

Myanmar Risk: Very High/Ongoing

Myanmar remains at very high risk for atrocities as violence against civilians continues in Rakhine and neighbouring states amidst intensified fighting between Arakan Army (AA) troops and Tatmadaw soldiers. Restrictions imposed by the central government due to COVID-19 and the sustained counter-insurgency operations by the military, including shutting down internet and mobile phone services, further exacerbate the humanitarian crisis affecting all communities in these areas. More than a million people will be disenfranchised (excluding some 600,000 Rohingya who remain barred from voting) in the 8 November elections as the Union Election Commission announced the cancellation of voting in 56 townships across Rakhine, Chin, Kachin, Mon, Kayah, and Shan states amidst fighting between the Tatmadaw and AA troops.¹ Apart from staging ambush attacks against Tatmadaw forces, the AA has allegedly resorted to kidnapping civilians suspected of being pro-government or supporters of the military. Recently, local NLD candidates in Rakhine² were kidnapped in October while they were campaigning, which is the third incident in the state since late last year.

In September, UN High Commissioner for Human Rights Michelle Bachelet warned that due to increased targeting of and indiscriminate attacks on civilians in Rakhine and neighboring states, the Tatmadaw and AA rebels may be committing war crimes and crimes against humanity.³ Civilian casualties in Rakhine and Chin states have risen in the first half of 2020 as fighting between Tatmadaw forces and AA troops intensified. Specifically, at least 90 children have died, which are among over 1,000 victims of reported abuses across Myanmar. The main perpetrators of abuse against children in the country were from the military (317), rebel armed groups (31), and police (4).⁴ In July, an estimated 190,700 IDPs in Rakhine were displaced by fighting between AA rebel forces and the military. Since then, more than 36,000 civilians were displaced in August due to fresh clashes between the Tatmadaw and AA forces. The total number of IDPs in Rakhine reached 226,804 as of late September.⁵ Given the COVID-19 travel restrictions in the state, which has the second highest number of cases in Myanmar after Yangon, humanitarian and civil society organisations are facing difficulties in providing assistance to IDPs affected by continuing violence in the state. With more than 1,000 people in a camp, IDPs are also facing high risk of corona virus infections.⁶

Meanwhile, the repatriation of the Rohingyas from Bangladesh remains stalled given the continuing violence in Rakhine and travel restrictions imposed by the Myanmar government due to the pandemic. The suffering of the Rohingya refugees in Bangladesh is exacerbated by restrictions imposed by the Bangladesh government in Cox's Bazaar for access to internet and mobile phone services due to increased criminal activities involving some Rohingya refugees. In early October, an outbreak of violence in Cox's Bazaar between rival gangs engaged in drug trafficking resulted in the death of seven

¹ Sithu Aung Myint, "In Myanmar's Rakhine state, cancellations leave little space for political compromise," Frontier Myanmar online, 2 November 2020, from <https://www.frontiermyanmar.net/en/in-rakhine-cancellations-leave-little-space-for-political-compromise/>, accessed on 5 November 2020.

² Min Aung Khine, "Three Ruling Party Candidates Abducted by Armed Men in Myanmar's Rakhine State," The Irrawaddy, 14 October 2020, from <https://www.irrawaddy.com/elections/three-ruling-party-candidates-abducted-armed-men-myanmars-rakhine-state.html>, accessed on 14 October 2020.

³ "Myanmar casualties may amount to further war crimes, U.N. rights chief says," Reuters online, 14 September 2020, from <https://uk.reuters.com/article/uk-un-rights-myanmar-idUKKBN2651H4>, accessed on 15 September 2020.

⁴ "More children being killed and maimed in Rakhine amid 'unprecedented levels of violence' - rights group," Myanmar Now online, 15 September 2020, from <https://www.myanmar-now.org/en/news/more-children-being-killed-and-maimed-in-rakhine-amid-unprecedented-levels-of-violence-rights?fbclid=IwAR1wrlIBXpylS8wDsBccurEWOPVc3zdh5cuCAPhtnmUgBfEOrijLujq66PI>, accessed on 15 September 2020.

⁵ Khaing Yoe Hla, "Rakhine IDPs Exceed 36,000 since August: Myanmar NGO," The Irrawaddy online, 5 October 2020, from <https://www.irrawaddy.com/news/burma/rakhine-state-idps-exceed-36000-since-august-myanmar-ngo.html>, accessed on 15 October 2020.

⁶ Ibid.

people and about a thousand refugees fleeing their temporary shelters, some of which were set ablaze. Additional police, border guards, and military forces were deployed by Dhaka in the refugee camps and raids were conducted that led to the arrest of nine armed Rohingya who were reportedly involved in the clashes. Some Arakan Rohingya Salvation Army (ARSA) members are reportedly in control and operating openly in some of the camps and allegedly have been involved in extortion, abduction, torture, killing, and other criminal activities against the refugees.⁷

In September, a group of 300 Rohingya refugees taken to Bhasan Char--an uninhabited silt island--after they were intercepted by Bangladeshi authorities in April, alleged that they were being held against their will in jail-like conditions and have been subjected to rape and sexual assault.⁸ Dhaka plans to move some 100,000 refugees to Bhasan Char, a flood-prone island where it has built some housing facilities. A recent report by the Women's Refugee Commission (WRC) cited among its key findings that sexual violence against men and boys may not be rare in Myanmar's Rakhine state as many of whom were subjected to a variety of conflict-related violence by perpetrators who belong to armed groups and other refugees.⁹

The international community should continue to give priority attention to the suffering of the Rohingya refugees in Bangladesh by providing humanitarian assistance in the midst of the global pandemic. In late October, an international donor conference was held that raised USD 600 million pledges of support for humanitarian assistance to the Rohingya refugees. The US, UK, and European Union organised the virtual conference with the UN High Commission for Refugees (UNHCR), which aimed to meet the USD 1 billion target.¹⁰

Recommendations:

The government of Myanmar should:

1. Comply with its responsibility to protect vulnerable populations in Rakhine by assisting internally displaced civilians who are caught in the crossfire between Tatmadaw and insurgent forces.
2. Hold the Tatmadaw and rebel forces accountable for continuing war crimes and crimes against humanity in Rakhine. Myanmar should also comply with the provisional measures ordered by the International Court of Justice in January in protecting the Rohingya in Myanmar.

The UN Human Rights Council should:

Undertake independent investigation of alleged violations of human rights being committed against Rohingya and other Myanmar refugees in Bangladesh, including alleged crimes by Rohingya gangs and ARSA members against their own community in Cox's Bazaar.

⁷ Veronica Pedrosa, "Reign of Terror," Philstar.com, 17 October 2020, from

<https://www.philstar.com/opinion/2020/10/17/2050158/reign-terror/amp>, accessed on 23 October 2020.

⁸ Hannah Ellis-Petersen and Shaikh Azizur Rahman, "Rohingya refugees allege sexual assault on Bangladeshi island," The Guardian, 22 September 2020, from <https://www.theguardian.com/world/2020/sep/22/rohingya-refugees-allege-sexual-assault-on-bangladeshi-island>, accessed on 22 September 2020.

⁹ Women's Refugee Commission, "Sexual Violence Against Men and Boys in Conflict and Displacement: Findings from a Qualitative Study in Bangladesh, Italy, and Kenya," October 2020, from <https://s33660.pcdn.co/wp-content/uploads/2020/10/Sexual-Violence-against-Men-Boys-Synthesis-Report.pdf>, accessed on 29 October 2020.

¹⁰ "International donors pledge nearly \$600 million to support Rohingya," Al Jazeera online, 23 October 2020, from <https://www.aljazeera.com/news/2020/10/23/international-donors-pledge-nearly-600m-to-support-rohingya>, accessed on 23 October 2020.

ASEAN members and other concerned governments should:

Step up their efforts in providing increased humanitarian assistance to affected communities in Rakhine and neighboring states, as well as refugees in Bangladesh. They should also exert more pressure on Myanmar and Bangladesh to implement their bilateral agreements on the safe, voluntary, and orderly repatriation of the refugees.