own mixed Burman-Chinese heritage, Ne Win stated:

Today you can see that even people of pure blood are being disloyal to the race and country but are loyal to others. If people of pure blood act this way, we must carefully watch people of mixed blood. Some people are of pure blood, pure Burmese heritage and descendants of genuine citizens. Karen, Kachin and so forth, are of genuine pure blood. But we must consider whether this people are completely our race, our Burmese people.

In 1982, Ne Win adopted his "Burma Citizenship Law", redefined citizenship and declared Rohingya as non-nationals. "Some observers have suggested that this law was specifically designed effectively to deny Rohingyas the right to nationality." The 1982 law violates several fundamental principals of international law standards, offends the Universal Declaration of Human Rights and leaves Rohingyas exposed to no legal protection of their rights. It serves as an oppressive legal tool particularly against Rohingya people rendering them stateless in their own country.

The military and Buddhist chauvinists, Rakhine extremists – who include politicians, academics, journalists, and monks— have denied the existence of Rohingya in Myanmar. After 1990, the military State Peace and Development Council (SPDC) excluded the Rohingya from its shortlist of 135 so-called national races that Myanmar has recognized indigenous, although, in 1960 U Nu parliamentary government recognized and included them in the list of about fifty ethnic groups and Ne Win also put them in his shortlist of 144 ethnic races.

Systematic misinformation, fake news and hate speech against Rohingya are widespread in Myanmar. In Arakan, Bengali-phobic and Islamophobic hate crimes spread like wildfire, accusing the Rohingya of Bengali immigrants suggesting their expulsion to Bangladesh. Frequent armed operations have been carried out against Rohingyas, involving terrorization, torture and criminal atrocities, arrest and detention, destruction and expulsion from the country.

Unfortunately, the Rakhine have been instrumental in “Rohingya persecution”. Rakhine leaders and academics like Dr. Aye Maung, Dr. Aye Kyaw, Monk Ashin Nayaka, U Khin Maung Saw, Dr Aye Chan and U Shwe Zan are some of the masterminds, to mention a few.

In 2012 the organized Buddhists under the aegis of the administration attacked and killed many hundreds of Rohingyas and consequently removed about 140,000 people to internally displacement camps in Sittwe and southern towns where they are living in subhuman condition without adequate food, health care, education and necessities for life. On 23 August 2012, the former U.S. Ambassador to Myanmar Darek Mitchell said, “In Myanmar the Rohingya are oppressed by everybody.”

In 2015, the Allard K. Lowenstein International Human Rights Clinic at Yale Law School found "strong evidence that genocide is being committed against Rohingya." The study found that the Burmese government, with the help of extremist Buddhist monks, was responsible for ethnic cleansing and genocide against the Rohingya”.

Throughout 2013–2015 isolated incidents of violence against Rohingya continued to take place. In late November 2016 Human Rights Watch released satellite images which showed about 1,250 Rohingya houses in five villages in Kyaukpyu, western Arakan were burned down by security forces. Many people were detained. Their average age was 34, the youngest was 10, and the oldest was 75.

In 2017, the world was appalled by the images of hundreds and thousands of innocent Rohingya men, women and children fleeing mass atrocities in Arakan/Rakhine State. Families were massacred, mass graves uncovered, hundreds of villages scorched, thousands of houses burned to the ground, women gangraped, babies thrown into the flame, forcing nearly a million survivors to take refuge in neighboring Bangladesh creating a great humanitarian disaster. The crisis spilled over into many countries in the region and beyond with huge ramification posing threats to regional and international peace and security. Boats carrying Rohingya refugees on the Naf River were often gunned down by the Myanmar military, including helicopter gunships and Myanmar Navies. The military also planted internationally banned landmines along the border to prevent the fleeing Rohingyas to Bangladesh. Some villages were targeted for ariel bombing.

Since 1948 almost three quarters of Rohingya population were expelled from their homeland in the most inhumane manner. Today Bangladesh is a home to more than 1.2 million Rohingya, including those who came before 25 August 2017, creating the world’s largest refugee camps in Cox’s Bazar district. Under impossible situation, many escaped to India or risked deaths by rickety boats to Thailand, Malaysia, Indonesia and other parts of South and Southeast Asia. Thai-Malaysia border, Bay of Bengal, Andaman sea and Strait of Malacca became graveyards for the Rohingya boat people. The Rohingya are very appreciative of Bangladesh and other receiving countries for sheltering and taking care of them on humanitarian grounds.

It is shocking that Daw Aung San Suu Kyi did not help the Rohingya even when she was head of the government and was not totally powerless. She could have saved many Rohingyas' lives and properties if she spoke out even from a human rights perspective. To the contrary, she said in reply to a question on her European tour in June 2012 that she did not know whether they are Myanmar nationals or Bangladeshi illegal immigrants. While visiting London in October 2013 she was even telling the British Prime minister David Cameron: "They are not really Burmese. They are Bangladeshis". These blameful words or charges of Aung San Suu Kyi had encouraged the genocidaires to exacerbate the problem. Thus she and her National League for Democracy (NLD) government defended the military brutalities against the Rohingya even at the International Court of Justice (ICJ). However, the same military are now committing mass atrocity crime against the whole Myanmar population, and Aung San Suu Kyi herself has been kept in detention.

On 11 September 2017, the United Nations' human rights chief Zeid bin Ra'ad described the persecution as "a textbook example of ethnic cleansing". On 5 December 2017, Ra'ad announced "the Rohingya persecution may constitute genocide under international human rights laws".

In September 2018, the U.N. Human Rights Council (HRC) mandated Independent International Fact-Finding Mission on Myanmar (IIFMM) released a searing report which concluded that the military, as well as some civilians, have committed genocide, crimes against humanity, and war crimes against its own people; Burma's civilian authorities, including State Counsellor Daw Aung San Suu Kyi, have not met their "responsibility to protect the civilian population" and have enabled the commission of atrocity crimes. The report found evidence of 'genocidal intent', including policies designed to alter the demographic composition of Arakan (Rakhine) State and a premeditated plan for the destruction of Rohingya communities. The IIFMM also stated that at least 392 Rohingya villages in Rakhine State had been razed to the ground since 25 August 2017. It called for top military officials, including Armed Forces Commander-in-Chief Gen. Min Aung Hlaing to be prosecuted for genocide, crimes against humanity and war crimes.



In August 2018, a study estimated that about 25,000 Rohingya people were killed by Myanmar military and local Buddhists, over 18,000 Rohingya Muslim women and girls were raped, 116,000 Rohingyas were beaten, and 36,000 Rohingyas were thrown into fires. There were also mass killings of Rohingyas by the military, police and Buddhist vigilantes in the villages of Chut Pyin, Inn Din, Ali Than Kyaw, Du Cheratan, Tula Tuli, Gudapyin and others in Rathedaung, Maungdaw and Buthidaung townships. Alongside the Armed Forces, the Myanmar Border Guard Police and Rakhine Buddhist militias were also involved in these atrocities.

Human Rights Watch stated that the gang rapes and sexual violence were committed as part of the military's ethnic cleansing campaign while Pramila Patten, the United Nations Special Representative of the Secretary General on Sexual Violence in Conflict, said that the Rohingya women and girls were made the "systematic target of rapes and sexual violence because of their ethnic identity and religion". Other forms of sexual violence included sexual slavery in military captivity, forced public nudity, and humiliation. HRW reported of a 15-year-old Rohingya girl who was ruthlessly dragged on the ground for over 50 feet and then was raped by 10 Burmese soldiers.

Disregarding the provisional measures ordered by the International Court of Justice (ICJ) in the Gambia v. Myanmar case on Myanmar's breaches of the genocide convention, in January 2019, the military bulldozed and flattened the burnt Rohingya villages and mass graves in order to destroy the evidence of atrocities committed. Some intact villages that lost their Rohingya inhabitants because of the military crackdown were also bulldozed.

Since November 11, 2019, three separate developments have taken place in different corners of the world within a span of just one week that have shone on Myanmar over its alleged genocidal crimes perpetrated against the Rohingya people. Its civilian leader Aung San Suu Kyi and army chief Min Aung Hlaing and others stand to face indictment in various courts. The first one was filed on November 11, at the International Court of Justice (ICJ) by The Republic of Gambia on behalf of the Organisation of Islamic Cooperation (OIC). On November 13, with the initiative of the Burmese Rohingya Organisation's President U Tun Khin, the second case was submitted in Argentina under the principle of universal jurisdiction, a legal concept enshrined in many countries' law. One day later, on November 14, the International Criminal Court (ICC) approved a full-scale investigation into alleged crimes against humanity perpetrated against the Rohingya by the Myanmar military. On March 21, 2022, the United States determined that members of the Burmese military committed genocide and crimes against humanity against Rohingya.

The Rohingya are now facing renewed threat of violence from both junta and Arakan Army (AA) as they have become trapped in the middle of armed conflicts between them. They are targeted for forced conscription, arrests, killings, extortion, loots, confiscation of property, destruction of homes and expulsion from their hearth and home. During recent months an estimated 3,000 Rohingya civilians were killed in northern Arakan. They have been killed by bombs, drone, bullets, fire and drowning.

Currently Rohingya educated people and elites are increasingly targeted by warring factions. On 4 August 2024, AA killed some Rohingya residents of Maungdaw in several places by drone attacks, including an 81-year-old prominent medical practitioner Dr. Mohamed Kamal of Fayazi quarter at 8:30 p.m. at his residence. On 19 August, at about 5 a.m. his wife Ruksana alias Kyi Kyi Hla, who was injured by the same drone attack was drowned in boat together with 26 others, most of them women and children, while they were escaping the risk of AA's deadly violence across the Naf River to Bangladesh for medical treatment and safe shelter. On 5 August AA also killed and drowned at least 200 Rohingya civilians, most of them women and children, when they were fleeing homes on the order of AA. The AA has manifest intent to destroy the remaining Rohingya population.

Rohingya genocide is an enormous challenge for the international community. It is one of the greatest humanitarian issues of our time. But the international community has failed them again and again, and it must not fail them again. It has a responsibility to protect this population from the risk of further atrocities.

The utmost important for the Rohingya now is to return home from Bangladesh and elsewhere. But they cannot return where genocide is ongoing. Suitable conditions must be created for their voluntary, safe, dignified and sustainable return to their places of origin or choice in their homeland with appropriate reparation. Last but not least, no genocide can be prevented or stopped without intervention.

The popular slogan in the country is “to be a Burmese is to be a Buddhist”. In Arakan, the Rakhine ultranationalists have been harping on the tune of “Arakan is for Rakhine only, Bengali or Rohingya have nothing to do in Arakan.”





An Unconstitutional Operation in North Rakhine

BY AMAN ULLAH
MAP BY WIKIMEDIA

Following the initial attacks attributed to ARSA in October 2016, government authorities have at various points in time declared parts of northern Rakhine State to be subject to ‘**area clearance operations.**’ This term was also applied to areas of Kachin State during 2017. In Rakhine State, the last time authorities reported area clearance operations to be in effect was in Maungdaw Township on 12 September 2017, via a public announcement from the government’s Information Committee on 13 September 2017.

In the name of this clearance operation the Myanmar security forces purposely destroyed the property of the Rohingyas, targeting their houses, fields, food-stocks, crops, livestock and even trees, to render the possibility of the Rohingya returning to normal lives and livelihoods in the future in northern Rakhine almost impossible.

The recent mass exodus of almost 700,000 Rohingya civilians from Rakhine state in Myanmar, to Cox's Bazar, Bangladesh, created a humanitarian crisis that seized the attention of the world. As documented by international medical staff and service providers operating in Bangladesh, many civilians bear the physical and psychological scars of brutal sexual assault. The assaults were allegedly perpetrated by members of the Myanmar Armed Forces (Tatmadaw), at times acting in concert with members of local militias, in the course of the military "**clearance**" operations in October 2016 and August 2017 characterized by the United Nations High Commissioner for Human Rights as "**ethnic cleansing**". The widespread threat and use of sexual violence were integral to their strategy, humiliating, terrorizing and collectively punishing the Rohingya community and serving as a calculated tool to force them to flee their homelands and prevent their return. Violence was visited upon women, including pregnant women, who are seen as custodians and propagators of ethnic identity, as well as on young children, who represent the future of the group.

Tatmadaw representatives in the national legislature stated in August 2017 that the Constitution empowers the Tatmadaw to initiate area clearance operations of their own volition. Yet Tatmadaw officials and other government authorities have not linked this term to provisions clearly prescribed in law. On previous occasions, the term has been invoked in practice to grant security forces the authorization, possibly through lax rules of engagement, to ignore legal protections afforded under the Constitution and international standards. In addition to the terms '**area clearance operations**' and '**military operations area**,' in late 2016 the Myanmar authorities commonly used the term '**joint operations**' to refer to security operations conducted by the Tatmadaw and the Border Guard Division of the Myanmar Police Force in northern Rakhine State. Joint operations appear to be a descriptive term that does not imply special legal effect.

Did the President authorize the recent military operations?

The Office of President Htin Kyaw designated parts of northern Rakhine State as a 'military operations area' on 25 August 2017, according to statements by Zaw Htay, Director General of the Ministry of the Office of the State Counsellor and spokesperson

for the State Counsellor Aung San Suu Kyi.

Zaw Htay said that the designation covers the whole of Maungdaw District and was issued as an immediate response to a request from the Office of the Commander-in-Chief of the Tatmadaw. However, there were neither definitive dates to indicate the date of enforcement nor cited clear legal provisions in reference to the President's designation.

Under the 2008 Constitution, for the President's designation of 'military operations areas' shall be during a state of emergency (Chapter 11) or the President "shall have the right to take appropriate military action, in co-ordination with the National Defence and Security Council formed in accord with the Constitution, in case of aggression against the Union (213-a)." However, northern Rakhine has neither been declared as a state of emergency nor the National Defence and Security Council has not been formed under the NLD-government. The absence of a declared state of emergency and the absence of a formal National Defence and Security Council meeting calls into question the Constitutional basis for the President's designation of 'military operations areas' in northern Rakhine State.

Article 212 of the Constitution empowers the President to promulgate ordinances for administrative actions requiring immediate actions, with procedural limitations, including the right of parliament to review the ordinance. A review of the weekly Union Government Gazettes published between the 25 August until 31 October 2017 reveals that to date there has been no ordinance or other such promulgation of that the President authorized military operations in northern Rakhine State on 25 August.

Is Rakhine State under a state of emergency?

Myanmar has not declared a constitutional state of emergency over Rakhine State or any part of it. However, a press release from the Ministry of the Office of the State Counsellor was issued on 11 August 2017 stated that parts of northern Rakhine State were subject to a temporary curfew invoked under section 144 of Myanmar's Criminal Procedure Code. It is unclear whether this curfew remains in force following the attacks on 25 August 2017 and during subsequent security operations.

Section 144 is a key provision under chapter 11 of the Criminal Procedure Code, entitled “**Temporary Orders in Urgent Cases of Nuisance or Apprehended Danger.**” It provides that a Magistrate may “[d]irect any person to abstain from a certain act or to take certain order with certain property in his possession or under his management, if such Magistrate considers that such direction is likely to prevent, or tends to prevent, obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquility, or a riot, or an affray.”

The powers of Judges (Magistrates) under section 144, a carry-over provision from colonial-era criminal law, have in practice been appropriated by the executive and are now exercised by the District Administrator or the Township Administrator of the General Administration Department, part of the Ministry of Home Affairs. The invocation of section 144 orders does in itself not constitute a state of emergency.

What would a state of emergency look like?

Pursuant to article 40 and chapter 11 (comprising articles 410 to 432) of the 2008 Constitution, the President, in coordination and with consent from the National Defence and Security Council, may declare a particular area to be under a temporary state of emergency. The Constitution contemplates three states of emergency: -

1. The Constitution empowers the President to temporarily appropriate executive and legislative powers from lower levels of government, in a particular geographical area (articles 40(a) and 410),
2. The President may request temporary support from the Tatmadaw to perform its functions in a particular geographical area (article 413 a) or may issue an ordinance temporarily transferring executive and judicial powers to the Tatmadaw in a particular geographical area (article 413 b),
3. The full nationwide transfer of executive, legislative and judicial powers to the Tatmadaw for a period of one year (article 417).

In each instance, a declaration by the President is required to enact a state of emergency.

States of emergency were declared on three occasions under the Union Solidarity and Development Party-led Government, led by President Thein Sein from 2011 to 2016. Each of these was a ‘type two’ emergency, under article 40(b) of the Constitution; no ‘type one’ or ‘type three’ emergency under the 2008 Constitution has ever been declared in Myanmar. The most recent state of emergency was declared in February 2015 and covered the conflict-affected Kokang Zone of Shan State.

To date, under the NLD-led government, no constitutional state of emergency has been declared in any part of the country, and the prerequisite formal meeting of the National Defence and Security Council has not been convened under the NLD-led government. The President’s reported designation of parts of northern as a ‘military operations area’ does not constitute a state of emergency declared pursuant to the Constitution.

What rules govern the conduct of security operations?

The State is always required to take all necessary measures intended to prevent deprivations of life, including planning security operations so as to minimize the risk to human life. Where police powers are exercised by military authorities or by other State security forces, such military or other forces are subject to the relevant international standards for law enforcement officials on matters such as use of force and respect for human rights.

The Tatmadaw’s long history of gross and systematic violations of international human rights law and serious humanitarian law violations where there is armed conflict demonstrates that any rules of engagement and codes of conduct for Myanmar’s security forces have in practice failed to curtail, or have even facilitated or effectively authorized, gross human rights violations against people throughout the country. There has been a chronic lack of accountability for security personnel committing or contributing to these crimes.

Unlike in other areas of Myanmar, particularly in Kachin and Shan states, the violence in northern Rakhine State does not fulfill the criteria necessary to classify the situation as an armed conflict according to international law. The fact that military forces were employed to carry out security operations in northern Rakhine State does not of itself mean that those operations are taken pursuant to an armed conflict. In the absence of armed conflict, the State's security operations must be restricted to law enforcement operations governed by criminal law and human rights law rather than military operations.

Moreover, the security operations are characterized, in northern Rakhine State or anywhere else in Myanmar, the use of force by security forces must comply with protective limitations on the lawful use of force, including principles of necessity and proportionality. Security forces are obliged to abide by constitutional protections and to scrupulously respect international standards governing the use of force.

What are the international standards on the use of force?

The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provide that the use of lethal force by security forces can be made only when it is strictly unavoidable for the purpose of protecting the right to life. Regarding non-lethal force, this also must be employed only as strictly necessary and proportional, and this means it may only be used for limited purposes, such as in self-defence or in the defence of others against the imminent threat of death or serious injury, to prevent a particular serious act involving a grave threat to life threat or when less extreme means are unavailable.

The 1979 UN Code of Conduct for Law Enforcement Officials specifies that, where police powers are exercised by military authorities or by State security forces, such military or other forces are subject to the relevant international standards for law enforcement officials on matters such as use of force and respect for human rights.

Can private individuals lawfully participate in security operations?

Credible reports suggest that groups of individuals who are not members of security forces have carried out acts of violence and arson in northern Rakhine State, allegedly with active involvement or acquiescence by security forces. Regardless of the involvement of security forces in the commission of acts by private individuals, such actions constitute crimes that necessitate investigation and prosecution. In instances where security forces enable, facilitate or otherwise contribute to human rights abuses perpetrated by private individuals, or by militias, this will generally also constitute violations of the State's international human rights law obligations. A failure to intervene to prevent or stop such violence when it happens in the presence of State authorities or when they should be aware of it, or a failure to punish perpetrators in these instances, will also generally constitute a violation of the State's obligations.

Section 128 of the Criminal Procedure Code authorizes police, as well as magistrates, to acquire "the assistance of any male person, not being an officer, soldier, sailor or airman" to disperse public assemblies and to arrest and confine participants. Under section 127 of the Code, private individuals may be mobilized in this way in instances of unlawful assemblies or assemblies 'of five or more persons likely to cause a disturbance of the public peace'. There have been no reports of these provisions being invoked recently in northern Rakhine State. Regardless, these provisions in no way permit the crimes of violence and arson.

The use of militias by the Tatmadaw is a long-standing practice in Myanmar. Article 340 of the Constitution states that, "With the approval of the National Defence and Security Council, the Defence Services has the authority to administer the participation of the entire people in the Security and Defence of the Union. The strategy of the people's militia shall be carried out under the leadership of the Defence Services." As the National Defence and Security Council has not convened under the NLD government, any new militias raised in northern Rakhine State would have no legal basis under Myanmar's Constitution.

Arakan Army Aids in Completing Myanmar Military's Unfinished Business

BY NAY SAN LWIN

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AN EXECUTIVE MEMBER OF THE ARAKAN ROHINGYA NATIONAL ALLIANCE (ARNA).

The genocide of the Rohingya has persisted for nearly five decades, following a long-term plan by the late dictator Ne Win to cleanse the Rohingya population from Arakan (Rakhine State) in Myanmar (formerly known as Burma).

The world has witnessed brutal killings and displacements of the Rohingya in 1978, 1991/92, 2012, 2016, and 2017. Following the massive violence in 2017, The Gambia filed a case at the International Court of Justice (ICJ). The International Criminal Court (ICC) is still investigating the forced deportation case, and the case filed by the Burmese Rohingya Organisation (UK) is expected to conclude soon.

Despite an ICJ order to protect the Rohingya in Myanmar, both the state actor, the Myanmar military, and the non-state actor, the Arakan Army (AA), have violated and continue to violate these provisional measures.

The current situation for the Rohingya in Northern Rakhine State is far worse than in 2017. Since 2019, the Arakan Army (AA) has committed numerous human rights violations against the Rohingya in the region. However, the Rohingya remained silent for the sake of peaceful coexistence.

The AA has been fighting against the military in Arakan since late 2018, with intermittent ceasefires. However, the fighting has been continuous since November of last year, with the AA advancing its territories.

Initially, AA leadership expressed some commitment to the Rohingya issue, stating that they would respect Rohingya human rights. This led the Rohingya to believe the AA wouldn't be as brutal as the Myanmar military. However, this hope has proven to be unfounded.

Since the end of March this year, the Arakan Army has advanced in Buthidaung Township, forcing the Rohingya in rural areas to flee their homes. AA soldiers then looted the houses and burned the villages, carrying out significant massacres across the township.

The most horrific massacre occurred on May 2, 2024, in Htan Shauk Khan (known to the Rohingya as Hoinya Siri), where nearly 600 villagers, including children, women, and the elderly, were brutally killed in a single day.

Additionally, nearly 1,500 other Rohingya were killed in various villages, including Kyauk Phyu Taung, Nga Kyin Tauk, and Tat Min Chaung. Some eyewitnesses reported finding many dead bodies, some identifiable as entire families, as they escaped from Buthidaung to Maungdaw through the mountains. It is possible that the AA killed them as they attempted to flee. When the UN reported beheadings, it shocked everyone, but the Rohingya were all too familiar with such horrors. According to survivor accounts, AA soldiers killed the Rohingya using snipers, rifles, pistols, machetes, drone-dropped bombs, and artillery.

As the Rohingya were driven out of their homes in rural areas, most sought refuge in urban areas. Due to overcrowded homes hosting multiple families, many refugees took shelter in schools, hospitals, and government offices. The AA fired artillery into one of these schools at least three times.

On May 17, 2024, at least 12 hours before the deadline for an evacuation order, the AA set fire to houses in an urban area, displacing nearly 200,000 people. Those who were already displaced were displaced once more. When they attempted to reach Maungdaw, the AA blocked their passage.

According to the Australian Strategic Policy Institute, the AA burned down at least 8,500 Rohingya houses.

Now, these people are concentrated in a few locations in Buthidaung under AA control, suffering severe human rights abuses and facing the worst humanitarian crisis to date.

The military junta has blacked out all communications, but people can still access a minimal mobile network range from Bangladesh. However, there is no internet service, and the mobile signal works only in certain areas.

Adding to their cruelty, the AA has forbidden the Rohingya from using the available network. Most smartphones and basic keypad phones have been confiscated, and the AA has warned that anyone caught using a phone will be sentenced to three years in prison.

Rohingya youth have become the primary target of the AA. Many have been abducted and disappeared, with their families unable to contact them or learn their whereabouts. On the other hand, the AA is also forcibly conscripting Rohingya youth.

The AA now offers those who want to leave for Malaysia the option to pay 15 million Kyat and take a boat. The cost for those wishing to go to Bangladesh is 2 million Kyat.

No humanitarian agencies are present, and no one can leave the areas where they are concentrated. With no way to earn a living, the Rohingya are entirely dependent on money sent by their relatives in the diaspora. They must pay at least a 30% commission to transfer agents reportedly connected to the Arakan Army (AA) to receive any amount.

With whatever money they receive, they must purchase food and other necessities, which can only be bought through the AA. If someone pays for food commodities, half is taken as a commission, leaving the buyer with only half the value. Moreover, the prices imposed by the AA are three times higher than average market rates, so the buyer effectively receives only 20% of the value from the payment they made.

After seizing Buthidaung, the Arakan Army (AA) has been advancing into the urban areas of Maungdaw. While the AA claims to be fighting against the military, Rohingya villages located on the opposite side of a military base have been attacked with drones and artillery. These attacks have resulted in around 150 Rohingya deaths and numerous injuries.

As the AA's attacks on Rohingya areas intensified, on August 5, 2024, thousands of Rohingya from Myoma Taung, Myoma Kayin Dan, and Maung Ni villages gathered at the Naf River bank in an attempt to flee to Bangladesh. However, after they assembled there, the AA dropped dozens of drone bombs, leading to a massacre that claimed the lives of more than 200 people, including children, women, and the elderly. At one instant, the AA didn't even a boat fleeing, dropping a bomb that killed everyone on board. Only two survived. The next day, at least two boats sank, and many dead bodies washed ashore in Bangladesh.

As of now, downtown Maungdaw is empty. All Rohingya have been forced to leave their homes under what the Arakan Army (AA) calls "evacuation." However, this is not an evacuation; it is forced relocation. The AA has a policy of cleansing the Rohingya from Buthidaung and Maungdaw Townships. This plan was revealed in a private conversation by Twan Morn Naing, the elder brother of AA chief Twan Mrat Naing, but was leaked.

Ten years ago, an article in Foreign Policy also revealed the AA's religious motives, shedding light on their long-standing agenda against the Rohingya.

Undoubtedly, the crimes committed by the Arakan Army (AA) against the Rohingya amount to crimes against humanity and war crimes.

Discussing AA's crimes does not imply that the military has stopped committing crimes against the Rohingya. Since mid-February this year, the military has conscripted Rohingya youth in Sittwe, Buthidaung, and Kyauk Phyu forcibly. Some have been forced to fight against the AA on the battlefield, resulting in numerous deaths and injuries.

The conscripts were also forced to burn Rakhine and Hindu houses in Buthidaung. News reports and other sources suggest about 2,000 homes were burned. Those familiar with the situation have said the burning of Rakhine and Hindu houses was led by the chief of the Tactical Command Office in Buthidaung.

The military has allied with so-called Rohingya armed groups such as the Arakan Rohingya Salvation Army (ARSA), Arakan Rohingya Army (ARA), and Rohingya Solidarity Organisation (RSO). The majority of Rohingya regard these groups as criminal gangs. They fought against the AA, but when the military retreated, they fled with the military. Their collaboration has nothing to do with the Rohingya people. If they have committed crimes against individuals or groups, they alone are responsible for their actions.

In conclusion, the Myanmar military has enjoyed impunity since 1962. The world continues to allow this impunity, enabling the military to commit crimes, and since the coup in 2021, the entire population has been suffering as a result. Now, the AA has become an additional oppressor for the Rohingya. If the AA enjoys impunity like the military, the future of the Rohingya in Arakan is bleak.

This impunity must end. While the military is under sanctions from Western governments, the AA needs similar sanctions to prevent further atrocities against the Rohingya. Given the severity of the international crimes committed against the Rohingya, the world must find a way to deliver justice. The AA must be held accountable.

Inaction and Silence of the International Community: A Catalyst for the Arakan Army's Continued Genocide Against Rohingya

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The ongoing genocide against the Rohingya people in Myanmar has highlighted the devastating consequences of regional and international inaction.

The lack of decisive intervention by both regional bodies like the Association of Southeast Asian Nations (ASEAN) and the broader international community has not only allowed the violence to persist but has also emboldened Myanmar military (Tatmadaw) and non-state armed groups like the Arakan Army (AA) to deny Rohingya's existence in Myanmar and further perpetuate their suffering.

Despite widespread international condemnation, the response from the global community has been insufficient, allowing the Myanmar military junta and the Arakan Army (AA) to continue their genocidal actions against the Rohingya with impunity.

The Rohingya Genocide: A Humanitarian Catastrophe

The Rohingya have long been subjected to institutionalized discrimination and persecution in Myanmar, where they are denied citizenship under the 1982 Citizenship Law, freedom of movement, and access to basic services. The Myanmar government's refusal to recognize the Rohingya as one of the country's ethnic groups, by labeling them as "Bengalis" and falsely portraying them as illegal immigrants from Bangladesh, has further marginalized them.

In August 2017, the Tatmadaw initiated a violent crackdown on the Rohingya was characterized by mass killings, gang rapes, and the burning of entire villages, forcing over a million Rohingya to flee to neighboring Bangladesh. These actions have been widely recognized as genocidal by the United Nations and various human rights organizations.

The Arakan Army's Role

The Arakan Army, formed in 2009, is an ethnic Buddhist Rakhine insurgent group that seeks greater autonomy for the Rakhine people. While its primary conflict has been with the Myanmar regime and military, the AA has also been implicated in the broader violence and persecution directed at the Rohingya.

The Arakan Army, like the Myanmar military, denies the ethnic identity of the Rohingya, aligning with the broader nationalist narrative that labels the Rohingya as outsiders with no rightful place in Myanmar. This denial of identity is a critical part of the broader strategy of marginalization and dehumanization that facilitates the continued violence against the Rohingya. By refusing to acknowledge the Rohingya as an indigenous ethnic group, both the Tatmadaw and the AA justify their exclusion from Myanmar's social and political fabric and their ongoing genocide.

The Consequences of Denying Ethnic Identity

The denial of the Rohingya's ethnic identity is not just a rhetorical strategy; it has profound and devastating consequences for their lives. By refusing to recognize the Rohingya as an indigenous ethnic group, the Myanmar military junta and groups like the Arakan Army strip the Rohingya of their rights, including the right to citizenship, land, and protection under the law. This denial also serves to dehumanize the Rohingya as aliens and outcasts with wanton acts of violence and discrimination against them.

International Inaction: A Global Failure

The international community's response to the Rohingya crisis has been similarly ineffective. While there have been condemnations, sanctions, and attempts to bring the perpetrators to justice through international courts, these measures have not been enough to stop the ongoing violence or address the underlying issues.

This lack of decisive action has created a vacuum where non-state actors like the Arakan Army are inspired to pursue their agendas without fear of significant consequences. The AA's continued operations in Rakhine State, often with little regard for the humanitarian impact on the Rohingya, are symptomatic of a broader issue: the failure of the international community to hold any actors in Myanmar accountable for their actions.

The International Court of Justice (ICJ) ruling in 2020, which ordered Myanmar to take steps to prevent further acts of genocide, has not been effectively enforced. Furthermore, the broader international response has been fragmented, with many countries prioritizing their strategic interests in the region over human rights. This lack of a unified and robust response has sent a message to both state and non-state actors in Myanmar that the international community is unwilling or unable to intervene decisively.

The Arakan Army, operating within this context of international inaction, has been emboldened to continue its denial of the Rohingya's ethnic identity and to participate in the systematic violence against them. The absence of meaningful consequences from the global community has allowed the AA to act with impunity, further entrenching the Rohingya's marginalization and suffering.

The Silence That Encourages Oppression

The international community's silence, particularly in the face of continued human rights abuses, sends a dangerous message. It suggests that the suffering of the Rohingya and other minorities in Myanmar is not a priority on the global stage. This perception can encourage groups like the Arakan Army to continue their operations with impunity, knowing that the chances of international intervention are slim.

Furthermore, the lack of a coordinated and robust international response undermines the efforts of those within Myanmar who are working towards peace and justice.

Regional Inaction: Failure to Respond

ASEAN's Complicity: ASEAN's principle of non-interference in the internal affairs of its member states has severely limited its ability to respond effectively to the Rohingya crisis. Despite being the regional body most directly positioned to influence Myanmar, ASEAN has largely remained silent or taken only symbolic actions. Its reluctance to address the root causes of the crisis, such as the denial of Rohingya citizenship and ethnic identity, has allowed the situation to deteriorate further. ASEAN's failure to hold Myanmar accountable for its actions has indirectly encouraged the Arakan Army and other nationalist groups to continue their campaigns against the Rohingya. The lack of regional pressure has given these groups the impression that their actions will not be met with significant consequences, allowing them to persist in their denial of Rohingya identity and their participation in the broader genocide.

Bangladesh's Strained Relationship: Bangladesh, which has borne the brunt of the Rohingya refugee crisis, hosting more than one million Rohingya in overcrowded camps, has faced significant challenges in addressing the situation. While Bangladesh has provided sanctuary to the Rohingya refugees, it has also been criticized for its handling of the crisis. The country's focus on repatriating the Rohingya to Myanmar, often under questionable conditions, has overshadowed efforts to address the root causes of the crisis or hold the perpetrators accountable.

India's Strategic Interests Over Human Rights: India, one of Myanmar's largest neighbors and a regional power, has also been criticized for its muted response to the Rohingya crisis. India's strategic interests in Myanmar, including its desire to counter Chinese influence and maintain access to key infrastructure projects, have led it to prioritize its relationship with the Myanmar junta over the protection of human rights. India's silence on the actions of the Arakan Army and the broader genocide against the Rohingya has been particularly concerning. By failing to condemn the violence or take meaningful action, India has effectively given tacit approval to the ongoing persecution of the Rohingya. This lack of accountability has emboldened the Arakan Army to continue its campaign of violence, knowing that it is unlikely to face significant repercussions from one of the region's most powerful countries.

China's Calculated Indifference: China, as a global superpower with significant influence in Myanmar, has played a crucial role in shaping the dynamics of the Rohingya crisis. China's strategic interests in Myanmar, particularly its investments in infrastructure projects and its desire to maintain stability along its borders, have led it to adopt a calamitous policy of non-interference in Myanmar's internal affairs.

China's reluctance to condemn the actions of the Myanmar military and the Arakan Army, or to push for accountability, has had a profound impact on the situation in Rakhine State. By providing diplomatic cover to the Myanmar military junta at international forums, including the United Nations Security Council, China has helped shield those responsible for the genocide from global scrutiny. This calculated indifference has allowed the Arakan Army to continue its unjust actions with impunity, knowing that it has the backing of one of the world's most powerful nations. China's focus on its own geopolitical interests, rather than on the protection of vulnerable populations, has contributed to the ongoing violence against the Rohingya.

The Consequences of Regional Inaction

The silence and inaction of the Association of Southeast Asian Nations (ASEAN) in response to the ongoing genocide and atrocities committed against the Rohingya by Myanmar's military and the Arakan Army (AA) have had profound and far-reaching consequences. Despite the severity of the crisis, ASEAN's reluctance to directly intervene or take a unified stance reflects the complexities of regional politics, non-interference principles, and the geopolitical landscape.

The inaction and silence of Bangladesh, India, and China have had severe consequences for the Rohingya. The failure of these key regional players to take a strong stance against the Arakan Army and the Myanmar military has allowed the genocide to continue unabated. The Rohingya remain trapped in a cycle of violence and displacement, with little hope for justice or a return to their homeland. The Arakan Army, encouraged by the lack of regional and international accountability, has continued its campaign of violence against the Rohingya, further entrenching their marginalization and suffering. The ongoing inaction of Bangladesh, India, and China not only undermines the credibility of these countries as regional leaders but also sends a dangerous message that genocide can be carried out with impunity.

The Way Forward: Urgent Action Needed

To prevent further atrocities and bring justice to the Rohingya, both regional and international actors must take decisive and coordinated action. This includes:

- 1.Strengthening Regional Cooperation:** ASEAN must reconsider its non-interference policy and take a more active role in addressing human rights violations within its member states. This could involve establishing mechanisms for accountability and providing a platform for dialogue that includes all stakeholders, including the Rohingya.
- 2.Enforcing International Law:** The international community must work together to enforce the ICJ's rulings and ensure that those responsible for the genocide are held accountable. This could involve targeted sanctions, international prosecutions, and diplomatic pressure on Myanmar.
- 3.Supporting Identity and Rights:** Both regional and international actors must work to ensure that the Rohingya are recognized as an ethnic group ensuring their right to exist in Arakan on the basis of "full and effective equality" and protections under international law. This includes advocating for their citizenship in Myanmar, protecting their land rights, and supporting their safe and voluntary return to their homeland.
- 4.Supporting Humanitarian Efforts:** Greater support is needed for humanitarian efforts in both Myanmar and the refugee camps in Bangladesh. This includes increasing funding for education, healthcare, and livelihoods for the Rohingya, as well as advocating for their rights and protection.
- 5.Promoting Inclusive Peace Processes:** Any peace process in Myanmar must include the Rohingya and address their legitimate grievances.

Conclusion

The ongoing genocide against the Rohingya is a tragic testament to the consequences of international and regional inaction. The silence and failure to act decisively have emboldened both the Myanmar military junta and the Arakan Army to continue their brutal genocidal campaigns against the Rohingya, denying their ethnic identity and perpetuating their suffering. To bring justice to the Rohingya and prevent further atrocities, the international community key regional players must move beyond their geopolitical interests and take decisive action to hold the perpetrators accountable and support the rights and dignity of the Rohingya people.



**COMMEMORATING THE ROHINGYA STRUGGLE:
ARNA OBSERVES GENOCIDE REMEMBRANCE DAY**



Rohingya Genocide Remembrance Day is observed annually on August 25 to honor the memory of the thousands of Rohingya Muslims who were killed and displaced during the violent military crackdown in Myanmar's Rakhine State in 2017. This day serves not only as a somber reflection on the atrocities committed—marked by mass killings, sexual violence, and the forced displacement of over 700,000 Rohingya to neighboring Bangladesh—but also as a call for justice and accountability. International organizations and Rohingya advocates use the day to raise awareness of the ongoing humanitarian crisis and to push for legal action against the perpetrators of the genocide



Rohingya

GENOCIDE DAY



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